

**Location**                               **59 Hodford Road London NW11 8NL**

**Reference:**                           **18/1916/RCU**                               Received: 26th March 2018  
Accepted: 29th March 2018

Ward:                                       Childs Hill                                       Expiry 24th May 2018

Applicant:                               Mrs SHOBHA GEORGE

Proposal:                                 Installation of heat pumps in the front garden (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:

Site location plan;  
SHOBHA GL50.4 LOC Location Plan Existing;  
SHOBHA GL50.4.1 PRE LOC Location Plan Pre-Existing;  
SHOBHA GL50.01 PRE EXG Ground Floor Plan as Pre-Existing;  
SHOBHA GL50.01 EXG Ground Floor Plan / Front as Pre-Existing;  
SHOBHA GL50.02 PRO Ground Floor / Front as Existing;  
SHOBHA GL50.02.1 PRE EXG Ground Floor Plan / Front as Pre-Existing;  
SHOBHA GL50.03 PRE / EXG FRONT ELEVATION Front Elevation as Pre-Existing / Existing  
SoundSolutions - Noise Impact Assessment: Technical Report 30265 R1

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 level of noise emitted from the heat pump plant 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 in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

- 3
- a) Within two months of the date of the decision notice, a scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.
  - b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following approval of the submitted details.
  - c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

#### **Informative(s):**

- 1
- In accordance with paragraphs 186-187, 188-195 and 196-198 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. The previous dwelling house has been demolished and a new dwelling house has been erected as per the permission below.

The property is not listed nor does it lie in a Conservation Area.

### 2. Site History

**Reference: 15/03152/FUL**

Address: 59 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: 16/8226/CON**

Address: 59 Hodford Road, London, NW11 8NL

**Decision:** Split Decision

Decision Date: 14 February 2017

Description: Submission of details of condition 3 (Levels) 6 (Landscaping) 8 (Demolition and Construction Method Statement) pursuant to planning permission 15/03152/FUL dated 05/06/15

**Reference: F/05417/13**

Address: 59 Hodford Road, London, NW11 8NL

**Decision:** Approved subject to conditions

Decision Date: 22 January 2014

Description: Construction of two storey dwelling with rooms in the roof space following demolition of existing dwelling.

**Reference: F/02759/13**

Address: 59 Hodford Road, London, NW11 8NL

**Decision:** Approved subject to conditions

Decision Date: 21 August 2013

Description: Two storey front/side extension involving new windows and doors to replace existing. Part single, part two storey rear extension including 2no. rooflights with new patio and first floor green roof with glass balustrades. New roof involving rear dormer window with Juliet balcony and 6no. roof lights to facilitate a loft conversion. Internal alterations.

### 3. Proposal

This application seeks consent for retrospective consent for the installation of a heat pump in the front garden.

The pump is sited at the same level as the driveway, at the end close to the main dwelling house but before the lowered passage that separates the dwelling from the driveway.

The pump measures 1.1m in diameter and 2.0m in height although the visible height is 1.653m from the garden level and is made of silver coloured steel. It is proposed to screen the pump behind evergreen plants.

#### 4. Public Consultation

9 consultation letters were sent to neighbouring properties.

1 objection has been received

The views of objectors can be summarised as follows;

- Unsightly
- Worrying precedent

Internal / other consultations:

Environmental Health: No objection following submission of additional information

This application was called in by Councillor Zinkin in order for the committee to assess the impact of the pump on local amenity.

#### 5. Planning Considerations

##### 5.1 Policy Context

{\ul 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 updated in 2018. 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 2031. 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, DM03, DM04, DM13, DM17

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

Sustainable Design and Construction SPD (2016)  
Residential Design Guidance SPD (2016)

### 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

This application seeks retrospective consent for the installation of a heat pump to the front garden of the application site.

Whilst it is recognised that this is not a common feature of the front gardens of residential properties in the area the structure is proposed to be screened by evergreen planting in order to ensure it is not readily visible along the streets scene. A landscaping condition is suggested to establish the details of the planting and requires that all works are undertaken within three months of this permission.

Once the planting is completed it is considered that the heat pump will be less visible at the front of the application property and therefore will not result in any loss of amenity to the occupiers of neighbouring properties.

The Council's Environmental Health department has reviewed the additional information submitted and raises no objection subject to the imposition of a noise condition, commenting; "I have read through the noise report and other information. It demonstrates that there will not be a noise impact on the next door residential property. The noise is sufficiently below the background noise level. It is in compliance with Barnet's standard noise requirements."

In conclusion, having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the existing heat pump 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.

#### 5.4 Response to Public Consultation

The concerns raised by objectors are noted and all planning matters are covered in the above report.

#### 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, it is considered that subject to compliance with the attached conditions, the 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.

