

**Location** 20 Allington Road London NW4 3DJ

**Reference:** 22/5164/FUL Received: 20th October 2022  
Accepted: 26th October 2022

Ward: West Hendon Expiry: 21st December 2022

**Case Officer:** Greta Norton

Applicant: Mr Franco Anacreonte

Proposal: First floor rear extension and alterations to roof involving insertion of 1no. rooflight to the front and rear roof slopes. Changes to fenestration including addition of 2no windows and removal of 1no window and 1no door from side elevations, removal of 1no window from front elevation and insertion of 1no ground floor window to the rear elevation. (Amended Plans and Description)

## **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:

Site Location Plan EX01  
Existing Elevations GA02 Rev A  
Existing Floor Plans GA01 Rev A  
Proposed Elevations GA05 Rev C  
Proposed Plans GA04 Rev H  
Proposed Site Plan EX02 Rev C

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 used in the existing building(s).

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

- 4 Before the building hereby permitted is first occupied the proposed first floor windows in the south elevation facing No 18 Allington Road 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).

- 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 elevation of the extension hereby approved, facing No 18 Allington Road

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).

#### **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 is a detached property located at 20 Allington Road, NW4 3DE, within the West Hendon ward. The property is situated on a street characterised by large, detached properties. The property has off street parking to the forecourt of the site, and an adequately sized rear garden and currently benefits from an existing single storey rear extension.

The property is not within a conservation area and is not a listed building. The site is not located within a flood risk zone.

### **2. Site History**

Reference: W05769D

Address: 20 Allington Road, London, NW4

Description: Single-storey and two-storey rear extension

Decision: Approved subject to conditions

Date: 20/09/1984

Reference: W05769C

Address: 20 Allington Road NW4

Description: Front entrance porch

Decision: Approved subject to conditions

Date: 27/03/1984

Reference: W05569B

Address: 20 Allington Road NW4

Description: Double Garage

Decision: Approved subject to conditions

Date: 13/08/1979

Reference: W05769A

Address: 20 Allington Road NW4

Description: Single storey rear extension

Decision: Approved subject to conditions

Date: 28/03/1979

### **3. Proposal**

The application seeks permission for a first floor rear extension and alterations to roof (involving insertion of 1no. rooflight to the front and rear roof slopes), changes to fenestration (including addition of 2no windows and removal of 1no window and 1no door from side elevations, removal of 1no window from front elevation and insertion of 1no ground floor window to the rear elevation).

The first-floor rear extension as revised measures as 3.00 metres in depth along the southern boundary for a width of 4.45 metres and reduces down to a depth of 2.00 metres along the western boundary, for a width of 4.60 metres. The extension will have an eaves height of 5.65 metres, and a maximum height of 7.70 metres due to the pitched roofs.

2no rooflights will be added to the roof, one to the front and one to the back. This shall facilitate a loft conversion.

The plans and description have been amended during the lifetime of the application to remove the proposed conversion to 4no flats and stagger the depth of the first floor extension. The application now relates solely to a first-floor rear extension and insertion of rooflights.

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

Consultation letters were sent to 52 neighbouring properties.

19 objections were received, principally due to the initially proposed conversion:

- Out of date and incorrect guidelines have been followed which has resulted in substandard living accommodation and proposal out of line with London plan 2021.
- Flat 3 (2 bed 3 p dwelling) has floor area of 51m<sup>2</sup>. this is significantly below 61m<sup>2</sup> that is required.
- Prominent corner siting and excessive site coverage combined with other application would be obtrusive in street scene, resulting in cramped form of development.
- Detrimental to neighbouring visual amenity.
- Drawings have limited reference to refuse storage and no reference to cycling storage.
- Drawing denotes 4 cars parked on the drive, but the pillars present for the gate would limit the parking arrangement - nearly impossible for cars to be parked this way.
- No supporting info provided to evidence that the proposal meetings fire safety and ventilation requirements.
- Addition of another front door alters the front aesthetics of the property, creating visual obscurity that is out of character with surroundings.
- Provision for additional refuse bins required due to 4 flats.
- Development situated at corner of an extremely dangerous crossroad.
- Addition of flats and bungalow will add additional traffic to an area that is already heavily congested.
- Need family homes in area. Unhabitable for families.

A second round of consultation was carried out, due to amended plans and description. The plans have been amended to remove the provision of flats, and now involves just extensions to the rear and addition of new windows. The following objections were raised to the second round of consultation:

- The plans resemble an HMO.
- Multiple tenants in small flats is not the nature of the area.
- Concerns with parkig, increased rubbish and increased volume of traffic.
- changing the property to a 6 bedroom house would detrimentally alter the nature of the area from a quiet family neighbourhood.

#### **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

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.

### **5.3 Assessment of proposals**

#### **Impact on the character and appearance of the property and general locality:**

The proposed first floor rear element will be built above the existing single storey rear extension.

Paragraph 14.23 of the Council's Residential Design Guidance SPD states that 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, as they can be too bulky and dominant. Paragraph 14.24 similarly requires 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 3.00 metres beyond the original first floor rear wall, which is regarded as an acceptable, subordinate depth that would not appear as a dominating feature - consistent with the expectations of the SPD.

The first-floor element is over half the full width of the original dwelling; however, the staggered depth ensures an element of subordination is maintained and reflects the character of the host property.

Paragraph 14.16 of the council's Residential Design Guidance (2016) mandates that extensions of the type similar to the proposed be set down by 0.5 metres from the main ridge line as to aid subordination. The proposed first floor rear extension is to be set down from the main ridge line by 1.10 metres, therefore appearing as a subordinate feature to the main dwelling.

The addition of 1no front and 1no rear rooflight would not be detrimental to the character of the area as rooflights are a characteristic of properties along Allington Road. The proposed changes to fenestration are similarly commensurate with the existing dwelling.

#### **Impact on the amenities of neighbouring occupiers:**

All proposed developments should be based on an understanding of the local characteristics, preserving, or enhancing the local character and respecting the appearance, scale, mass and height of the surrounding buildings, spaces, and streets in accordance with DM01 of the Development Management Policies DPD (2012).

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

The proposed first floor rear extension will not extend beyond the first-floor rear projection at no. 18, as the neighbouring property benefits from first floor extensions. Thus, the proposal is not considered to contribute to any undue loss of light, overshadowing or loss of privacy as a result of the extensions.

With regard to the northern boundary of the site, the site is situated on a corner plot, with a road directly to the north of the property and the closest house to the northern boundary is roughly 13 metres away. Therefore, the proposed extensions will not unreasonably impact this property (no.22).

The proposed 2no rooflights will not lead to a loss of privacy due to their small nature in size and locality in the roof. A condition relating to the proposed new windows in the south side elevation will be added.

In summary, the proposals put forward under this application are deemed to have an acceptable impact on the amenities of the neighbouring occupiers as well as having an acceptable impact on the character and appearance of the property as well as the wider locality of the surrounding area.

## **6. Response to Consultation**

Since most comments relate to the provision of flats, which is now not proposed as amended, the comments are not relevant to the current scheme.

The comments received from the second round of consultation raise concern that the property is to be converted to an HMO. However, this is not the case, as the proposal solely relates to extensions and addition/removal of windows. If the applicant was to seek HMO conversion, they would have to put forward a separate planning application for the council to consider.

## **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**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development as amended 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.



