

**Location** **Caton 100 Totteridge Lane London N20 8JG**

**Reference:** **22/2589/HSE** Received: 16th May 2022  
Accepted: 17th May 2022

Ward: Totteridge & Woodside Expiry 12th July 2022

**Case Officer:** **Will Collier**

Applicant: Mr Andrew Rooney

Proposal: Two storey front extension including alterations to the existing front porch and conversion of the existing garage into habitable room, insertion of window to replace the garage door. Two storey rear extension. Roof extension involving rear dormer window and 2no. side facing rooflights

### **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 Elevations, AHUB2112001-9  
Proposed Floor Plans (2-1), HUB2112001-7  
Proposed Floor Plans (2-2), AHUB2112001-8  
Proposed Sections, AHUB2112001-10  
Proposed Location Plan, AHUB2112001-2

Existing Location Plan, AHUB2112001-1  
Existing Floor Plan 1-2, AHUB2112001-3  
Existing Floor Plan 1-1, AHUB2112001-4

Existing Elevations, AHUB2112001-5

Existing Sections, AHUB2112001-6

Flood Risk Assessment by EAL Consult dated 2nd November 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 Before the building hereby permitted is first occupied the proposed first and second floor windows in the side (east) elevation facing No. 98 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).

- 4 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).

- 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).

- 6 No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until the temporary tree protection measures shown on 'ARBORICULTURAL IMPACT ASSESSMENT AT 100 TOTTERIDGE LANE, TOTTERIDGE' (by A.T. Coombes Associates Ltd) approved have been erected around existing trees on site. The protection specified in

'Appendix 4 - Tree Protection Plan' shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved.

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) and Policy G7 of the London Plan 2021.

- 7 The development shall be carried out in accordance with the approved flood risk assessment by EAL Consult dated 2 November 2022.

Reason: In the interest of mitigating flood risk and surface water runoff in compliance with Policy DM04 of the Barnet Development Management Policies DPD (2012) and Policies SI12 and SI13 of the London Plan 2021.

#### **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.

### **OFFICER'S ASSESSMENT**

#### **1. Site Description**

The application site comprises a detached two storey dwellinghouse with large rear garden at the end of a short row of houses on the northern side of Totteridge Lane.

The site is not within a conservation area and is not within an area covered by an Article 4 direction.

## **2. Site History**

Reference: 20/6287/HSE

Address: Caton, 100 Totteridge Lane, London, N20 8JG

Decision: Withdrawn

Decision Date: 24 Feb 2022

Description: Part single part two storey front and rear extension. Roof extension involving rear and side dormer window, 2no front facing rooflights. Conversion of garage into habitable room. Replacement of windows on all elevations

Reference: 20/5395/PNH

Address: Caton, 100 Totteridge Lane

Decision: Prior approval required and refused

Decision Date: 22 December 2020

Description: Single storey rear extension with a proposed depth of 8.00 metres from original rear wall, eaves height of 3.00 metres and maximum height of 3.09 metres.

Reasons for refusal:

1. Amenity - The proposed single storey rear extension would, by reason of its size, siting and rearward projection, be overbearing and visually obtrusive and is considered to have an adverse impact on the visual and residential amenities of the neighbouring occupiers at No. 98 Totteridge Lane, including a loss of outlook and an increased sense of enclosure contrary to policies CS1 and CS5 of the Barnet Core Strategy (2012), policy DM01 of the Development Management Plan DPD (2012) and the Barnet Residential Design Guidance SPD (2016).

2. Inaccurate info - Prior approval is hereby refused under Condition A.4(3) of Part 1 of Schedule 2 of the General Permitted Development Order 2015 given that the applicant has provided insufficient, inaccurate or inconsistent information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A.

## **3. Proposal**

Two storey front extension including alterations to the existing front porch and conversion of the existing garage into habitable room, insertion of window to replace the garage door. Two storey rear extension. Roof extension involving rear dormer window and 2no. side facing rooflights: -

The proposed ground floor extension is 4 metres deep spanning the full width of the house, about 3.1 metres high with flat roof.

The proposed first and second floor rear extension is 2 metres deep across the full width of the house with a dormer in the rear roof space.

This extension would change the roof design to form a crown roof matching the existing ridge height of the house.

The first floor front extension is over the existing footprint which forms the front of the crown roof and matches the highest part of the original property. The existing front bay would also be removed by squaring off the footprint of the front projecting two storey element.

The proposed porch is 1.4 metres deep with pitched roof in line with the front projecting element of the building. The porch would also have a subordinate front projecting gabled element which would project 0.6 metres beyond existing front of the house.

The following amendments have been made during the application:

- o Reduction to the depth of the two storey rear extension from 2.5m to 2m.
- o Reduction to the depth of ground floor rear extension from 4.5m to 4m.
- o Removal of rear gable over rear extension, with hip roof and rear dormer instead.

It is noted that previous application was refused for a single storey rear extension under the prior approval process but this has no bearing on this application. The prior approval proposed an 8m deep extension the single storey rear under this application would be 4m deep.

#### **4. Public Consultation**

Consultation letters were sent to 23 neighbouring properties.

14 objections received:

- o Previous applications were unacceptable.
- o Overbearing
- o Loss of light to neighbouring properties on West Hill Way and No. 98.
- o Single storey rear extension exceeds depth limit.
- o 6M deep apex extension blocks light to No. 98.
- o Upper extension should be limited to a proportion of the rear.
- o Front extension with canopy is excessive.
- o Loss of privacy.
- o Top-heavy
- o North rear window should not be protruding.
- o Damage to trees on boundary.
- o Drainage
- o Should be rear hip and dormer.

#### **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 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 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, DM06

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.

### **5.3 Assessment of proposals**

The main considerations in assessing the application are:

- Impact on character
- Impact on neighbours
- Impact on trees
- Flood Risk

- 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).

The Council's Barnet Residential Design Guide states:

"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".

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

- o loss of light to, and outlook from, windows and glazed doors positioned close to the extension
- o unacceptable sense of enclosure to house and garden
- o overbearing impact
- o harm to the character or appearance of the property and area.

In assessing this proposal, it is noted that the property is at the end of a short row of four detached properties (Nos. 94, 96, 98 and 100) on the northern side of Totteridge Lane, and the spacings between the properties are narrow. The tight spacings between the properties originally led to concerns about the scheme in terms of the impact on immediate neighbouring property, No. 98. Indeed, a previous prior approval was refused, due to the excessive depth of the rear extension and a subsequent planning application was withdrawn due to the size and scale of the rear extensions/dormer.

In this current proposal, however, it is considered that the amendments during the course of the application as listed already in the report have overcome such concerns. An assessment of the various components of the proposal is provided below.]

#### Rear Extensions:

The rear extensions comprise single storey and first/second floor rear extension. The depths of these extensions have been amended, now compliant with the Residential Design Guide (RDG) depth limitations. The ground floor is reduced to 4 metres in depth and the upper levels reduced to 2 metres depth, well within the limits of the RDG. The scale of such extensions is thus considered subordinate and in keeping with the appearance of the original house with no adverse impact on the character of the area.

It is also noted there is a rear extension at No. 96 which extends approximately 1.7 metres beyond the rear of No. 98.

#### Roof Design:

The proposal would introduce a crown roof which would be hipped at the rear over the rear extensions with a rear dormer. The depth of the crown area of the roof has been reduced from 7.8 metres to 4 metres, by omitting the rear gable and introducing a hipped roof at the back. In the context of the area where there are other crown roofs on properties nearby such as at No. 96 and at Nos 75/77 across Totteridge Lane, this would be acceptable. Furthermore, the rear amended hipped roof over the rear extension and dormer are considered of acceptable scale and design. The dormer in particular is set well within the roof space away from the ridge and eaves and therefore is compliant with the RDG in terms of scale and proportions.

#### Front extensions:

The proposed front extension is at ground floor level, 1.5 metres deep, squaring off the footprint of the house with lean-to roof, in line with the existing projecting ground floor bay (lounge). There is also a small open section of porch that projects a further 1.1 metres with a small front gable. Given the extension is at ground floor only and that the house is set well back from the highway, this aspect of the proposal is considered to have no significant impact on the dwelling or character of the area and maintains the existing front projecting element above ground level.



The external materials would include a combination of brickwork and rendering to match the existing building which is considered suitable to the locality.

Thus, overall, the scale, and massing of the development after amendments is considered subordinate in scale and to respect the character of the 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.

Impact on No. 98

No. 98 is the nearest neighbouring property, immediately east of the site, a detached property with rear wall in line with the rear wall of No. 100. The gap between the flank walls of Nos. 100 and 98 at first floor level is approximately 3 metres. The amendments to the proposal have reduced the rear depth of the upper extension to 2 metres and removed the rear gable, well within the limits of the RDG. It is considered this reduction to the depth and the change in roof formation to hipped roof with rear dormer has sufficiently downsized the massing of the scheme such that it would not have an overbearing impact on No. 98, nor cause adverse loss of light.

The proposed new windows at first floor and above in the side (east facing) elevation should be obscure glazed to ensure no overlooking to No. 98.

The rear dormer and fenestration in the rear elevation are considered to be compliant with the RDG in terms of scale and proportions and thus would not result in adverse overlooking to this property.

Impact on neighbouring properties on West Hill Way:

Nos. 2, 4 and 6 are the nearest properties west of the site and have a separation gap of about 15 metres from the application site. No. 100 is angled slightly away from the rear boundaries of these properties such that the rear extension would not come closer to these neighbouring properties, ensuring they would not be adversely affected in terms of loss of light or outlook. Furthermore, there are no windows on the west side elevation facing these properties. The rear dormer and fenestration in the rear elevation are not considered to result in adverse overlooking.

Objections have raised concerns about loss of light to these neighbouring properties. It is considered however that these properties have a sufficient separation distance. Furthermore, the amended version of the proposal has reduced the bulk and massing of the extensions, and thus it is assessed there would be no adverse loss of light to neighbouring properties.

- Impact on trees.

The Council's tree officer has confirmed no objections subject to conditions:

The arboricultural survey and tree protection plan is based on approximate positions of

adjacent trees. Based on a desktop assessments, the locations of affected trees / RPAs appear to be broadly accurate.

There are no trees requiring removal to facilitate development. There is a tree (G1 (laurel) situated immediately to the west of the property which will require crown pruning to facilitate development. Pruning of hedging to boundary lines is common practice and there is no objection on arboricultural grounds to this aspect of the proposal.

The proposal seeks to extend the total footprint of the building and patio towards the rear garden (northwards) by 4m.

There are 2 prominent trees (sycamore and willow T1) situated in the neighbouring garden to the west. There is a distance of around 4.5m between the edge of the existing building and the crown of T1, meaning there is likely to be encroachment into the RPA. This is acknowledged within the arboricultural survey:

"The new extension will encroach slightly into the RPA of T1 (willow) and G1 (laurel)".

The patio will be installed using no-dig methodology, thereby reducing risk to T1. There is no objection on arboricultural grounds to this aspect of the proposal.

The proposal refers to "pre-emptive root pruning" to facilitate the development. Any incursion into the RPA of T1 for installation of the rear extension appears to be marginal. There is no objection on arboricultural grounds to this aspect of the proposal.

No objections subject to conditions.

#### - Flood Risk.

The site has been identified to be within an area of high risk for surface water runoff. As such the applicant has been requested to submit a flood risk assessment (FRA) to meet the requirements of the NPPF. The mitigation proposed in the report is considered acceptable and a condition is recommended to ensure compliance with the FRA.

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

The material considerations raised in objections have been addressed in the report.

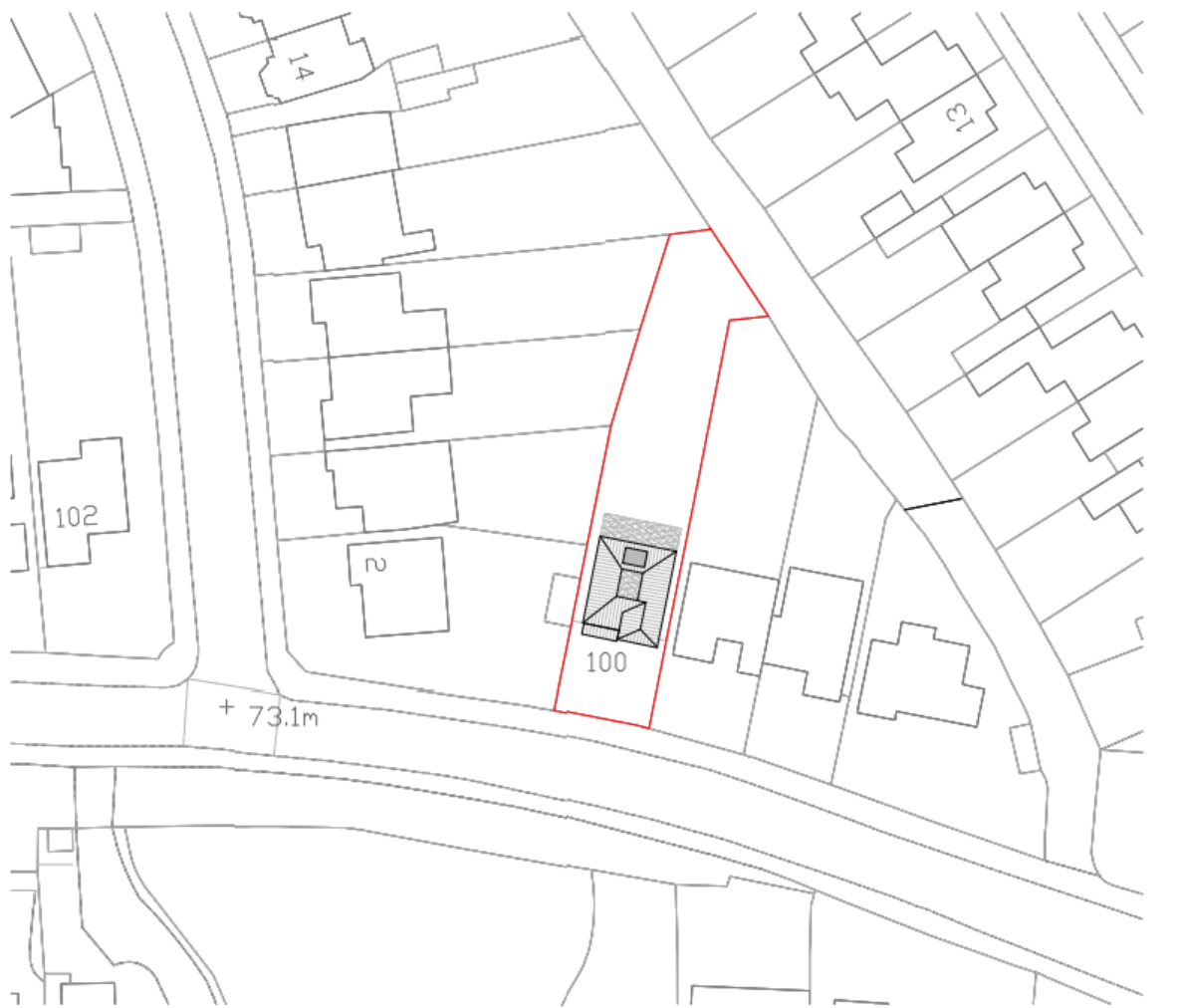
### **6. Equality and Diversity Issues**

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 the proposal has been amended to reduce the massing and bulk of the rear extensions, such that overall the proposal would be acceptable, having no adverse visual impact or adverse impact on neighbours. The proposal is thus recommended for approval subject to conditions.

# Site Location Plan



1:500 Site Location Plan  
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P04	Updated to Suit Planners Comments	22.09.01
P03	Roof Changed to Suit Planners Comments	22.08.05
P02	Dwelling Updated on Site	22.07.05
P01	Issued for Approval	22.03.17