

**Location**                      **49 Hodford Road London NW11 8NL**

**Reference:**                    **15/07399/HSE**                      Received: 4th December 2015  
Accepted: 17th December 2015

Ward:                              Childs Hill                              Expiry 11th February 2016

Applicant:                        Mr MAX WOLMAN

Proposal:                         First floor rear and side extensions

**Recommendation:** Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Site location plan: 380 EX00
  - Existing plans: 380 EX01, 380 EX02, 380 EX04, 380/S.06, 380 EX07, 380 EX08 and 380 EX09.
  - Approved scheme under construction: 380 3PL01, 380 3PL02, 380 3PL03, 380 3PL05, 380/3PL.06 REV A, 380 3PL07 and 380/3PL.09.
  - Proposed plans: 380 4PL02, 380 4PL03, 380 4PL05, 380 4PL06, 380 4PL07 REV A, 380 4PL08 and 380 5PL09.

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 window in the side elevation facing No.51 Hodford 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 April 2013).

- 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 facing No.47 and No.51 Hodford 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 186 and 187 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. A pre-application advice service is also offered. 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 located on the western side of Hodford Road, within the Childs Hill ward. To the rear of the site Childs Hill Park is located. The area is suburban - residential in character. The properties along the road follow a constant front and rear building line.

The existing building on site is a semi-detached, two-storey residential dwelling house. Along this part of the street individual properties have an L-shaped footprint and with their attached neighbour create a U-shape across both plots. There is a change in levels across the site with a decline from front to rear.

Between the flank wall of the host property and the boundary with No.51 Hodford Road is an existing garage. This pattern is repeated, with the garage of No.51 Hodford Road providing a buffer between the side boundary and the main flank wall of the property.

The building holds no designation and the site is not located within a Conservation Area.

### **2. Site History**

Reference: 15/01175/HSE

Address: 49 Hodford Road, London, NW11 8NL

Decision: Refused

Decision Date: 21 October 2015

Description: Part single part two storey side and rear extension following demolition of existing garage and shed. New rear raised terrace. single storey front extension to accommodate a new porch.

Reference: 15/01183/192

Address: 49 Hodford Road, London, NW11 8NL

Decision: Lawful

Decision Date: 28 April 2015

Description: Rear dormer with 2.no rooflights to facilitate hip to gable loft conversion

Reference: 15/06535/HSE

Address: 49 Hodford Road, London, NW11 8NL

Decision: Approved subject to conditions

Decision Date: 1 December 2015

Description: Demolition of existing outbuilding and side extension and removal of chimney stack. Erection of single storey side and rear extension. Access ramp to front. New front porch. New refuse store and cycle storage. New driveway and vehicular access. New rear terrace

Reference: 15/07402/HSE

Address: 49 Hodford Road, London, NW11 8NL

Decision: Pending Decision

Decision Date: No Decision Made.

Description: First floor side extension

Reference: 15/07472/HSE

Address: 49 Hodford Road, London, NW11 8NL

Decision: Pending Decision  
Decision Date: No Decision Made.  
Description: First floor rear extension

### **3. Proposal**

The application seeks permission for the erection of a part first floor rear and side extension. It would be 1.8 metres wide, 7 metres deep and then extend 7.9 metres wide, 2 metres deep and includes a dual pitched roof. A new window would be provided within the new side extension.

### **4. Public Consultation**

Consultation letters were sent to 11 neighbouring properties.  
8 responses has been received, comprising 7 letters of objection.  
Neighbours Wishing To Speak 3

The objections received can be summarised as follows:

- Over-development of site
- Loss of views and light
- Proposals out of character
- Overlooking
- Dangerous precedent
- Loss of privacy
- Closes up gaps between non-attached properties

### **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 on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

##### The Mayor's London Plan 2015

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.

#### Supplementary Planning Documents

##### Residential Design Guidance SPD (adopted April 2013)

- 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 April 2013)

- 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**

A previous 2 storey scheme (15/01175/HSE) was refused planning permission by the committee for the reason that 'The proposals, by reason of the size, siting, scale and design of the extensions, would represent an overdevelopment of the site, which would be detrimental to the character and appearance of the property, the streetscene and general locality and would be detrimental to the residential amenities of the occupiers of neighbouring properties by reason of overbearing appearance, contrary to policy DM01 of the Barnet Adopted Development Management Policies DPD (2012) and the Adopted SPD 'Residential Design Guidance' (2013).'

The main difference between the previous scheme and the present application is that it only relates to a part first floor rear and part first floor side extension. The side extension to the front has been omitted from this application. The single storey rear and side extension was granted permission (15/06535/HSE) on 01/12/2015 and is currently under construction. It is noted that the applicant submitted two other separate applications: one for a first floor rear extension (15/07472/HSE) and one for a first floor side extension (15/07402/HSE) which are currently still under determination.

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

Barnet's Residential Design Guidance states that in order to reduce the visual impact of two storey or first floor side extensions, there should normally be a minimum gap of 2 metres between the flank walls of properties at first floor level. Concerning first floor rear extension, proposals 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.

The proposal would be set back 7 metres from the front building line of the property and a gap of approximately 3.2 metres would be kept between the host property and No. 51 Hodford Road. To the rear, the extension would be 2 metres deep and would be set in 2 metres from the boundary with No. 47 Hodford Road.

The proposed roof would be of similar appearance as the existing pitched roof and it would be set 2.5 metres below the main roof ridge. The proposal would remain a subordinate element and is considered a sympathetic addition to the host property. It is not considered that it would be harmful to the character and appearance of the area or wider locality.

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

The limited size and siting of the extension is considered acceptable and would not adversely impact the visual and residential amenities of the neighbouring occupiers at No.51. Whilst a window would be provided on the flank of the extension condition would be attached requiring this window to be obscure glazed to prevent any potential overlooking and loss of residential amenity to the occupiers of No.51 Hodford Road.

#### *Light/Overshadowing*

The applicant has previously submitted a daylight and sunlight report to assess the impact on neighbouring occupiers.

The report was commissioned in relation to a larger proposal which included a first floor side and rear extension. This assessed the impact on all windows at both neighbouring properties at no.47 and no.51 Hodford Road.

The report confirms that the previous proposals confirm all tests in regard to Vertical Sky Component (VSC), Annual and Winter Sunlight Hours tests, and the overshadowing of gardens. The proposals are no larger than the previous proposals in any respect.

It is not considered that the proposals would harm neighbouring occupiers in terms of loss of daylight, sunlight, or the overshadowing of gardens.

#### *Outlook/Visual Impact*

The Council's Supplementary Design Guidance advocates a minimum gap of 2 metres between the flank walls of properties at first floor level. A gap of 3.5 metres would be maintained between the host property and No.51 which is above Council Guidance. Furthermore, the rear extension would include a gap of 2 metres with No.47 which complies with Council Guidance. In this instance, there are no material considerations that would justify taking a different view in this case.

It is not considered that the proposal would cause material harm to the visual or residential amenities of neighbouring occupiers.

#### *Noise/Disturbance*

It is not considered that the proposed extension to an existing domestic property to enlarge two existing bedrooms and create a study room would cause a harmful level of noise and disturbance to neighbouring occupiers.

#### *Privacy*

As mentioned above, a condition would be attached requiring that the proposed window facing No.51 be obscure glazed. Subject to this, it is not considered that the proposal would result in the harmful overlooking of neighbouring residential properties.

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

The objections raised by objectors are noted. In regards to the proposal, associated with planning applications (15/07472/HSE) and (15/07402/HSE), result in the overdevelopment of the site, the proposal makes the resultant development policy compliant and in line with the requirements of the adopted Residential Design Guidance. Besides, each application is judged based on its own merits.

The proposed development is not considered to be out of character. Other properties have undertaken similar extension works. It is recognised that this is the first property in this part of the street to undertake a first floor side extension but the scheme is considered to meet the stipulations of the Design Guidance and cause no harm to the amenities of neighbouring occupiers.

To prevent any loss of privacy and overlooking from the proposed development to the occupiers of No.51 Hodford Road, a condition is suggested requiring the proposed side window to be obscure glazed.

It is not considered that the proposed development closes up the gap between the host property and the neighbour at No.51 Hodford Road as a gap of approximately 3.4 metres will be maintained at first floor level. Furthermore, this part of Hodford Road has a varied character and it is common feature to witness smaller gaps between properties. Therefore, it is considered that 3.4 metres gap is sufficient and reflects the character of the area.

The limited depth and height of the proposed extension is considered to be an acceptable addition to the host property. As such, it is not considered that it will have a detrimental impact on the residential amenities of the neighbouring occupiers with regards to loss of light, overshadowing or overbearing.

Regarding the proposal blocking views of Childs Hill Park, loss of view is not a planning matter therefore it does not constitute a basis on which to refuse this proposal.

## **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.



