

Location 1 Danescroft Gardens London NW4 2ND

Reference: 22/2728/HSE Received: 23rd May 2022
Accepted: 25th May 2022

Ward: Hendon Expiry 20th July 2022

Case Officer: Asha Chhabhaiya

Applicant: Mr and Mrs Jay

Proposal: Two storey front new bay window, side and rear extensions with new terrace area following demolition of the existing garages. Roof extension involving side and rear dormer window with 2no. Juliette balconies and 2no. front facing rooflights. New 3m high acoustic barrier fence

OFFICER'S RECOMMENDATION

Refuse

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The proposed first-floor side and corresponding roof extension, by reason of its bulk, massing, height, design and siting, would appear unduly overbearing when viewed from the adjoining property at No. 9 Danescroft Avenue, adversely affecting the outlook and sense of enclosure from the rear garden, to the detriment of the residential amenity of neighbouring occupiers, contrary to Policy D3 of the London Plan (2021), Policy CS5 of the Local Plan: Core Strategy DPD (2012), Policy DM01 of the Local Plan: Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016)

Informative(s):

- 1 The plans accompanying this application are:

Location Plan
Existing roof site plan 1DG-HOU-01
Existing plans 1DG-HOU-02

Existing elevations 1DG-HOU-03
Proposed roof site plan 1DG-HOU-04
Proposed plans 1DG-HOU-05A
Proposed elevations 1DG-HOU-06A

- 2 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. The LPA has discussed the proposal with the applicant/agent where necessary during the application process. Unfortunately the scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

OFFICER'S ASSESSMENT

This application was called to committee by Cllr Shooter for the following reason:

The application is in keeping with the road, and doesn't appear to be out of place. The extension is not overbearing and doesn't hinder any neighboring properties

1. Site Description

The host dwelling is a detached property situated on a corner site in Danescroft Gardens, NW4 2ND. The front of the property is south facing and features a prominent, rounded bay over two storeys. The property has been previously extended over two storeys to the eastern elevation and at ground floor level to the rear.

Though the row of detached properties along the eastern side of Danescroft Gardens are over a similar scale and aesthetic, it is notable that the immediate neighbouring properties display a variety in design, materials and scale relative to their plots.

It does not lie within a Conservation Area and is not a locally or statutory Listed Building. There are some substantial trees to the rear of the site, though none are subject to Preservation Orders.

2. Planning History

Reference: W04640

Address: 1 Danescroft Gardens London NW4

Decision: Approved subject to conditions

Decision Date: 27.06.1974

Description: Erection of two-storey side and single-storey rear extensions.

3. Proposal

The host property benefits from an existing two storey side and single storey rear extension.

The current proposal involves:

- rasing of ridge height with new crown roof at 9.4m in height; 2no dormer windows to the rear and 1no dormer to the (east) side. 2no rooflights to the front elevation and 3no to the (west) side
- new bay feature to the front elevation.
- demolition of existing garage and erection of a two storey side extension. This element measures 1.9m in depth, 5m in length, 6m to eaves and 8.6m in maximum height.
- conversion of the garage to the left.

The existing rear element measure 3.4m in maximum depth. The proposed rear element would extend this by 2.5m. The total depth would be 6.1m from the original rear wall. 12.5m in depth and 3.2m in height.

The first floor rear extension would measure 3.4m in depth 12.5m in width. This will be encompassed within the proposed crown roof.

Infill of area behind the existing two-storey side element would measure 2.8m in depth, 7.7m in length. This will be encompassed within the proposed crown roof.

4. Public Consultation

Consultation letters were sent to 7 neighbouring properties.

1 objection has been received. The comments have been summarised as follows;

- Juliet balcony windows on the rear elevation will cause more overlooking than casement windows
 - loss of privacy
 - direct lines of sight into our principal living areas.
 - trees in the garden, during the winter months these thin out considerably
- Juliet windows are not typical or in keeping with the area
 - casement windows more typical of this location

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 July 2021. 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, is indivisible from good planning, and should contribute positively to making places better for people'. 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 new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

Barnet's Local Plan (2012)

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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.

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 area.
- Whether harm would be caused to the living conditions of neighbouring residents.

Impact upon the character and appearance of the existing building, the street scene and the wider area

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects.

This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), D1 and D3 (both of the London Plan).

Policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The Residential Design Guidance SPD (pursuant to Policy DM01) sets out the following expectations for development:

14.9 Consistency with the original type of a building can be achieved by:

- Respecting the proportions of the existing house
- Using an appropriate roof form
- Matching materials and details
- Matching the window style, proportions and position
- Reflecting the character of the original house.

Whichever type of design is proposed, the following rules should apply:

- The extension should normally be subordinate to the original house
- The extension should respect the original building and should not be overly-dominant

14.13 If there is a consistent and coherent architectural character, the extension should not detract from it. The extension should sit comfortably with the main building and with neighbouring houses by:

- Taking account of the group value, character and established form of development along the street
- Avoiding protruding beyond prominent building lines
- Glimpsed views between buildings, which in allowing greenery and sky to be seen from the road contributes to the character of the area
- Take account of existing features along the boundary, for example, outbuildings, fences, walls and trees
- Making sure the garden remains capable of providing adequate amenity space for enjoyment at the property.

14.15 Side extensions should not be more than half the width of the original house. In addition, the setting back of the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene. First floor side extensions should normally be set back 1 metre from the front main wall of the existing house.

14.21 The depth of a single storey rear extension, normally considered acceptable for...[a] detached property is 4 metres.

14.23 Two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. This is because they can be too bulky and dominant and have a detrimental effect on the amenities of neighbours.

14.29 Where it is considered that a building may reasonably be extended forward (for example, on occasion detached houses in low density areas or in roads with irregular building lines), the following principles should be observed:

- front extensions should fit in with the architectural style of the house
- care should be taken to ensure that front extensions have regard to, and do not conflict with, existing architectural features such as bay windows

14.33 The following points should be considered for dormer roof extensions:

- Design: should reflect style and proportion of windows on the existing house. Dormers may have flat, gabled, hipped or curved roofs and subject to the criteria on position, should normally align with the windows below.
- Scale: Dormer roof extensions should normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope.
- Proportion: To retain the balance of the house, the dormer roof extension should not normally be wider than the window below it and the dormer cheeks kept as narrow as possible. On side dormer extensions, where there is a requirement to provide adequate headroom for stairs, the extension should still be set away from the ridge and clear of the hips
- Materials: The window materials and design should be in keeping with those on the rest of the house. The dormer cheeks should be finished with lead, tiles, slates or other traditional materials, and the top of flat roofed dormers should be finished with lead or zinc. The use of roofing felt for the roof, cheeks or face of the dormer should be avoided.

At ground floor level, the existing garage and store room to the western side will be demolished and largely replaced, retaining a small courtyard behind the newly formed study - allowing light into the guest toilet and stairwell. The footprint would not extend beyond that of the existing house (as already extended) to the rear, though will infill the area along the eastern side (adjacent to the road) from behind the existing two storey extension up to an equivalent depth.

At first floor level, the area to the rear of the existing extension to the eastern side will be extended back to the equivalent depth of the deepest part of the existing first floor. On the western side, the existing rear elevation will also be extended up to the deepest point at first floor level and in two parts out to the western side - corresponding with the ground floor footprint.

The proposal would involve corresponding alterations to the front elevation both to form a second two storey front bay (to effect a double-fronted property) and beyond that, to form a wing to each side.

The roof would be extended in all directions to encompass the extended building envelope, though would retain the existing pitch. It will incorporate two dormers to the rear and a larger (east) side dormer, together with two rooflights to the front and three to the western side elevation.

Full details of the materials are not given however, this can be conditioned in the event of an approval for discharge prior to commencement of the works.

Having viewed the wider area there are numerous examples of ground floor rear extensions along Danescroft Gardens, including full width extensions, and therefore officers do not consider this element would be detrimental to the character of the street scene and it remains consistent with the existing footprint.

The proposed two storey extension to infill the space behind the existing garage (eastern side) and at first floor level to the western side would comply with the SPD which requires side extensions to be a maximum width of no more than half the width of the property.

There are a number of examples of first floor extensions along the street - notably the example at No 9 (adjoining the application site), which has resulted in a similar, double-fronted building envelope under a large crown roof. Therefore, the proposed first floor extensions are not considered to be out of keeping with the character of the area.

The proposed conversion of the garage to the eastern side would be acceptable and would not have an adverse impact on the highway as adequate off-street parking exists at the site. It is noted that several properties along Danescroft Gardens have converted their garages into habitable rooms or have been replaced with windows.

Although the proposed crown roof over the dwelling and extension would result in a not insignificant increase in the bulk of the existing dwelling, which would be visible in the street scene, given a number of other properties in the locality have significant roof structures, including most notably at No. 9, this would on balance be acceptable. Overall it is considered that the design of the proposed crown roof would appear as a proportionate addition to the house as extended and would be articulated in a manner which would mitigate the potential impact.

The proposal seeks to raise the ridge of the existing dwelling by 0.4 metres. It is considered that the minimal raising of the ridge would not be detrimental to the character of the main dwellinghouse or surrounding area - given the significant level change to No 9 and absence of immediate and aligned neighbouring properties.

The proposed rear dormers would not exceed half the width of the roof slope and would be appropriately positioned - albeit symmetrical rather than aligned directly with the windows below. The side dormer would be wider, though not more than half the width of the corresponding roof slope. Despite its prominent siting (as a result of the exposed corner location), it would not appear unduly dominant and is consistent in scale and design with other interventions in the street scene.

It is not considered the proposed rooflights to the front and side slope of the dwelling will adversely impact the character and appearance of the local area and host dwelling.

The proposed two-storey bay window at the detached property shall match the existing bay window and would be commensurate with the double-fronted nature of the property at No 9. Notwithstanding the additional wings either side, this would fit in with the architectural style of the house - as required by the SPD.

Overall, whilst the combined extensions might not be subordinate to the original house - as sought by the SPD - the some of the individual elements, together with the particular context of the site, suggest that in this case the proposal would be acceptable with regard to its impact on the character and appearance of the host property, street scene and surrounding area.

Impact on the residential amenities of neighbouring properties:

It will be important that any scheme addresses the relevant development plan policies including DM01, DM02 (of the Barnet Local Plan), D3 and D6 (of the London Plan) and the

guidance contained in the Barnet Supplementary Planning Documents 'Sustainable Design and Construction' and 'Residential Design Guidance.' In respect of the protection of the amenities of neighbouring occupiers, this will include taking a full account of all neighbouring sites.

The Residential Design Guidance SPD (pursuant to Policy DM01) sets out the following expectations for development:

14.4 Extensions to properties should not be overbearing or unduly obtrusive and care should be taken to ensure they do not result in harmful:

- loss of privacy by overlooking adjoining properties
- loss of light or overshadowing of adjoining properties, particularly loss of light to main windows serving principal rooms such as living or dining rooms
- loss of outlook from adjoining properties
- sense of enclosure or overbearing impact on adjoining properties

14.20 Side extensions should ensure that the visual and residential amenities of neighbouring properties are not significantly affected.

14.23 Two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. This is because they can be too bulky and dominant and have a detrimental effect on the amenities of neighbours.

14.24 Two storey rear extensions need to ensure they do not lead to:

- loss of light to, and outlook from, windows and glazed doors positioned close to the extension
- unacceptable sense of enclosure to house and garden
- overbearing impact

14.33 Overlooking - Care should be taken in the design and location of new dormers, including side dormers to minimize overlooking

There would be no adverse impact on No. 16, 1a (identified as No 3 on the plans) and 6 - 8 Danescroft Gardens in respect of undue loss of outlook or privacy, due to the distance of the combined extensions above ground floor level from the common boundary to the rear (c18m) and the intervening carriageway to the front and side (c16m to the opposing elevation at No 1a/3 - consistent with the existing relationship)

Notwithstanding the ground level (west to east downward gradient of the street) and siting of the neighbouring properties, it is therefore assessed that the development would not adversely affect the living conditions of these neighbouring properties.

With regard to 9 Danescroft Avenue, this property adjoins the application site, but is arranged perpendicular to it - with the rear elevation facing onto the (west) side elevation of the host property.

Notwithstanding the scale of the property at No 9, it is served by a relatively shallow rear garden - ranging from c8 - 11m in depth - currently enclosed by mature shrubs on two sides. The amenity space is spread over a number of levels, with the principal lawned area to the rear of the site and sunk below the level of the street.

The proposed first floor extension - together with the additional massing at roof level - will project in part up to and along the shared boundary with No. 9 Danescroft Avenue, resulting in an unduly overbearing encroachment and leading to a loss of outlook and increased sense of enclosure.

It is noted that currently there is a row of mature shrubbery forming a hedge along this boundary. Were it to survive, this would provide some screening at least to the lower part of the extension. However, whilst it may not be immediately compromised by the construction work (though no arboricultural information has been provided), the enduring presence of that vegetation cannot be relied upon.

Apart from the construction itself and the resultant pressure for future works arising from the proximity of the new structure, trees and soft landscaping is prone to disease or climatic events such as storms, droughts or flooding that can lead to death and/or removal. For these reasons trees and shrubs cannot be considered permanent features within the landscape, unlike built structures. Should an unacceptable design be approved on the basis of the trees surrounding the structure screening and softening the built form, there is a foreseeable risk that these trees and shrubs will be removed during the lifetime of the building.

Even were a condition to be considered, trees and shrubs may also take a long time to establish. A tree grows at about 50cm/year in height, sometimes more depending on species. If a tree or shrubs are retained to screen a building, they may live for 100 years or more. Or they could be blown over in a storm. Then it will take 5 years to grow 2.5m and 20 years to grow 10m. Consequently, there would be a significant time lag to have an otherwise unacceptable development left fully exposed.

On that basis, it is considered that the proposal would have an undue impact on the visual and residential amenities of neighbouring occupiers at No 9 Danescroft Avenue

6. Response to Public Consultation

Juliet windows are not typical or in keeping with the area This matter has been addressed with their removal as part of the amended plans.

Juliet balcony windows will cause overlooking, loss of privacy, direct lines of sight into our principal living areas, Trees in the garden, during the winter months these thin out considerably As set out in the report, the LPA do not sustain a character objection and it is not anticipated that the deciduous nature of trees in the rear garden would lead to any undue seasonal impact on amenity. Notwithstanding that they have been amended to casement windows, the distance from the rear elevation to the common boundary and opposing elevation is in excess of that prescribed by the Sustainable Design and Construction SPD.

7. 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.

8. Conclusion

Taking all material considerations into account, it is considered that the proposed development would have an acceptable impact on the character and appearance of the application site and the locality. However, it is considered that the proposal would have an unacceptable impact on neighbouring amenity. Accordingly, this application is therefore recommended for REFUSAL.

