

**Location**                      **93 Hodford Road London NW11 8EH**

**Reference:**                      **17/3806/RCU**                      Received: 14th June 2017  
Accepted: 22nd June 2017

Ward:                      Childs Hill                      Expiry 17th August 2017

Applicant:                      Mr Meir Fattal

Proposal:                      Single storey rear extension (Retrospective Application)

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning 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 Chairman (or in his absence the Vice- Chairman) 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:

Location Plan and Block Plan Drawing No 880/HFR/S1  
Received 14 June 2017

Existing Elevations Drawing No 880/HFR/02 Rev A  
Pre-Existing Elevations Drawing No 880/HFR/04 Rev A

15 August 2017

Pre-existing Ground and First Floor Plan Drawing No 880/HFR/05 Rev A  
Existing Ground and First Floor Plan Drawing No 880/HFR/01 Rev A  
Pre-existing and Existing Loft Plan Drawing No 880/HFR/02 Rev A

Received 15 September 2017

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 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).

**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.
- 2 This application does not grant permission for any change of use of the site property. Any conversion of the property to be used as flats or as an HMO will require separate planning permission.

## **Officer's Assessment**

This item has been called in by Cllr. Zinkin who has given concerns regarding the loss of a single family dwellinghouse, the impact on the character of the area, the multiple applications that have been lodged for different uses at the property and enforcement concerns regarding the unusual internal layout for the extant permission.

### **1. Site Description**

The application site is a large semi-detached property located on the corner of Hodford Road and The Ridgeway. The application site is attached to the neighbouring property at 95 Hodford Road to the North and borders The Ridgeway to the South.

The property is a large single-family dwellinghouse which benefits from a rear dormer and large rear outbuilding. The property has also been extended to the rear with a single storey extension along the boundary with 95 Hodford. The property has received a Lawful Development Certificate for a roof extension including rear dormer, an outbuilding and a 3 metre rear extension. The rear extension has been measured on site and is larger than shown in the plans for the Lawful Development Certificate. This application seeks retrospective permission for the rear extension as built.

The property has been subject to recent enforcement investigations regarding building works and concerns the property was occupied as a House of Multiple Occupation. There was no evidence that the property was being used as HMO at the time of the investigation and no breaches concerning building works identified at the time.

The property is not a listed building and is not located within a Conservation Area.

### **2. Site History**

Reference: 15/00093/192

Address: 93 Hodford Road, London, NW11 8EH

Decision: Lawful

Decision Date: 6 February 2015

Description: Single storey rear extension. Extension to roof including side/rear dormer, 1no. front rooflight and 4no. side rooflights to facilitate a loft conversion. New outbuilding to rear garden

Reference: 16/7755/FUL

Address: 93 Hodford Road, London, NW11 8EH

Decision: Withdrawn

Decision Date: 15 March 2017

Description: Change of use of a single family dwelling to a house of multiple occupation for up to 10 people

Reference: 17/2153/FUL

Address: 93 Hodford Road, London, NW11 8EH

Decision: Withdrawn

Decision Date: 25 May 2017

Description: Conversion of existing dwelling into 2no self-contained flats. Associated cycle store, refuse and recycling store

### **3. Proposal**

The application seeks retrospective permission for a single storey rear extension measuring 5.7 metres in depth from the original rear wall along the boundary with 95 Hodford Road, 2.1 metres in width to join an existing rear projection and 2.9 metres in height with a flat roof.

The plans have been amended to clarify the height of the existing dormer on the property and show the dormer on the pre-existing plans to clarify the dormer is constructed and does not form part of this application. More detailed plans have also been provided to demonstrate the use of the property as a single family dwelling and that no material change of use has taken place.

### **4. Public Consultation**

Consultation letters were sent to 10 neighbouring properties.  
0 responses have been received.

### **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 2016

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 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, 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 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**

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

The application site benefits from a generous size corner site. The front of the property faces Hodford Road and the extension is not visible from any section of the road. The side of the property adjoins The Ridgeway and the rear and side of the property are visible for users along The Ridgeway. The extension infills a recessed 'L' shaped section of the property and does not extend any further past the existing rear wall of the property. The extension itself is not particularly visible along Hodford Road due to the other extensions and the existing outbuilding on the site which screen this part of the dwelling from view. Given its obscured location, the extension does not add to the perceived size or bulk of the property when viewed in the streetscape. While it is acknowledged the property is already of significant size, development of the neighbouring property at 95 Hodford is of a similar scale and the footprint added by the infill extension does not significantly increase the scale and bulk of the property above that of the neighbouring site. However, further extensions to the property, are unlikely to be supported.

Two previous applications have been made to convert the property into an HMO and self-contained flats. Both applications were withdrawn before an outcome was decided. At the time of the officer's site visit, there was no evidence to suggest the property is occupied or converted as an HMO or flats. It is noted the property is of considerable size. The plans provided indicate only one kitchen facility. This application has proceeded on the basis that the property is a single family dwelling.

The Local Planning Authority cannot consider the possibility of whether the proposals would be used as flats or an HMO under this application as permission for these is not being sought and would be required. The lawful use of the building is as a single family dwelling.

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

The extension infills a recessed section in the rear elevation. The extension measures 5.7 metres along the boundary with the attached neighbour at 95 Hodford Road. The neighbouring property has a matching extension and the applicant's extension does not exceed the depth or height of the neighbour's extension. A recent enforcement case has investigated the ground floor rear extension and has concluded that no action should be taken as the extension was approved in application reference F/00901/11 and has been constructed since 2012. As the neighbour's extension is considered to be lawful, this is a material consideration in this case. Given the presence of the neighbour's extension, the extension under consideration at 93 Hodford Road is not considered to have any impact to the neighbouring property.

The extension is set away from the rear boundary and is separated from the boundary by a large outbuilding. The extension is not visible from the streetscape and is not considered to impact harmfully upon the visual or residential amenities of any other neighbouring occupier.

## **5.4 Response to Public Consultation**

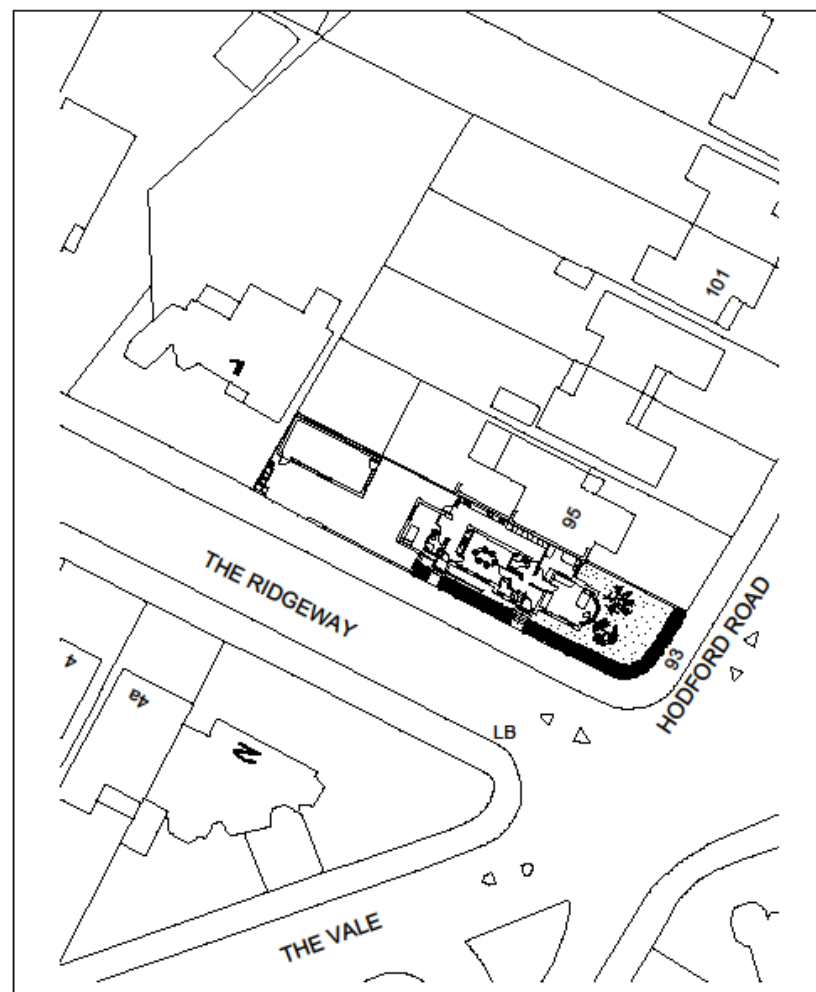
n/a

## **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.



**LOCATION PLAN 1:1250**

**BLOCK PLAN 1:500**

Rev.	Description	Date

Client	Mr Mair Fattal 93 Hodford Road London, NW11 5BE	Scale 1:1250 & 1:500	June 2017
Scheme	Retention of additional 2m part ground floor rear extension	Drawn by: HS Checked by: Approved by:	Rev.
Title	Location & Block Plans	Drawing No. 060/BFR/S1	H Solaimani 92 The Vale London, NW11 5BW Tel: 020 7370 0976 Mobile: 07861 445580 Email: h760@bkinetnet.com



