

**Location**                    **57 Hodford Road London NW11 8NL**

**Reference:**                **16/1445/HSE**

Received: 4th March 2016

Accepted: 10th March 2016

Ward:                        Childs Hill

Expiry 5th May 2016

Applicant:                Mr Adam Sebba

Proposal:                 Demolition of existing outbuilding and erection of part single part two storey side and rear extension. New front porch

**Recommendation:** Approve subject to conditions

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; Drawing no. 100; Drawing no. 101; Drawing no. 102; Drawing no. 103; Drawing no. 01 Rev B; Drawing no. 02 Rev B; Drawing no. 03 Rev B; Drawing no. 04 Rev B.

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     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).

- 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(s), of the extension(s) hereby approved, facing no. 55 and no. 59 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. 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 relates to a semi-detached single family dwelling house located on the western side of Hodford Road which is predominantly residential in character, within the Childs Hill ward. The building is not listed nor does it lie within a conservation area.

### **2. Site History**

Reference: 15/03152/FUL

Address: 57 Hodford Road, London, NW11 8NL

Decision: Approved subject to conditions

Decision Date: 16 September 2015

Description: New build of two storey house with basement and rooms in the roof.

Reference: 15/07698/PNH

Address: 57 Hodford Road, London, NW11 8NL

Decision: Prior Approval Required and Approved

Decision Date: 20 January 2016

Description: Single storey rear extension with a proposed maximum depth of 6 metres from original rear wall, with a maximum height of 4 metres and an eaves height of 3 metres.

Reference: 15/07915/HSE

Address: 57 Hodford Road, London, NW11 8NL

Decision: Refused

Decision Date: 29 February 2016

Description: Demolition of existing outbuilding and erection of part single part two storey side and rear extension, raised terrace. New front porch

Reference: 15/07916/192

Address: 57 Hodford Road, London, NW11 8NL

Decision: Lawful

Decision Date: 29 January 2016

Description: Roof extension involving side and rear dormer windows with 2no rooflights to front elevation to facilitate a loft conversion

Reference: 16/1042/HSE

Address: 57 Hodford Road, London, NW11 8NL

Decision: Approved subject to conditions

Decision Date: 18 April 2016

Description: Single storey side and rear extension with raised rear patio and steps following the demolition of the existing garage

Reference: F/05754/14

Address: 57 Hodford Road, London, NW11 8NL

Decision: Approved subject to conditions

Decision Date: 26 November 2014

Description: Single storey side and rear extension following demolition of existing garage. Front porch extension.

Reference: F/05751/14

Address: 57 Hodford Road, London, NW11 8NL

Decision: Refused

Decision Date: 24 December 2014

Description: Hip to gable roof extension with dormer window to the front and rear including 2no. front facing roof lights to facilitate a loft conversion.

### **3. Proposal**

The applicant seeks planning consent for the following development following the demolition of the existing detached garage:

- Ground floor side and rear extension
- First floor rear extension
- First floor side extension
- New front porch

The ground floor extension at the boundary with no.55 would have a depth of 3.5m and would have flat roof with a height of 3.1m from the highest steps of the proposed raised decking. At the other side, the ground floor extension would project up to the level of the existing garage and would connect with the proposed side extension.

The ground floor side extension would be flush with the outermost front elevation and would extend up to the boundary with no. 59 with a depth of 18.4m. The extension would have a flat roof with a height of 3.4m measured from the front of the site.

The first floor side extension would have a width of 1.5m up to the existing rear elevation with a depth of 10.9m. The extension would be recessed from the front by 1m and would have a roof to match the original projecting wing.

The first floor side extension would be sited 3.5m from no. 55 and 3.3m from the boundary with no. 59 Hodford Road. The extension would have a depth of 2m with a subordinate hipped roof.

The front porch would result in an infill up to the level at the front with a lean-to roof.

### **4. Public Consultation**

Consultation letters were sent to 7 neighbouring properties.

6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

- Application follows 49 Hodford Road, which was refused by the committee.
- First floor side extension would fill in the gap created by the side-to-side garages that typify this part of Hodford Road creating terracing effect
- Loss of views through site.
- Set a precedent
- Overshadowing and loss of light
- Excessively high wall with resulting in 1.5 storeys above neighbour
- Block-like design which is out-of-character with rest of the street.
- Amendments to this scheme do not contravene the overdevelopment of the site.
- Overbearing and unduly obtrusive.

- Construction up to the boundary and reduce access to the side.
- Fail to set back from front elevation.

## **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**

Planning consent has previously been granted for a single storey side and rear extension with a raised patio on the site (planning reference F/05754/14) and more recently for a similar extension (planning reference 16/1042/HSE) and therefore the principle of such development has been established. Both applications approved a rear extension with the same depth at the boundary with no.55 , however the latter approved a single storey rear extension with the same depth up to garage as proposed under the current scheme.

In accordance with the approved scheme, the ground floor extension at the rear would have the same depth near the boundary with no.55 and would accord with the Councils SPD Residential Design Guidance. Officers consider that the reduced height of the extension would ensure that there would be no significant impact on the occupiers of the neighbouring property; the height proposed at ground floor would be the same as previously approved. At the other boundary, the extension would project an additional 3m up to the siting of the existing garage. Given the existing structure, the extension at the side with this depth would not be out of character nor is it considered to be imposing on the amenities of the future dwelling at no.59; this would be the same depth as approved.

The proposed raised patio was previously approved at this depth and same design, and there are no material changes to consider this element unacceptable now.

The proposed ground floor side extension, as with the approved application (16/1042/HSE) would be sited at the boundary with no.59. It is not considered that there

would be any significant impact on neighbouring properties in terms of loss of light and outlook and the proposed extension is in keeping with the character of Hodford Road. The previous approval also included a flat roof design and a door to access the playroom. At ground floor, the extension would not be recessed from the front elevation however this is in accordance with the Residential Design Guidance SPD, which only requires first floor extensions to be recessed. Given the length of the front garden and siting of the ground floor side extension, it is not considered that this element is harmful to the streetscene of Hodford Road.

At the time of the site visit the property next door at no.59 had been demolished; consent was granted at this property for a replacement dwelling. From the approved plans on the adjacent site, there are no windows serving habitable room on the flank elevation fronting the host site at either ground or first floor level.

The first floor side extension would retain a gap of 1m at the front and 1.8m at the rear of the site, where the curtilage splays. Section 14.17 of the Residential Design Guidance SPD stipulates 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 (i.e. a minimum gap of 1m between the boundary and the extension at first floor level for most two storey extensions)". The approved scheme at no.59 itself retains a gap of approximately 1.1m from the boundary and therefore there would be at least a gap of 2m from the flank elevations of both dwellings at first floor level. The proposal is directly in accordance with the guidance and whilst the gap between buildings would be reduced, there would still be an adequate gap between the buildings and this would not be detrimental to the character of the streetscene. Whilst the views through the site would be reduced to some degree, it is not considered that this is sufficient to warrant refusal of the application. In addition, the roof reads as a subordinate feature due to the recessed ridge height and as such would respect the proportions of the dwelling.

At first floor rear, the extension would be sited a substantial distance from the boundary with both neighbouring dwellings and due to the modest depth, it is not considered that the extension would appear overbearing on the gardens of neighbouring occupiers. There are other examples of first floor rear extensions in the area and the proposal is considered to be subservient to the main dwelling.

Given the distance of the proposed extension to the rear of the garden both at ground and first floor levels, it is not considered to result in unacceptable levels of overlooking and this reason alone would not warrant refusal of the application.

The front porch is considered to be a modest addition and would be a modest addition when viewed from the streetscene.

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

The pressures of future planning applications on this site or any other on the road are not material considerations in the determination of the application.

In the determination of the application, particularly with regards to the comments raised by objectors about the 'block-like design', the previous extant approvals on the site have been reviewed and it is not considered that circumstances have changed to make the design of the extension unacceptable.

With regards to the objection regarding the extension at ground floor infilling up to the boundary, it must be noted that under permitted development an extension can have a similar width (albeit limited to the rear elevation). Similarly, at ground floor a side extension can be built up to the front elevation under permitted development. In addition, consent has already been granted for the ground floor side extension.

The objections draw comparison to the refusal at no.49 Hodford Road, where there is extensive planning history. Although the latest applications on this site were refused by the planning committee on grounds of over-development and terracing effect (15/07399/HSE, 15/07402/HSE, 15/07472/HSE), the appeal decision for an earlier application on the same site (15/01175/HSE) which included a larger first floor extension was not considered to be detrimental to the character of Hodford Road. Notwithstanding these decisions, every case is assessed on its own merits and the size of the extension at first floor level is considered to differ to those at no.49.

It is considered that the comments raised by the objectors have been addressed in the report above and by the amendments provided since neighbour consultation ended.

## **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.



