

**Location**                               **15 North Square London NW11 7AD**

**Reference:**                           **17/0347/HSE**                               Received: 20th January 2017  
Accepted: 20th January 2017

Ward:                                       Garden Suburb                               Expiry 17th March 2017

Applicant:                               Mr & Mrs R & M Grethe

Proposal:                                 Demolition of the existing garage and erection of new garage/garden room

**Recommendation:** Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan; 305/EX/01; 305/EX/02; 305/PR/01 Rev E; 305/PR/02 Rev D

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 use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 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 windows hereby approved shall match the original windows in material and style.

Reason: To protect the character of the house and the Hampstead Garden Suburb Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

- 6 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 7 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as approved under this condition has been erected around existing trees on site. This protection 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.

Reason: To safeguard the health of existing tree(s) 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 (adopted September 2012) and Policy 7.21 of the London Plan 2015.

#### **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 and the Applicant engaged with this prior to the submissions of this application. 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 northern side of North Square, within Area 11 of the Hampstead Garden Suburb Conservation Area, in the Garden Suburb ward.

The existing building on site is a Grade II\* listed, end-of-terrace residential dwelling house. At the western side of the application property there is a driveway giving access to a 1980s garage which sits in a similar location to where the original garage building would have been sited in the corner of the site adjacent to the boundary with Big Wood, a designated Local Nature Reserve which is open to the public at all times. It is this garage building which is the subject of the application.

The adopted Conservation Area Character Appraisal notes;

"North Square itself provides an impressive panorama. Large houses enclose the square on two sides. The car park and grassed area in front of the Free Church provide an extensive open space from which rise the mass of the Church and the Manse. To the east, hedges and tall trees and remnants of old woodland border the Square. This corner has an intimate woodland feel and the electricity sub-station site, sheltered by its impenetrable yew hedge, is a haven for wild life. The ambiance is that of a quiet Cathedral Close marred only by the large numbers of parked cars which spoil the vista, and heavy traffic around the east side of North Square at peak school run times.

In North Square Nos. 1-8 is a terrace of eight three-storey houses by Lutyens (1907-10), while Nos. 9-15 is a symmetrical terrace by Sutcliffe following Lutyens' style. All are in greyish brick with contrasting red brick quoins and bays. Due to the houses being built below the level of the square, the siting of features can be surprising, such as the ground floor windows on No. 1 which are only 18ins-2ft above the ground. The detailing of these houses is strikingly eclectic with projecting bays and dormers, balustraded balconies, blind niches, and fine doorcases. Nos. 7, 10 and 12 have metal casements rather than sash dormers. Most houses have fanlights above their front doors in varying styles. No. 9 has a black and white wooden sundial, with roman numerals and metal pointer on a raised rectangular plaque with quotation and date, 1920. Inappropriately positioned burglar alarms sometimes spoil a façade e.g. No. 6 has an alarm centred on the arch of a cartouche window.

On the northeast side, Numbers 10 and 12 are set forward with double height bays on either side of the front doors. Their dormers do not match, the lead glazing bars of No. 12 having been replaced with metal. No. 11 at the centre of the terrace has a mixture of fenestration including three cartouche-shaped first floor windows. The last house in the terrace (No. 15) is almost invisible, with a full-size farm gate and access down a wide path of unsympathetic material. Almost the whole of the front garden has been lost to hardstanding. No. 16, The Studio, cannot be seen at all from the street. Built of red brick, obscured by woodland, its roof covered with ivy, with access only from the Quaker Meeting House garden. The single-storey Quaker Meeting House is set back and dwarfed peacefully by the tall trees. It is a plain building in total contrast to the grand style of Lutyens and is modelled on William Penn's Meeting House in Jordans, Pennsylvania. Notice boards are set on an eye catching semi-circular curved red brick wall that encloses shallow, wide, paved steps. There is also a slope down to the planted garden for disabled access. More large oaks line the pavement and hide two garages down a long, stony,

'rural' path. This corner has a totally different character from that of the rest of North Square, due to the trees.

## **2. Site History**

Reference: 16/5101/HSE

Address: 15 North Square, London, NW11 7AD

Decision: Approved subject to conditions

Decision Date: 16 November 2016

Description: Replacement of non original windows and doors with double glazing. 3no flush rooflights to first floor rear flat roof. Single storey rear extension to kitchen. New window to ground floor rear elevation. Internal alterations.

Reference: 16/5102/LBC

Address: 15 North Square, London, NW11 7AD

Decision: Approved subject to conditions

Decision Date: 16 November 2016

Description: Replacement of non original windows and doors with double glazing. 3no flush rooflights to first floor rear flat roof. Single storey rear extension to kitchen. New window to ground floor rear elevation. Internal alterations.

## **3. Proposal**

This application seeks consent for the demolition of the existing garage and erection of new garage / garden room.

The proposed replacement outbuilding would measure 7.8m in length, 3.5m in width with a proposed height of approximately 2.5m to the eaves and just less than 4m to the ridge.

The existing garage is not an original feature and was replaced in the 1980s.

## **4. Public Consultation**

A site notice was erected on 2/2/2016

A press notice was published on 2/2/2016

4 neighbours were consulted

4 objections were received

The views of objectors can be summarised as follows;

- Development has larger footprint than existing
- Development will be used as habitable space
- Outbuilding will obscure views of Bigwood to the rear
- Overlooking
- Loss of privacy
- Impact on natural environment
- Pitched roof in appropriate
- Noise disturbance
- Unacceptable precedent
- Concerns the site location plan is incorrect
- New fence in wrong location and encroaches on to Bigwood to the rear
- Impact on protected species

Internal / other consultation

Historic England:

"We were consulted on this proposal for rebuilding the garage, a 1980s rebuild of a 1930s design, at pre-application stage. We stated at that time that rebuilding the garage was acceptable, but that the new structure should remain a subservient outbuilding. We suggested that using a flat, rather than pitched, roof and reducing the glazing would be ways of achieving this.

The scheme has now been revised to limit the height and footprint of the proposed new structure, so that the increase in massing is much less than the previous proposal and the structure is pulled further from the house. Although the pitched roof remains, its height and volume have been considerably reduced. The glazing has been reduced and the south elevation retained as a garage door. Subject to careful detailing, we consider that the impact on the significance of the grade II\* building will therefore be minimal.

We are therefore content for your Authority to decide this application as you see fit. We recommend that this application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice."

It should be noted that the Hampstead Garden Suburb Trust have already approved this development in November 2016.

This application has been called I to be decided at the Finchley and Golders Green Area Sub-Committee by Councillor Marshall as Historic England has raised interesting points.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether the alterations would be a visually obtrusive form of development which would detract from the character and appearance of the Grade II\* listed building, street scene and this part of the Hampstead Garden Suburb Conservation Area.
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees of special amenity value.

## **5.3 Preamble**

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an 'Area of Special Character of Metropolitan Importance'. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both

houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 - 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

#### **5.4 Assessment of proposals**

Section 16(2) of the Planning (Listed buildings and Conservation Area) Act 1990 states that 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 12 of the National Planning Policy Framework at paragraph 129 sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraphs 131-135 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

A replacement garage following the demolition of the existing garage and attached lean-to is sought. The existing garage building is not an original feature of the Grade II\* listed building, having been rebuilt in the 1980s; as such it is considered to hold no significance and does not contribute positively to the setting of the Grade II\*listed building or wider Conservation Area.

This application follows formal pre-application advice from Historic England where a larger building was sought. The application shows a reduced scheme matching the footprint of the existing rebuilt garage and attached lean-to sited to the rear. It is recognised that a pitched roof has been incorporated into the scheme, with roof tiles to match the main dwelling house, but the resultant appearance is similar of the original garage or garden room developments found in the area including those found at nearby Heathgate.

The proposed replacement outbuilding is proposed to be detailed in brick to match the house, with red brick quoins and painted timber garage doors facing the driveway and French doors opening on the garden side.

It is noted that the proposed development is sited adjacent to the boundary with Big Wood nature reserve and within the Root Protection Areas of several trees, however, it is not

considered that the proposals will give rise to any harm to trees of a high amenity value as the new outbuilding is able to utilise the existing 2.5m deep foundations which were used when the original outbuilding was rebuilt in the 1980s.

Having regard to the above, it is considered that there is no material harm to the designated heritage asset has been identified and therefore consent should be granted in accordance with Policy DM06 of the Development Management Policies. Due regard has been given to the provisions of Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990.

The proposed alterations do not detrimentally impact on the qualities of the Grade II\* statutory listed building and protect the character of this part of Hampstead Garden Suburb Conservation Area. The design, size and siting of the basement extension is such that they preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, trees of special amenity value and area of special character. The proposals would not impact detrimentally on the health of trees.

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

The concerns raised by objectors are noted. Whilst it is noted that the brick-built garage form is enlarged to include the footprint of the attached lean-to, the 300mm increase sited to the rear is not considered to be harmful to the setting of the listed building or wider Conservation Area.

There is no objection to the proposed outbuilding being used as habitable space as many other similar developments have been approved throughout the Conservation Area and therefore this application is not considered to represent any kind of precedent.

Given the siting of the proposed outbuilding in the western rear corner of the site on the same footprint as the existing rebuilt garage and attached lean-to it is not considered that the proposed development will give rise to any loss of amenity to neighbouring occupiers. There already exists a building with window looking into the garden in this location.

Boundary matters are not material planning considerations.

#### **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 support the Council in meeting its statutory equality responsibilities.

#### **7. Conclusion**

Having taken all material considerations into account, the proposals would not detrimentally impact on the qualities of the Grade II\* Statutory Listed building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, and area of special character.



