

as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the ___ elevation(s), of the extension(s) hereby approved, facing ___.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

OFFICER'S ASSESSMENT

This application has been "called in" by Councillor Arjun Mitra who wishes the matter to be considered by the Planning Committee for the following reasons:
" due to its impact on the neighbours"

In addition, Councillor Claire Farrier has called the application into committee "due to the overdevelopment of the site and its effect on the neighbouring properties".

1. Site Description

The application site comprises of a two-storey mid terraced dwelling house, located on the southern side of Lincoln Road within the East Finchley Ward.

The property is largely characterised by its traditional architectural appearance. There is a two-storey outrigger to the rear which appears to be an original feature.

The site is not within a conservation area and the building is not listed. However, the building adjacent to the host property (no.86) is a locally listed building. There are no TPO's on site as well.

2. Site History

Reference: 20/6205/192

Address: 39 Lincoln Road, London, N2 9DJ

Decision: Lawful

Decision Date: 20 January 2021

Description: Roof extension involving side/rear dormer windows and 2no front facing rooflights

3. Proposal

The application seeks permission for a single story side and rear extension.

The single storey extension will extend from the recessed wall, full width, infilling the space between the flank wall and the common boundary wall with the adjoining neighbouring property at no.37, with a depth of 9.8m. It will wrap around the two-storey rear projection, full width measuring 4.9m. The rear extension will measure 3m in depth along the boundary wall of no.41.

It will have a combination of a pitched and flat roof. The extension will pitch away from the boundary fence with no.37 to have an eaves of 2m along the boundary fence and a maximum height of 3.38m. The extension along the boundary fence of no.41 will have a flat roof measuring 3.38m.

4. Public Consultation

Consultation letters were sent to 13 neighbouring properties.

Out of which 8 objections and 2 letters of support were received, which have been summarised below;

Concerns:

- Loss of light & obstructed views
- Will reduce green space considerably
- Garden Building: commenced
- Not notified regarding Loft Conversion: app
- Depth of extension is not in keeping with the context or scale of the area
- Create a sense of enclosure, along with a loss of outlook and daylight from these principle windows
- Home office plus extension will mean a disproportionate percentage of the garden will vanish
- It is not clear the correct notification procedure has been followed. No notices have been affixed to lamp-posts or sent in the post
- Dwellings become over-priced rental accommodation for the poorest and most vulnerable in society
- Set a precedent and change the character of the area

Support:

- Does not affect anyone's light
- contribute towards bringing the old houses in this area up to the standards of the area
- The design is high quality and sympathetic to its surroundings.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must

determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published in 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The new London Plan which sets out the Mayor's overarching strategic planning framework from 2019 up to 2041 will be adopted in March 2021. When adopted this will replace the London Plan 2016. The Mayor published his Publication London Plan in December 2020, and the Secretary of State has now confirmed that he requires no further revisions to the document before adoption. The Publication London Plan will be adopted in March 2021 and therefore a very high weight should be attached to those policies. Until then the London Plan 2016 remains the statutory Development Plan until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2021 London Plan, whilst noting that considerable account needs to be taken of the soon to be adopted policies.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver

the highest standards of urban design.

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Policy DM01 of the adopted Development Management Policies (2012) states, that

"development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets".

The surrounding area consists predominantly of two-storey terraced properties, that benefit from a two storey rear projection which is an original feature of the properties. Some of the properties on this street are locally listed, however the host property is not.

A number of properties have carried out alterations to their properties, differing in scale and design. The proposal will involve a single storey side and rear wrap around extension with associated rooflights.

With regards to the proposal, paragraph 14.15 of the adopted Residential Design Guidance SPD states that side extensions should not be more than half the width of the original house. The proposed side extension will not be more than half the width of the rear wall. In addition, Barnet's Residential Design Guidance states that a depth of up to 3m is acceptable for a terraced property.

The proposal will have a depth of 3m from the original rear wall of the two storey projection along the boundary wall of no.41. Therefore the depth of this element is considered to be policy compliant.

The extension will project for a depth of 9.8m along the boundary wall of no.37, which exceeds the recommended allowance of 3m. However this element will pitch away from the boundary fence for a width of approximately 1.8m. It will have an eaves of 2m along the boundary fence, which is the height of a fence that could be erected under permitted development. In addition the pitching away of the extension will create a subordinate feature which will not be visually intrusive and will not result in loss of outlook, to the adjoining occupiers. Furthermore, the orientation is such that the properties benefit from south facing gardens, therefore the proposal will not create any further loss of light or overshadowing than existing.

It is noted that no. 27 Lincoln Road has constructed a similar side extension (F/01246/12) that pitches away from the boundary fence with an eaves of 2m. In addition, a couple of properties have built extensions that project forwards of the two storey rear projection, eg.no. 15 Lincoln Road under ref. F/03513/12. Whilst there is no known evidence of properties carrying out a wrap around on this street, it not considered that the additional depth involved in a wraparound will have an unacceptable impact on the character or amenities to neighbouring properties to warrant a refusal.

As such the proposed bulk, size, design and siting of the rear extension is considered to be acceptable and not likely to have an impact on the amenities of both adjoining occupiers and the character and appearance of the application site and the immediate vicinity.

5.4 Response to Public Consultation

- Loss of light & obstructed views
- Depth of extension is not in keeping with the context or scale of the area
- Create a sense of enclosure, along with a loss of outlook and daylight from these principle windows
- Set a precedent and change the character of the area

The concerns have been addressed in the body of the report.

- Will reduce green space considerably
- Garden Building: commenced
- Home office plus extension will mean a disproportionate percentage of the garden will vanish

The properties on this street benefit from large gardens and therefore it is not considered that the proposal is large enough to considerably reduce the garden space. In addition, applicants are entitled to build a garden shed/home office to be used ancillary to the main dwelling under permitted development, as long as they adhere to the requirements set out under this legislation.

- Not notified regarding Loft Conversion: app

The loft conversion was undertaken under permitted development. The applicant is allowed to build up to a certain allowance without planning permission, therefore no neighbours were consulted.

- It is not clear the correct notification procedure has been followed. No notices have been affixed to lamp-posts or sent in the post

The application is for minor alterations to their properties and therefore in line with statutory requirements, the neighbours adjoining the boundary of the application site have been consulted.

- Dwellings become over-priced rental accommodation for the poorest and most vulnerable in society

The above is not a material consideration.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

Location Plan of 39 Lincoln Road London N2 9DJ



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