

Location	60 Corringham Road London NW11 7BX	
Reference:	20/5573/HSE	Received: 20th November 2020 Accepted: 21st December 2020
Ward:	Garden Suburb	Expiry 15th February 2021
Case Officer:	Alissa Fawcett	
Applicant:	Mr Michael Koppelman	
Proposal:	Replacement of windows	

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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
Block Plan
Amended window details - Golders Green Joinery
Window section drawing showing 4-6-4 double glazed unit

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 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).

Informative(s):

- 1 In accordance with paragraphs 38-57 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 The permission of the New Hampstead Garden Suburb Trust Ltd may also be necessary and this can be obtained from: The Trust Manager, The New Hampstead Garden Trust Ltd, 862 Finchley Road, London NW11 6AB (Telephone 020 8455 1066). See <http://www.hgstrust.org/> for more information.

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the western side of Corringham Road, within Area 5 of the Hampstead Garden Suburb Conservation Area.

The existing building on site is a locally-listed, semi-detached, two-storey residential dwelling with rooms in the roofspace.

The adopted Character Appraisal, 2010 notes;

"Rotherwick Road and Corringham Road form the rough Z shaped spine of this area which terminates with a fine view of the Heath. Corringham Court and Corringway lead off from Corringham Road effectively providing a buffer between it and the Golders Green Railway sidings and workshops.

These streets lead from the busy Finchley Road to the serenity of the Heath extension. The housing reflects this movement, with symmetrical groups of semi-detached houses near to Finchley Road, and formal courtyard compositions close to the Heath providing a transition to the large houses of Hampstead Way. A broad strip of grassed land belonging to Thames Water runs behind the gardens from Golders Green to the Wild Hatch footpath, seen from gaps between Nos. 60, 62 and 87, 89 Corringham Road.

Whilst Corringham Road lacks street trees to soften its appearance, the hedged gardens are generally attractive and the ambiance is very green. On the corner of Corringham and Rotherwick Roads, the houses are set back from the street behind a retained group of large oak trees that once stood on a field boundary and now have a major impact on the appearance of the road. Most houses have hedges, Nos. 89-117 continuously blackthorn while privet and laurel occur elsewhere. Because of on-street parking problems caused by the proximity to the underground and the shops of Golders Green, many gardens have hardstandings, which sometimes detract from the setting of the houses. The pavements are edged by poorly-maintained red bricks, and parked cars intrude.

All the houses in this section of Corringham Road are statutorily or locally listed and constitute a particularly good townscape sequence."

2. Site History

Reference: F/02516/13

Address: 60 Corringham Road, London, NW11 7BX

Decision: Withdrawn

Decision Date: 23 July 2013

Description: Non material amendment to planning permission Ref:C14484J/07 dated: 31/5/2007 for "Erection of a three storey building containing 8no. flats". Amendments to include: Pitch to front elevation changed and dormer added in place of rooflight

3. Proposal

Under this application it is proposed to replace the original windows with new double glazed units.

Amended details have been provided and are annotated to show the double glazed units have an overall thickness of 14mm.

4. Public Consultation

Site Notice: 23.10.2020

Press Notice: 07.01.2021

6 consultation letters were sent to neighbouring properties.
10 letters of objection have been received.

The views of objectors can be summarised as follows;

- Retrospective application started without consent
- Replacements do not match original details
- No investigation as to whether original windows could be repaired
- Secondary glazing could have improved the thermal performance of original windows
- Details of replacements not appropriate
- Site location plan does not include neighbours
- Window company unknown
- Replacements out of character
- Inappropriate replacements should be removed
- Applicant has disregarded regulations for window replacement
- Dangerous precedent

A re-consultation was carried out following the receipt of amended details. This expired on the 24th December 2021.

3no further representations were received, which can be summarised as follows:

- New plans not appropriate/sketchy/insufficient and inadequate
- Joint guidance from Council and Trust not abided by/should have been abided by in the first place
- Appropriate legal action should be sought
- Original objections still stand
- An actual window should be commissioned to compare with the originals

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 updated in 2021. 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 2021

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.

The new London Plan which sets out the Mayor's overarching strategic planning framework from 2019 up to 2041 was adopted in March 2021, replacing the London Plan 2016.

Barnet's Local Plan (2012)

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

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, DM06.

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.

ul Supplementary Planning Documents

Residential Design Guidance SPD (2016)

Sustainable Design and Construction SPD (2016)

Hampstead Garden Suburb Conservation Area Character Appraisal and Design Guidance (2010)

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 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.

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 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 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework 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.

In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage asset. In this instance, it is considered that there is no harm associated with the proposal to the heritage asset and is therefore acceptable having regard to the provisions of Policy DM06 of the Development Management Policies and Section 16, 72 of the Planning (Listed Building and Conservation Areas) Act 1990. Accordingly, it is recommended that planning permission should be granted.

This application seeks consent for replacement of existing fenestration with new double-glazed units with an overall thickness of 14mm (4-6-4).

Impact on the character of the host building and wider Conservation Area

Whilst, the proposed replacement of existing windows does involve the loss of original historic fabric, it is noted that many other buildings have successfully replaced their windows with new double glazed units without resulting in any loss of significance to the building. It therefore considered that the principle of window replacement is acceptable subject to detailing.

Unfortunately, the replacements that were initially proposed and inserted without consent did not sufficiently match the details and profiles of the original windows. When retrospective consent was sought for these inappropriate windows significant concerns were raised and further replacement required to cease whilst appropriate double glazed windows were sought.

The details of amended replacement windows submitted more recently are considered to be appropriate replacement windows showing acceptable detailing and profiles when compared to the initial replacements. The window manufacturer is noted as being on The Hampstead Garden Suburb Trust's list of approved contractors and has successfully replaced window throughout the Conservation Area, as such the proposed replacement windows are not considered to detrimentally impact on the character of the individual host locally listed property or wider Conservation Area.

Impact on the amenity of neighbouring occupiers

It is not considered that the amended proposals, which show an appropriate replacement for the original windows would result in any loss of amenity to the occupiers of neighbouring properties.

Impact on trees

The proposals which are confined to the external envelope of the building are not considered to result in any harm to trees.

5.5 Response to Public Consultation

The comments received have been noted and new details of replacement windows have been provided by Golders Green Joinery, a window company on the Hampstead Garden Suburb Trust's list of approved contractors. The amended details are considered to be appropriate and show a double-glazing thickness of 14mm (4-6-4) in line with other approvals. As such, and as detailed above it is considered the amended details can be approved.

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 amended new windows would not detrimentally impact on the qualities of the host locally listed building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, they 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.

