

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

Reference: **15/07472/HSE** Received: 8th December 2015
Accepted: 15th December 2015

Ward: Childs Hill Expiry 9th February 2016

Applicant: Mr MAX WOLMAN

Proposal: First floor rear extension

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, 380/ 3PL.08 and 380/3PL.09.
 - Proposed plans: 380 6PL02, 380 6PL03 REV A, 380 6PL05 REV A, 380 6PL07 REV B, 380 6PL08 REV A and 380 6PL09 REV A.

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 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 extension hereby approved, facing No.47 or 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: 15/07399/HSE

Address: 49 Hodford Road, London, NW11 8NL

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: First floor rear and side extensions

Reference: 15/07402/HSE

Address: 49 Hodford Road, London, NW11 8NL

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

3. Proposal

The application seeks permission for the erection of a part first floor rear extension. It would be 5.5 metres wide, 2 metres deep and includes a dual pitched roof.

4. Public Consultation

Consultation letters were sent to 6 neighbouring properties.
6 responses has been received, comprising 6 letters of objection
Neighbours Wishing To Speak 3

The objections received can be summarised as follows:

- Over-oppressive over-development of site
- Loss of views and light
- Proposal out of character
- Overlooking
- Dangerous precedent
- Impact on neighbouring gardens

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 first floor rear extension. The rear and side extension and part side extension are not part of this proposal. 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 and side extension (15/07399/HSE) and one for a first floor part 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 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.

Paragraph 14.24 precises that two storey rear extension need to ensure they do not lead to:

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

Amended plans reduced the bulk and size of the proposal. As amended the extension would be 2 metres deep and would be set in 2 metres from the side boundary with No. 47 Hodford Road. The proposed roof would be of similar appearance as the existing pitched roof and it would be set 2.7 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.47.

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 proposal is no larger than the previous proposals in any respect.

It is not considered that the proposal 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 wall of first floor rear extension and neighbouring properties. The proposal 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 would cause a harmful level of noise and disturbance to neighbouring occupiers.

Privacy

There are no proposed windows to either flank wall of the extension; therefore there will be no issue of overlooking of neighbouring residential amenities.

5.4 Response to Public Consultation

Mainly addressed in the body of the report however, the following comments are also made as follows:

In regards to the proposal, associated with planning applications (15/07472/HSE) and (15/07402/HSE), result in an over-oppressive 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. Besides, the scheme is considered to meet the stipulations of the Design Guidance and cause no harm to the amenities of neighbouring occupiers.

The proposed development is not considered to have harmful impact on the amenities of the neighbouring occupiers with regards to overlooking or loss of privacy.

The proposal is located to the rear of the property; therefore it will not adversely impact the streetscene and would not close up the exiting gap between No.49 and the neighbouring properties.

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 or overshadowing.

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.

