

Location 46 West Hill Way London N20 8QS

Reference: 22/2161/HSE Received: 22nd April 2022
Accepted: 22nd April 2022

Ward: Totteridge & Woodside Expiry 17th June 2022

Case Officer: Greta Norton

Applicant: Mr Shiv Thakrar

Proposal: Proposed demolition of side link garage and replacement with a two storey side and rear extension, new roof to provide loft conversion with rear dormer and side roof lights, side chimney breasts removed and provision for solar panels on east and west facing roof slopes. Existing pebble dash render to be removed and replaced with brick slips

BACKGROUND

This planning application was first reported to Planning Committee B on 14th September, 2022. Subsequent to the Committee meeting of 14 September 2022, the Council received a complaint from a local resident alleging that the Committee had been misinformed inadvertently by officers in respect of the nature of the proposed development at the rear ground level. Officers do not accept this was the case but, in the absence of a recording of that meeting (due to a technical fault), officers have decided to remit the application for the Committee's consideration.

OFFICER'S RECOMMENDATION

Approve subject to conditions

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 development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Plans and Elevations 22008 HHP 02.01 Rev C
Existing Plans, Elevations and Location Plan 22008 HHP 01.01
Email dated 11.07.22 from DS Squared Architects regarding proposed brick colour.
Arboricultural Method Statement ref P2529-AMS01 V1 Issued 17/06/2022
Arboricultural Impact Assessment ref P2529-A1A01 V1 created 21/06/2022

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans 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 specified in the application documents.

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 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).

- 5 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 side elevations, of the first-floor extensions hereby approved, facing either No 48 or 44 West Hill Way.

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).

- 6 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing No 48 or 44 West Hill Way shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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) and the Residential Design Guidance SPD (adopted October 2016).

- 7 The development hereby permitted shall be carried out in accordance with the provisions of the Arboricultural Method Statement and Tree Protection Plan ref: P2529-AMS01-V1 dated 17/06/2022.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012)

- 8 Details of the solar panels shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and shall thereafter be installed and maintained in accordance with the approved details.

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)

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. 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.
- 2 The removal of the protected tree T13 must be applied for under a normal tree work application as it is not directly related to the planning application

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises a two-storey detached property located on the northern side of West Hill Way, N20 8QS, within the Totteridge & Woodside ward.

The property can be defined by its red brick and pebble-dash façade with a tiled hipped roof form. There is a small front garden, and parking space to the forecourt of the property via a front hardstanding, which leads to a garage that is attached to the eastern side elevation of the dwelling. The site boasts a large private rear garden, which backs onto the gardens of Rowben Close.

There is tree on site, situated within the rear garden, which benefits from a Tree Preservation Order (TPO)

The application site does not contain a locally or statutory listed building, nor is it located within a conservation area.

The site is not located within a flood risk area.

The area can be characterised by large two-storey and three-storey detached properties with amenity space to the rear and off-street parking facilities to the front. Many of the properties along West Hill Way have been extended in the past.

2. Site History

Reference: N06042

Address: 46 Westhill Way London N20

Decision: Approved Subject to Conditions

Decision Date: 23 February 1979

Description: Two storey rear extension

Reference: TREN06042A

Address: 46 West Hill Way London N20 8QS

Decision: Trees Approved

Decision Date: 10 March 1993

Description: Application to reduce height and density by 30% of the Birch standing in Area T17 of the Tree Preservation Order.

Reference: TREN06042A_B

Address: 46 West Hill Way London N20 8QS

Decision: Approved

Decision Date:

Description: Application to reduce height and density by 30% of the Birch standing in Area T17 of the Tree Preservation Order.

Reference: N06042B/00/TRE_B

Address: 46 West Hill Way, London, N20 8QS

Decision: Approved

Decision Date: 20 June 2000

Description: Birch - Reduce back to old points standing in T17 of TPO.

3. Proposal

This application seeks planning permission for: Proposed demolition of side link garage and replacement with a two-storey side and rear extension, new roof to provide loft conversion with rear dormer and side roof lights, side chimney breasts removed and provision for solar panels on east and west facing roof slopes. Existing pebble dash render to be removed and replaced with brick slips.

It should be noted that the scheme has been amended since its original submission to address concerns raised by officers.

At ground floor level, the proposed single storey side element will be flush with the front building line, in replacement of the existing side link garage. This element measures a width of 2.31 metres for a depth of 5.90 metres, maintaining a gap of 10cm between the flank wall and shared boundary with neighbouring no. 44, with a maximum height and eaves height of 3.00 metres. The side extension then proceeds to extend to a maximum width of 2.45 metres, directly along the shared boundary with no. 44, for a further depth of 5.80 metres, with an increase in maximum height to 3.20 metres due to a partial glass roof. The total depth of the side extension measures 11.70 metres.

The ground floor side extension merges into the proposed single storey rear element, in the form of a wraparound extension. The proposed single storey rear element measures a depth

of 4.50 metres beyond the original rear building line, protruding beyond the proposed side element by 1.30 metres. The deepest rear element is set off the shared boundary with no. 48 by 0.76 metres and set off the shared boundary with no. 44 by 2.65 metres. The single storey rear element has an eaves height of 2.95 metres, and a maximum height of 3.10 metres due to the proposed rooflights.

At first floor level, the proposed side extension is 1.44 metres in width, and is set off the shared boundary with no. 44 by 1.00 metre, maintaining a gap of 3.43 metres between the first-floor flank wall of no. 44. This element is set back from the front building line by 1.00 metre and extends a maximum depth of 10.80 metres. As per the ground floor element of the proposed extensions, the first-floor side extension merges into the first-floor rear, in the form of a wrap around. The first-floor rear element has a depth of 3.10 metres beyond the original rear building line, with a total width of 8.59 metres, including the wrap around side element. The roof of the first-floor side/rear element will be set down from the main ridge line of the property by 0.46m metres, in the form of a hipped roof. This element would have a maximum height of 8.30 metres, and an eaves height of 5.30 metres.

The proposed roof extension involves the first-floor side/rear element, and a rear dormer window measuring 2.27 metres in width, 1.95 metres in height, and 2.10 metres in depth. 2no rooflights are proposed on the eastern roof slope of the dwelling, and 3no rooflights are proposed on the western roof slope. In addition to this, solar panels are proposed on both eastern and western roof slopes.

The applicant has indicated that the existing pebble dash render will be replaced with brick slips.

4. Public Consultation

Consultation letters were sent to 9 neighbouring properties. 7 responses have been received, consisting of 1no. support comment, and 6no. objections.

The support comment can be summarised as follows:

- o The property is in dire need of modernisation. The proposal contributes to an improvement in appearance, as well as eco-friendly installations.
- o On the road, very few houses look the same.

The objections can be summarised as follows:

- o The property already has a two-storey rear extension, and the proposed two-storey east-side extension and its new roof will cause a loss of light and overshadowing by a significant amount to ground floor and first floor rooms.
- o Proposed loft conversion includes full length doors opening onto a glass fronted balcony, causing a loss of privacy.
- o Proposed east-side extension will encroach on the roots of the large silver birch tree in the rear garden, causing damage.
- o The existing ground floor plan of the property shows the east-side boundary line passing through the adjacent garage, which is an error - garages of 44 and 46 are linked and separated by a party wall.
- o The proposed bulk of the works will spoil the image of the street.
- o The extension is too large and will cause overdevelopment.
- o Potential impact of and damage to cherry blossom tree, in no. 48's garden.

- o Application is missing a design and access statement to explain how the design was reached, and how potential impacts were considered and mitigated.
- o The proposed first floor rear extension will project 3.50 metres, which exceeds the guidance, and is less than 1m from the boundary. It will result in an overbearing two storey wall that would adversely affect amenity.
- o The proposal would extend 5.00 metres to the rear at ground floor, which is beyond the established building line of the street.
- o The proposal would affect outlook.
- o The two-storey rear extension introduces two new windows, which causes privacy and overlooking concerns.
- o Application does not include a tree survey or arboricultural impact assessment. The proposal is likely to extend within the root protection area of the cherry blossom tree.

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 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, 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 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 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, DM17

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 (2021)

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.

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, semidetached 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 the 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;
- Whether harm would be caused to a protected tree

5.3 Assessment of proposals

Design and Visual Amenity

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plans) and D3 (of the London Plan).

Paragraph 14.13 of the Council's Residential Design Guidance SPD advocates that extensions should fit into the street, being consistent with the architectural character, neighbouring properties, and any special nature of the area.

Single storey side/rear element:

Under the Residential Design Guidance SPD, extensions of a depth of up to 4.00 metres are usually considered acceptable for detached properties. The proposed single storey rear element would measure a depth of 4.50 metres from the original rear wall of the property. Whilst the proposed depth of this element exceeds the advice from Barnet's RDG (2016), it is noted that the rear building line of neighbouring no. 48 is set further back than no. 46, and therefore the introduction of a 4.50 metre rear extension will not appear as overly bulky towards the rear in comparison to its neighbouring property. Regarding the side/rear element of the ground floor extension, this section would protrude beyond the original building line by 3.00 metres, and thus the deepest element of 4.50 metres would not occupy the entire width of the rear extension, therefore aiding the subordination of the development.

Furthermore, the property benefits from a large rear garden, and so the principle of a 4.50 metre single storey rear extension would not unacceptably reduce the amount or quality of outdoor amenity space.

The ground floor side element measures a minimum width of 2.31 metres and a maximum width of 2.45 metres, which is less than half the width of the original dwelling, and therefore is consistent with paragraph 14.15 of Barnet's RDG (2016). This paragraph also advises that side extensions should be set back from the front building line. It should be noted that the proposed design will have a front wall that is flush with the façade of the dwelling, however,

due to the existing side garage's positioning in line with the front building line, this is considered to be acceptable.

The proposed demolition of the existing garage and subsequent introduction of a side extension would be acceptable and would not have an adverse impact on the Highway as adequate off-street parking exists at the site.

In light of the above, the single storey rear/side element of the proposal is considered to be a subordinate addition to the original dwelling and will not harm the character of the surrounding street scene or rear building lines.

First floor side/rear element:

Paragraph 14.23 of Barnet's RDG (2016) states that two storey rear extensions which are closer than 2.00 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable, as they can be too bulky and dominant. Paragraph 14.24 states that two storey rear extensions need to ensure they do not lead to harm to the character or appearance of the property and area.

The proposed first floor rear element would measure a maximum depth of 3.10 metres beyond the original first floor rear wall. Whilst it is acknowledged that this exceeds the guidance by 0.10 metres, the existing two storey rear extension at the property has a first-floor depth of 3.10 metres, and therefore the proposal will maintain the same depth as existing. In addition to this, it is noted that neighbouring no. 44 benefits from a first-floor rear extension of the same depth.

Whilst the introduction of full width first floor rear extensions can potentially harm the character of a dwelling or the surrounding area, the principle of a full width first floor rear extension at no. 46 would be acceptable in the context of this site. Neighbouring property no. 44 benefits from a full width first floor rear extension of a similar nature to the proposed, meaning the proposed first floor addition to no. 46 will reflect the character of an immediate neighbouring property and will not be an overly dominant addition to the original dwelling.

In regard to the side/rear element of the first-floor extensions, Paragraph 14.14 of Barnet's RDG (2016) states that side extensions to existing buildings can be unacceptably prominent features in the street scene, and where gaps between houses are a common feature of a street, then proposals which close such gaps or create a terracing effect by bringing buildings too close together are likely to be rejected. Secondly, paragraph 14.17 of the RDG advises that there should normally be a minimum gap of 2 metres between the flank walls of properties at first floor level (i.e., a minimum gap of 1 metre between the boundary and the extension at first floor level for most two-storey extensions).

The first-floor side element maintains a 1.00 metre gap between its flank wall and the shared boundary and maintains a 3.43 metre gap between the flank wall of no. 44 which would be sufficient to avoid a detrimental terracing effect and maintain the characteristic gaps between properties.

The proposed first floor side element would have a width of 1.44 metres, and would not dominate the original front elevation of the dwelling. Additionally, two-storey side extensions are present within the vicinity of the property. Examples can be found at no.'s 27 and 21 West Hill way, which are situated diagonally opposite the host property.

Paragraph 14.16 of the council's Residential Design Guidance (2016) states that extensions of the type like that proposed should normally be set down by 0.5 metres from the main ridge

line as to aid subordination. The proposed first floor side/rear extension is to be set down from the main ridge line by 0.46 metres. Whilst this would be some 0.04m less than suggested, it would nevertheless, when viewed in conjunction with the proposed set back from the front wall of the main house, appear as a subordinate feature to the main dwelling.

Barnet's RDG (2016), ideally seeks a set-back from the front building line of 1.00 metre for first floor side extensions. The first-floor side extension would be set back by 1.00 metre from the front building line consistent with guidance in this respect.

The two-storey side and rear extensions, viewed cumulatively, would be subservient features of the property and the proposed development will be harmonious to the surrounding character of the area, due to multiple properties already benefiting from two storey rear extensions and/or two storey side extensions.

Rear dormer and 5no side rooflights:

The aforementioned first floor side/rear extensions will provide space for a loft conversion; alongside a proposed rear dormer. The proposed rear dormer would be a subservient addition to the rear roof slope, it would not exceed half the width of the roof slope and its height would be proportionate, leaving sufficient existing roof slope above and below it so as not to dominate the roofscape, which would accord with Barnet's RDG (2016) paragraph 14.33. It is not considered that the proposed dormer would detrimentally impact the appearance and character of the property or the surrounding area. The rooflights are also be considered to be an acceptable addition to the surrounding area and host property.

The proposal has been amended during the lifetime of the application to address concerns raised regarding the scale and design of the rear dormer. The height of the dormer was reduced from 2.26 metres to 1.90 metres, in order to leave adequate roof slope above the dormer. Officers are now satisfied that the amended proposal is acceptable in design terms.

Solar Panels:

The proposed solar panels to roof would be grouped appropriately and set within their respective roof slopes. As such are considered to have an acceptable impact on the character of the property. The contribution that they would make to the production of a sustainable energy source is noted in the balanced assessment here.

Materials:

The proposed replacement of pebble dash render with brick slips is considered acceptable on the grounds of design and appearance. It is noted that materials used along the street varies, and the colour of the proposed brick slips would match many properties along West Hill Way.

Regarding the design of the proposal, it is considered that the resultant development would be a proportionate addition. Several surrounding properties benefit from similar, now implemented, proposals, therefore this proposal for the host dwelling would not be out of character of the local area and will have an acceptable impact on the street scene and wider locality in accordance with Policy DM01 of the Development Management Policies DPD.

Impact on the amenities of neighbouring occupiers:

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

No. 48

No 48 is a detached property situated directly west of the application site. The ground levels are such that 48 is some 0.3m higher than the application site. The proposed two-storey side extension will not have an unacceptable impact upon neighbouring no. 48, due to its locality to the eastern elevation of the property.

This property does not benefit from any extensions to the rear, but does however benefit from a protruding ground floor rear bay window. The proposed single storey rear element of the extension will be set off the shared boundary by 0.75 metres, with a gap of 1.46 metres between the flank walls of either property. The ground floor extension would protrude beyond the bay window of no. 48 by 1.31 metres. Thus, the modest projection and boundary set-off of the extension combined with the difference in levels would ensure that the development will not detrimentally impact the outlook, light, or privacy of occupiers at this property.

The proposed first floor rear element will create a two-storey flank wall close to the western boundary. As the rear building line of no. 48 naturally protrudes beyond no. 46's rear building line, the proposed first floor rear extension will extend 2.15 metres beyond the first-floor rear wall of no. 48. Barnet's RDG states that first floor rear extensions closer than 2.00 metres to the boundary should not project more than 3.00 metres in depth to protect neighbouring amenity, and therefore the 2.15 metre projection would not have an adverse impact upon the first-floor rear habitable windows of no. 48 in relation to overbearing impact and loss of light.

No. 44:

Neighbouring property no. 44, located to the east of the application site, which has a ground level some 0.5m lower than no 46, benefits from a two-storey rear extension. The proposed two storey rear/side element will extend directly along the shared boundary with no. 44, beyond the original rear building line of no. 46 by 3.10 metres. This will be flush with the established two-storey rear building of no. 44, and thus would not impact the rear habitable windows of the neighbouring property in regard to their light, outlook, or privacy. The ground floor element of the proposed extension extends to a maximum depth of 4.50 metres; however, this section of the ground floor rear extension is set off the shared boundary with no. 44 by 2.67 metres which is sufficient to ensure any loss of light and outlook is mitigated. Therefore, the rear element of the proposal will not impact this particular property to a degree that would warrant refusing the application.

The proposed two-storey side extension would not give rise to detrimental amenity impact to the occupants of no. 44. No. 44 benefits from a single storey side garage, which is currently linked to the single storey garage at no. 46. A transparent double door is situated to the rear of the garage at no. 44, followed by a small side window and a further double window to the western flank wall of their property. In the lifetime of the application, clarification was sought to understand which rooms these windows serve, in the interests of assessing amenity impact.

It has been confirmed that the double doors of the garage do not serve habitable space, the small side elevation window serves a toilet, and the double window to the side elevation serves a kitchen/dining room. Thus, the proposed two storey side extension will not negatively impact habitable living space with regard to the garage windows or the small side window, due to the spaces that they serve. In terms of the double side elevation window which serves the kitchen/dining area, it is noted that this is considered as a habitable room.

However, this room is also served by a larger rear window, and therefore the side elevation window can be assessed as a secondary source of light. Whilst it is acknowledged that no. 46 is naturally elevated higher than no. 44, in light of the above reasoning, it is considered that

the proposed two storey side extension will not unduly affect the habitable living spaces of neighbouring no. 44.

The proposed rear dormer shall not affect the occupiers of no. 48 or 44 by way of loss of privacy, light, or outlook due to its modest size and central location within the roof slope.

Overall, the proposed scheme, by virtue of its design and siting, would not have a significant adverse impact upon the character and appearance of the street scene, nor would it have a significant adverse impact on the residential amenity of neighbouring occupiers.

5.4 Trees

It is noted that a protected tree is situated within the rear garden, as well as multiple other non-protected trees. Thus, an arboricultural method statement and arboricultural impact assessment has been provided as part of the planning application.

The documents are satisfactory, and set-out tree protection methods in detail, indicating that any potential damage to root protection areas and the trees themselves is avoided. These will be secured by way of condition.

5.5 Response to Public Consultation

(The property already has a two-storey rear extension, and the proposed two-storey east-side extension and its new roof will cause a loss of light and overshadowing by a significant amount to ground floor and first floor rooms)

o The proposed two-storey side extension, alongside the boundary with no. 44, will inevitably cause loss of light to the ground floor side windows of no. 44 to some extent, however, the room which these windows serve are either not habitable, or benefit from another source of light. The ground floor double side elevation window at this property serves a kitchen/dining room which is considered as habitable space; however, this room also gains light through the ground floor western rear window. Thus, the side elevation window can be considered as a secondary source of light. In regard to the smaller ground floor side elevation window, and the double rear garage doors, these windows do not serve habitable rooms and thus the amenity is not threatened in this case.

o With reference to the first-floor rooms of no. 44, there are two small first floor windows and one larger set of windows, all of which are obscure glazed. The proposed first floor side extension is of a modest width and does not extend right up to the shared boundary. It is considered that this element will not drastically impact the light that is captured by these side elevation windows in the afternoon.

(Proposed loft conversion includes full length doors opening onto a glass fronted balcony, causing a loss of privacy)

o Amendments were sought during the lifetime of the application to remove the Juliette balcony from the proposed rear dormer. Thus, a loss of privacy is not of a concern as per the current plans.

(Proposed east-side extension will encroach on the roots of the large silver birch tree in the rear garden, causing damage)

o The Tree Protection Plan document illustrates that the root protection areas of all trees within the rear garden will hardly be encroached upon as a result of the works. The plans

indicate multiple methods of tree protection to ensure any damage is avoided, including a no-dig 3D cellular system, ground protection and tree protection barriers.

(The existing ground floor plan of the property shows the east-side boundary line passing through the adjacent garage, which is an error - garages of 44 and 46 are linked and separated by a party wall)

o The boundary lines shown on the existing ground floor plans are correct. It distinguishes which section of the linked garages belongs to no. 46.

(The proposed bulk of the works will spoil the image of the street)

o The style of properties along West Hill Way varies, whereby the architectural design is not consistent. Furthermore, when viewed from the street scene, the proposed two storey side extension is not considered to be bulky, and so the image of the street will not be spoilt. Many properties benefit from two storey side extensions, namely no.'s 21 and 27.

(The extension is too large, and will cause overdevelopment)

- For the reasons set out above the proposal is not considered to be overly large or result in overdevelopment of this particular site.

(Application is missing a design and access statement to explain how the design was reached, and how potential impacts were considered and mitigated)

- Design and access statements are not considered to be mandatory as part of householder planning applications. The design and appearance of the proposed extensions have been considered above together with the impact on the amenities of neighbouring residents. The proposal is considered to be acceptable.
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(The proposed first floor rear extension will project 3.50 metres, which exceeds the guidance, and is less than 1m from the boundary. It will result in an overbearing two storey wall that would adversely affect amenity)

o The first-floor rear extension measures 3.10 metres in depth, whilst this exceeds the guidance recommendation by 0.10 metres, it is not considered that, given the relationship with neighbouring properties, this proposed extension would result in levels of harm to the amenities of neighbouring residents such as to warrant refusal for that reason. Nor is it considered to be unacceptable in terms of design, character and appearance.

(The proposal would extend 5.00 metres to the rear at ground floor, which is beyond the established building line of the street.)

o The proposal extends 4.50 metres at ground floor. Whilst this exceeds the guidance by 0.50 metres, the rear building line of the street is not consistent due to some properties benefiting from extensions, and some properties remaining original. Thus, the character would not be affected to such a degree as to warrant refusal. The relationship of the proposed extension with neighbouring properties is such that it would not affect their amenities to such an extent as to warrant refusal.

(The proposal would affect outlook.)

o The proposed two storey side extension will not affect outlook to a detrimental extent. With regards to the proposed rear extensions, the single storey rear element would protrude

beyond the rear bay window of no. 48 by 1.31 metre, and the first-floor element would protrude around 2.1 metres. These depths are not considered to affect the outlook of occupants at no. 48 to an unacceptable degree. The majority of the rear element of the proposal will not protrude beyond the rear wall of no. 44, thus not affecting outlook. Part of the single storey rear element which protrudes beyond the rear wall of no. 44, is considered to be a modest depth that would not affect outlook of the neighbouring property.

(The two-storey rear extension introduces two new windows, which causes privacy and overlooking concerns)

o The introduction of two new first floor windows to the rear of host property would not significantly change the level of outlook that already exists at the rear of the property.

(Application does not include a tree survey or arboricultural impact assessment. The proposal is likely to extend within the root protection area of the cherry blossom tree)

o The agent has since provided an arboricultural method statement and arboricultural impact assessment. The documents clearly indicated that the proposed works would hardly encroach into the root protection areas of any trees within the rear garden. Furthermore, mitigation methods have been proposed on the plans to minimise any potential damage and a condition is recommended requiring that works are carried out in accordance with the provisions of these documents.

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.

46 WEST HILL WAY,
LONDON, N20 8QS



LOCATION MAP
SCALE 1:1250