

LOCATION: 13 Raeburn Close, London, NW11 6UH
REFERENCE: F/00718/12
WARD(S): Garden Suburb

Received: 23 February 2012

Accepted: 06 March 2012

Expiry: 01 May 2012

Final Revisions:

APPLICANT: Mr G Hersham
PROPOSAL: Single storey rear extension and the creation of a new basement area.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - AP.GA.01; Photos; AP.GA.02; AP.GA.03; AP.GA.04A; AP.GA.05; AP.GA.06; AP.GA.07; AP.GA.08; AP.GA.09; AP.GA.10; AP.GA.11; AP.GA.12A; AP.GA.13A; AP.GA.16A; AP.GA.17; AP.GA.18A; AP.GA.19A; AP/GA-20; AP/GA-21A; AP/GA-22A.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 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 the surrounding area.
- 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.
- 5 The hereby approved windows shall match the original windows in material and style.
Reason:
To protect the character of the house and the Hampstead Garden Suburb Conservation Area.
- 6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.
Reason:
To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.
- 7 Details of any extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority before their installation and

implemented in accordance with agreed details.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

- 8 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 9 The level of noise emitted from the plant within the plantroom hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

- 10 No site works or works on this development including demolition or construction work, shall commence until a Construction and Traffic Management Plan have been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details.

Reason:

In the interests of highway safety in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

National Policy:

National Planning Policy Framework

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D5, HC1, HC5, M11.

Local Development Framework:

Core Strategy (Examination in Public version) 2012 – CS NPPF, CS1, CS5, CS9.

Development Management Policies (Examination in Public version) 2012 – DM01, DM02, DM06, DM17.

ii) The proposal is acceptable for the following reason(s): -

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the building and protect the character of

this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, they would preserve 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.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework:

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 London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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 July 2011:

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 2031. It forms part of the development plan for Greater London.

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.

The Mayor for London has introduced a Community Infrastructure Levy. This applied from 1 April 2012 to most developments in London where the application is determined by the Local Planning Authority.

Within Barnet the levy will be charged at a rate of £35 per square metre of net additional floorspace.

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction "saving" 183 of the 234 policies within the UDP.

Relevant policies: GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D5, HC1, HC5, M11.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the "spatial vision" that will underpin the Local Development Framework.

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Core Strategy (Examination in Public version) 2012:

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy sets the vision, core objectives and strategic policies for Barnet. Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in

the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM06, DM17.

Relevant Planning History:

Site Address: 13 Raeburn Close, London, NW11 6UH
Application Number: F/01774/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/07/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side extension following demolition of existing shed. Alterations to ground floor fenestration to rear elevation.**
Case Officer: Junior C. Moka

Site Address: 13 Raeburn Close, London, NW116UH
Application Number: C02653B/06
Application Type: Full Application
Decision: Withdrawn
Decision Date: 06/12/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of side brick shed. Erection of ground floor side extension. Enlarged kitchen windows. New rear dormer window in place of rooflight. Side dormer window.**
Case Officer: Peter Alsop

Consultations and Views Expressed:

Neighbours Consulted: 10 Replies: 4
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

1. The proposed works are unacceptable;
2. Concerns about the construction works and access to the site;
3. Harmful to the character of the area;
4. Concerns over subsidence from the excavation of the proposed basement.

Internal /Other Consultations:

Hampstead Garden Suburb, Conservation Area Advisory Committee (received before amendment)

1. Extension too large.
2. Regret development of basement in a semi-detached house.
3. Lightwell in front of house unacceptable.

Date of Site Notice: 31 May 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application is located on Raeburn Close. All properties but one (no. 7) on Raeburn Close were originally developed in 1923 by architect JCS Soutar. Changes

have been made to the application site in the past which include the conversion of the attic, the building of a brick store to the side of the house, single storey side extension following demolition of previous shed; and alterations to the ground floor fenestration to rear elevation. The application site is a semi detached dwelling designated as a locally listed building for its group value.

The site is located within the part of the Conservation Area that has an Article 4 Direction. The Hampstead Garden Suburb Conservation Area is identified in the Unitary Development Plan as an area of special character.

Proposal:

The proposal relates to a single storey rear extension and the creation of a new basement area. The application was amended since being submitted to take into account officers' recommendation.

Planning Considerations:

The main issue in this case is whether or not the alterations would be visually obtrusive forms of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area and have an adverse and visually obtrusive impact upon the amenity of the occupiers of the neighbouring property.

The supplementary planning guidance for the Suburb is the Hampstead Garden Suburb Design Guidance which has been the subject of public consultation and Local Planning Authority approval. The guidance says:

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.

Since the Conservation Area Advisory Committee for Hampstead Garden Suburb comments at the meeting on 18 April 2012 this application has been amended.

Council's policies and guidelines in respect of alterations to residential properties seek to ensure that they respect the scale, character and design of any building on which they are to be placed and are compatible with the character of the locality. Alterations will not be permitted if they do not have regard to the amenities enjoyed by neighbours.

Some amendments are considered to have addressed the concerns raised by the Conservation Area Advisory Committee and the Local Planning Authority disagrees with the conclusions reached by the Conservation Area Advisory Committee regarding the remaining elements of the proposal.

The proposal for the basement (will be linked to the ground floor by an internal stair) is considered to be an acceptable addition. It is considered that in many cases within the borough basements are not acceptable. However, given the arrangement of the properties within Raeburn Close, it is considered acceptable. The proposed basement extension is considered to be designed in a way in which it is not considered to be obtrusive in the street scene. It is considered that to all neighbours, the basement will be virtually invisible. The lightwell to the front for the basement will be screen by existing landscaping enclosing the site from the public footpath. This is considered to be acceptable. The basement complies with the development principles set out in HGS Design Guidance.

These proposed alterations including the single storey rear extension, are considered to ensure that this proposal would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, they would preserve 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.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The points of objections are considered to have been considered in the main body of the committee report. It is considered that the planning related concerns raised on this application are not sufficient to constitute a reason for refusal.

Objections relating to basements - The design guidance does not restrict constructing basements on semi detached properties and concerns about subsidence from the excavation of the proposed basement and structural matters

and not planning matters.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the 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. **APPROVAL** is recommended.

SITE LOCATION PLAN: 13 Raeburn Close, London, NW11 6UH

REFERENCE: F/00718/12



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