

**Location** **60 North End Road London NW11 7SY**

**Reference:** **22/5523/HSE** Received: 15th November 2022  
Accepted: 15th November 2022

Ward: Childs Hill Expiry 10th January 2023

**Case Officer:** **Robert Sweeney**

Applicant: Mr And Mrs Raman

Proposal: Single storey rear extension following demolition of the existing conservatory

## **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 single storey rear extension would, by reason of its depth and siting, appear bulky, prominent and out of scale with the host dwellinghouse, which would be detrimental to the character and appearance of the host property, and the surrounding area contrary to Policy DM01 of the Development Management Policies DPD (2012), Policies CS NPPF, CS1 and CS5 of the Core Strategy (2012) and the Residential Design Guidance SPD (2016).
- 2 The proposed single storey rear extension would by reason of its size, siting and rearward projection represent an overbearing addition, resulting in an unacceptable loss of outlook and increased sense of enclosure when viewed from No. 58 North End Road, detrimental to the residential amenities of the occupiers of this property,

contrary to Policy DM01 of the Development Management Policies DPD (2012), Policies CS NPPF, CS1 and CS5 of the Core Strategy (2012), the Residential Design Guidance SPD (2016) and the Sustainable Design and Construction SPD (2016).

### **Informative(s):**

1 The plans accompanying this application are:

Proposed site plan 755\_L(0)020  
Proposed ground floor plans 755\_L(0)011 rev A  
Proposed roof plan 755\_L(0)005 rev A  
Proposed side elevation east 755\_L(0)016 rev A  
Proposed rear elevation 755\_L(0)017 rev A  
Proposed sections AA 755\_L(0)019 rev A  
Proposed side elevation west 755\_L(0)018 rev A  
Block plan and location plan 755\_L(0)001  
Existing first floor plan 755\_L(0)003  
Existing front elevation north 755\_L(0)006  
Existing ground floor plan 755\_L(0)002  
Existing loft plan 755\_L(0)004  
Existing rear elevation south 755\_L(0)008  
Existing roof plan 755\_L(0)005  
Existing section AA 755\_L(0)010  
Existing side elevation east 755\_L(0)007  
Existing side elevation west 755\_L(0)009

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. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

## **OFFICER'S ASSESSMENT**

The application has been called to committee by Councillor Perlberg, for the following reason:

"The Barnet Residential Design Guidance SPD allows for single storey rear extensions of 3.5 metres on semi-detached properties. There is an existing extension to the property that extends 3.8m from the rear wall of the property that establishes a building line at the rear of the property. The proposal is to build up to that line and while that is beyond the 3.5m allowed for in the policy it is considered acceptable given the building line established by the existing extension.

The proposal is for a full width extension and although the existing extension is not a full width extension, a planning permission already exists for a full width extension of 3.5m. It is not considered that the proposed extension would cause any significant or unacceptable harm to neighbouring amenity over and above the existing planning permission.

Indeed, it appears that the extension has been designed to step down towards the rear elevation.

The proposed extension does extend beyond the line of the existing extension to the west of the site, but there is an existing extension to No 62 close to the boundary of the property and the application site is lower than No 62."

### **1. Site Description**

The application site is located at 60 North End Road, London, NW11 7SY, consisting of a two-storey semi-detached dwellinghouse with front and rear amenity space. The area surrounding the site is predominantly residential, consisting of similar semi-detached and terraced dwellinghouses. The site is located within the Childs Hill ward.

The site is not located within a conservation area and is not a listed building.

### **2. Site History**

Reference: 21/5349/HSE

Address: 60 North End Road, London, NW11 7SY

Decision: Approved subject to conditions

Decision Date: 10 January 2022

Description: Single storey rear extension following demolition of the existing conservatory (AMENDED DESCRIPTION)

Reference: 21/6731/192

Address: 60 North End Road, London, NW11 7SY

Decision: Lawful

Decision Date: 17 February 2022

Description: Roof extension involving hip to gable, rear dormer window and 3no front and 1no rear facing rooflights

### **3.Proposal**

Single storey rear extension following demolition of the existing conservatory.

The conservatory has been demolished and work commenced in relation to implementation of the recent permission. During this process it has become apparent that the proposed works are not in compliance with the approved drawings.

The previous conservatory was approx. 3.8m deep, set off approx. 0.8m from the boundary with no. 58 and was approx. 2.7m high at the eaves.

The proposal would measure approximately 4.3m in depth and run the full width of the house, albeit set off 0.4m from the boundary with no. 58 , with an eaves height of 2.72m nearest no. 58 and a maximum height of 2.88m to the parapet wall, although the parapet nearest the rear elevation extends to a height of 3.35m. The roof would be angled down towards this boundary. The part of the extension nearest no. 62 would be higher with a parapet height of 3.35m. Given the staggered original rear elevation, the depth of the extension nearest to no. 62 would be 3.47m.

### **4. Public Consultation**

Consultation letters were sent to 14 neighbouring properties. Two comments have been received raising the following objections:

- the proposed development is greater than the recently approved application with a depth of 3.5m.
- as the proposal seeks a 4.3m deep extension, it would have an undue impact on the neighbouring properties, over and above the previously approved extension.
- given that planning policy has not changed in the time between the two applications, why should a larger rear extension of this size and scale be granted when it was not seen as acceptable in the past.
- no mitigation factors have arisen during the lifetime of the two applications, which would allow for this increase in size.
- the proposed extension would have a detrimental impact on the surrounding properties, with the proposed depth being much greater than that which would normally be granted.

### **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 revised National Planning Policy Framework (NPPF) was published on 20th 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, 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.

### 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 22) 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, 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**

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

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 Plan), D1, D3 and D6 (of the London Plan).

Policy DM01 requires that all proposals should preserve and enhance the local character of the area. The Residential Design Guidance states that a depth of 3.5 metres is normally considered acceptable for a single-storey rear extension on a semi-detached property. The proposal would measure approximately 4.3m in depth, for almost the full width of the building.

The previous application was amended to ensure that the depth was no more than 3.5m to accord with the residential design guidance.

In relation to the previous approval, the report noted the following: "Following a review of

aerial photography, it was noted that a number of other properties in the surrounding area, and along North End Road, have extended to the rear and therefore the principle of a single storey rear extension is not thought to be of detriment to the character of the surrounding area. Further, the proposal is located to the rear and will not be visible from the public realm. Overall, the proposal is considered to respect the proportions of the original building and would have an acceptable impact on the character and appearance of the host dwelling and surrounding area."

The properties along this stretch of North End Road and Park Avenue behind have very shallow rear gardens. The garden at the application property is some 6m in depth from the previous conservatory which was 3.8m deep. This would be reduced further as the proposed extension is some 0.5m deeper than the conservatory and extends the full width of the property. The property (with the loft conversion) has 6 bedrooms. The Sustainable Design and Construction SPD has the following outdoor amenity space requirements:

-85 m2 of space for up to seven or more habitable rooms

The property as existing has approx. 50 m2 of rear garden and fails to comply with this requirement and the additional footprint arising from the extension would reduce this area further.

Recent permissions in this part of the road have approved a 3.5m deep rear extension at no. 74 (20/3856/HSE) and a 3m deep extension at no. 70 (18/1480/FUL).

The extension as proposed would not, therefore, comply with the above guidelines. Further, due to its depth, it would appear bulky and disproportionate to the property, taking into account the shallow garden.

Overall, the proposal is not considered to respect the proportions of the original building and would have an unacceptable impact on the character and appearance of the host dwelling and surrounding area.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan, policy D6 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.

The previous conservatory was approx. 3.8m deep, set off approx. 0.8m from the boundary with no. 58 and was approx. 2.7m high at the eaves.

The approved extension was 3.5m deep, adjacent to the boundary with no. 58, the full width of the house and 2.7m high with a flat roof.

The proposed extension would measure approximately 4.3m in depth and run the full width of the house, set off 0.4m from the boundary with no. 58, with an eaves height of 2.72m nearest no. 58 and a maximum height of 2.88m to the parapet wall, although the parapet nearest the rear elevation extends to a height of 3.35m. The roof would be angled down towards this boundary.

The part of the extension nearest no. 62 would be higher with a parapet height of 3.35m. Given the staggered original rear elevation, the depth of the extension nearest to no. 62 would be 3.47m.

It is noted that no. 58 North End Road does not currently benefit from a rear extension. As

such, the proposal would extend by 4.3m past the rear building line of this neighbour, albeit 0.4m from the boundary. The height as seen from no. 58 for most of the depth of the extension would be 2.88m. The approved extension was 3.5m deep on the boundary with a height of 2.7m. No. 58 is to the west of no. 62.

It is considered that this additional depth would result in some loss of light and overshadowing and would appear overbearing resulting in an increased sense of enclosure when seen from the rear facing windows and the garden of no. 58. This is not helped by the small size of the gardens. The additional impact is such that officers consider that the residential amenities of the occupiers of no. 58 would be adversely affected by the additional depth of the extension.

It is noted that no. 62 North End Road benefits from a rear extension near the boundary, and the current proposal only projects approx. 0.5m past the rear building line of this neighbour with just over 1m between the 2 properties. It is noted that the extension is higher than the one previously approved, but given the small projection rearward of the extension at 62, the additional height is considered not to be overbearing. As such it is considered that the proposal would not result in overshadowing or have an unduly overbearing appearance and would have an acceptable level of impact on the amenities of the occupiers of no.62.

#### **5.4 Response to Public Consultation**

The matters raised have been addressed in the report. Each case must be considered on its merits in relation to the relevant policies and guidelines.

#### **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set out 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 the proposed development would NOT have an acceptable impact on the character and appearance of the application site or wider locality, or the amenities of the occupiers of no. 58 North End Road. This application is therefore recommended for REFUSAL.





