

**MR JONATHAN AARON**

**HURST LODGE 85 WINNINGTON ROAD LONDON N2 0TT**

**PLANNING AND HERITAGE IMPACT STATEMENT**

**NOVEMBER 2023**

93 Hampton Road  
Hampton Hill  
TW12 1JQ

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## 1.0 INTRODUCTION

1. This Planning and Heritage Impact Statement supports a householder planning application that seeks consent for a replacement dwelling behind a retained façade.
2. The proposal is an identical resubmission of earlier planning consent 17/6323/FUL granted on 28 March 2018 for Partial demolition of existing dwelling house with retention of front facade and partially retained side flank walls. New works comprising of part single, part two-storey extension with rooms in roof space and basement level to create a dwelling house (behind retained facade). Alterations to hard and soft landscaping, new boundary treatment, linked single storey garage, basement fenestration and new side gates.
3. The principles summarised in Circular 11/95 remains relevant - an application to renew an existing planning permission should be refused only where:
  - a) there has been a material change in planning circumstances since the original permission was granted (e.g. a change in some relevant planning policy for the area, or in relevant highway considerations, or the publication by the Government of new planning policy guidance, which is material to the renewal application);
  - b) continued failure to commence the development would contribute unacceptably to uncertainty about the future pattern of development in the area;
  - c) the application is premature because the permission still has a reasonable time to run.
4. The application complies with this advice. No material change in planning circumstances has occurred since the previous planning consent issued in 2018. The same Local Plan remains full weight policy and it follows that the applicant has a legitimate expectation that the application proposal is acceptable subject to all relevant consultation exercises by the Council.

### The Application Package

5. The application comprises the following:

A copy of the application form;

A completed Community Infrastructure Levy (CIL) – Determining whether a Development may be CIL Liable Planning Application Additional Information Requirement Form;

Design and Access Statement Rev B prepared by Wolff Architects dated December 2023;

Planning and Significance Appraisal prepared by Michael Burroughs Associates dated December 2023;

Arboricultural Impact Assessment Report prepared by Landmark Trees dated November 2023;

Fire Safety Statement prepared by TBS Compliance dated December 2023;  
Preliminary Ecological Appraisal prepared by Ecology Partnership dated November 2023;

A copy of the following application plans:

- 2345-PL-001 Location plan;
- 2345-PL-002 Site plan as existing;
- 2345-PL-011 Existing ground floor plan;
- 2345-PL-012 Existing first floor plan;
- 2345-PL-013 Existing second floor plan;
- 2345-PL-014 Existing roof plan;
- 2345-PL-021 Existing front (west) elevation;
- 2345-PL-022 Existing rear (east) elevation;
- 2345-PL-023 Existing (north) elevation;
- 2345-PL-024 Existing (south) elevation;
- 2345-PL-031 Existing section AA;
- 2345-PL-202B Proposed Site Plan;
- 2445-PL-209B Proposed basement floorplan;
- 2345-PL-210-1A Proposed basement plan (sheet 1 of 2);
- 2345-PL-210-2A Proposed basement plan (sheet 2 of 2);
- 2345-PL-211B Proposed ground floor plan;
- 2345-PL-212B Proposed first floor plan;
- 2345-PL-213B Proposed second floor plan;
- 2345-PL-214B Proposed roof plan;
- 2345-PL-221 Proposed front (west) elevation
- 2345-PL-222 Proposed east elevation;
- 2345-PL-223 Proposed north elevation;
- 2345-PL-224 Proposed south elevation
- 2345-PL-225A Proposed side gates;
- 2345-PL-226B Proposed front wall and front gates;
- 2345-PL-231 Proposed section AA;
- 2345-PL-239A Proposed areas
- 2345-PL-111 Demolition ground floor plan;
- 2345-PL-112 Demolition first floor plan;
- 2345-PL-113 Demolition second floor plan;
- 2345-PL-114 Demolition roof plan;
- 2345-PL-121 Demolition front (west) elevation;
- 2345-PL-122 Demolition east elevation;
- 2345-PL-123 Demolition north elevation; and
- 2345-PL-124 Demolition south elevation.

## 2.0 CONTEXT

### The Site

6. This is a 0.24ha site on the east side of Winnington Road about 200m from its junction with Hampstead Lane. The application site has a frontage of 32m and a depth of 87m.



7. No 85 known as Hurst Lodge is a 1930s neo-Georgian red brick house by J.C.S Soutar. It is not statutorily listed, but identified as a locally listed building (listed on 12 October 2010) within the Hampstead Garden Suburb Conservation Area. The Character Appraisal for Character Area 14 (which it is on the northern edge of) explains its special features – it was built for a young family with a live-in maid and nanny, day and night nurseries and huge playroom in the attic and that it is a well mannered... design with subtle stepped brickwork on the pedimented front elevation.
8. It has a non-original garage extension to the side and non-original front dormer windows.



9. The H3 bus route runs along Winnington Road. East Finchley Station is about 1 mile to the north east. The site has good access to public transport and local facilities.

### The Surroundings

10. Winnington Road slopes down to the north in this area. No 85 is opposite the open land of Hampstead Golf Course.
11. To the north is No. 83 which is currently under construction following planning permission 18/0587/S73 for a replacement dwelling. The replacement house is Neo-Georgian in style with a flamboyant central Dutch gable



No. 81

No. 83

No.85

12. Further north is No. 81 Dalmore. The Character Appraisal says is a modern flat-roofed building largely hidden from public view being set back from the road behind established planting. It was built in the 1960s.



13. In 2019 planning permission 18/0507/FUL was granted to replace the existing house No. 81 with two detached dwellings.



14. No. 87 to the south (right hand side above) is a replacement dwelling consented in 2003 under application reference C07107V/03.
15. Beyond No 81 are five large, recently constructed houses on the former rear garden of Dane Court – all roughly square in plan with crown roofs.



16. Plainly the immediate area is characterised by replacement or substantial extension of the original houses and sites with large modern houses are commonplace. This forms the immediate character of the area.

### 3.0 PLANNING HISTORY

17. In 1999 planning permission was granted under application reference C13407 for Demolition of rear elevation and erection of two storey rear extension, enlarged roof to house with additional door windows to both sides and rear front extension and alterations to garage to form ancillary staff accommodation.
18. On 30 January 2008 planning permission C13407F/07 and Conservation Area Consent C13407J/07 was refused for demolition of existing dwelling and erection of new dwelling with basement and rooms in roofspace.
19. On 1 February 2008 planning permission C13407G/07 and Conservation Area Consent C13407H/07 was granted for partial demolition of existing dwelling and erection of new dwelling with basement and rooms in roofspace. It involved major extensions to the side and rear of the existing building and construction of a basement. The existing (left) and permitted (right) footprints are below:





20. The delegated report helpfully confirms:

The new house is considered to be of a size that is acceptable for the size of the plot and consistent with other houses in the road. The proposed house will not extend any further than the neighbouring property of 87. It will extend further than the neighbour on the other side but this property has a completely different relationship and style. It is not considered that the additional depth will have a detrimental impact on the amenities of the neighbouring residents.

The application proposes changes to the garage. The existing garage is to be demolished and a new garage is to be built. The garage is to be closer to the boundary and nearer the front of the house but it is still considered to be acceptable. The space is still considered to be subordinate. It is to be a single width garage - although not used for a garage. The garage is not considered to harm the amenities of the neighbouring occupier or be detrimental to the character of the building or the street scene.

It is not considered that the proposed new dwelling would result in any problems of overlooking or loss of privacy. The side windows at first and second floor level are to be obscure glazed.

The rear elevation is considered to be an acceptable replica and therefore it is not objected to. Amendments have been received which render the application acceptable. It is considered that the character of the building will be retained.

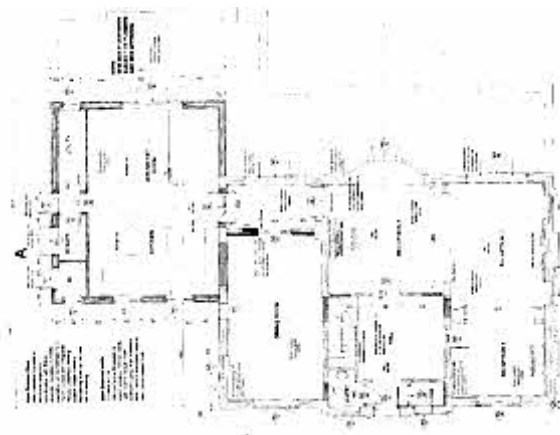
The introduction of the basement is considered acceptable and has been designed in a way that is not considered to harm the character of the building or the Conservation Area. The basement will have four small rooflights which are to be situated within the terrace to the rear of the building. Originally, a large lightwell was proposed but this has been removed. It is considered that the small roof lights will not be detrimental to the character of the property or the conservation area.

More of the building has now been shown to be retained than when the application was originally submitted. A structural report has also been submitted which demonstrates that the proposed works can be achieved and the elements of the building shown to be retained can be retained. Conditions have been placed on the application which relate to the structural engineering of the building.

21. On 11 November 2008 planning permission F/03478/08 was granted for a single storey side extension and alterations to facade. This permitted an extended building where there was previously a double garage.

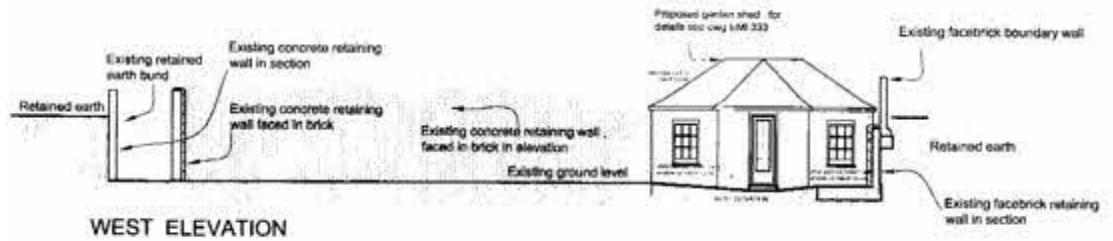


22. It should be noted that the permitted side extension is about 3 m behind the front building line of the house and so preserves a sense of gap.



23. On 3 March 2009 planning permission F/04907/08 and Conservation Area Consent F/000009/09 was refused for demolition of dwelling and construction of matching replacement in the form of a two storey house with rooms in the loft and basement.
24. The above refusal was subsequently appealed and on 18 February 2010 appeal APP/N5090/A/09/2111845 was dismissed. The Inspector agreed with the Council that it made a significant contribution to the character and appearance of this part of the Conservation Area and provides a good example of the work of JCS Soutar. He concurred with the Council's view that the demolition of a house of such architectural quality and historic connections with other examples of development elsewhere in the Conservation Area should not be justified simply because the replacement may be based upon the original design.
25. He indicated he was aware that the Council had already given planning permission for removal of part of the side and rear of the existing house ...The Council has been generous in agreeing to such a change to a historically linked property and I can understand the appellant's questioning of the retention of the front facade. But...at least that approach would retain some link to the work of the original architect and thereby preserve this part of the Conservation Area.
26. It should be particularly noted that the appeal was dismissed for what could be described as intrinsic reasons (the desire to keep a Soutar building because of his connection to other buildings in the Suburb) rather than extrinsic reasons – the visual relationship between the existing building and its immediate surrounding buildings.
27. In 2010 the Council approved application F/02937/10 that sought consent for a new shed at the rear of the garden and a new brick facing wall to the rear. What is described as a shed is actually a substantial polygonal building with a floor area of 42.5sqm and a height of 4.1m.





28. The 'hut' has also been built and establishes the acceptability in principle of garden development in this immediate area.
29. In 2017 planning permission 17/1109/FUL was granted for Partial demolition of existing dwelling house with retention of front facade and partially retained side flank walls. New works comprising of part single, part two-storey with rooms in roof space and basement level to create a dwelling house. Alterations to hard and soft landscaping, new boundary treatment and new side gates.
30. The relevant planning consent is 17/6323/FUL that was granted on 28 March 2018 for Partial demolition of existing dwelling house with retention of front facade and partially retained side flank walls. New works comprising of part single, part two-storey extension with rooms in roof space and basement level to create a dwelling house (behind retained facade). Alterations to hard and soft landscaping, new boundary treatment, linked single storey garage, basement fenestration and new side gates. The delegated report helpfully accepts the following:

The above-ground volume, mass, footprint and appearance is similar to the 2017 approval for partial demolition and rebuild of the application dwelling (planning reference 17/1109/FUL, dated 10 August 2017);

the extent of demolition on the ground and first floor are largely comparable and any variation to the overall level of demolition is of limited consequence in terms of a change in the effect the proposals have on the significance associated with the locally listed building or the character and appearance of the designated conservation area. As such, this is acceptable;

there is a presence of large basements along this part of Winnington Road. Regardless of how they have come to be, they now contribute to the character of this part of the conservation area. In regards to external manifestation, one skylight (in the form of a grille) has been proposed to the rear patio area. Upon amendments, where it has been reduced in size, it is considered acceptable. When allowing comparison to the basement which has been previously approved, Officers accept that the proposed variation to the basement size has no greater visual impact on the character and appearance of the Conservation Area, or on the significance of the locally listed building (which will constitute a façade);

In regards to engineering works, there is a threat to the stability of the retained façade if a basement is proposed to extend forward of this. The acting engineer for the project

has confirmed in an email dated 23 February 2018: I write to confirm that the trigger levels for any movement during the works and façade retention noted in Site Analytical Services report will be taken into account in the design of the façade retention design. A system of trigger and action values will be set up and monitored throughout the excavation. This will include what remedial measures and actions will be necessary to prevent further movement should trigger levels be exceeded. The Planning Officer has liaised with the Council's Building Surveyor who has confirmed that this approach is acceptable;

The Tree Officer has assessed the application and has noted: "The basement extends out into the rear garden significantly requiring 50% of the garden. The loss of this much garden means that large landscape trees will be unable to establish in this area, resulting in a permanent loss of potential amenity land. To offset this loss a detailed landscaping plan for the front and rear gardens is required. With particular attention to the podium areas on the front and rear which must be landscaped so that the extent and presence is masked by soft and hard landscaping." Therefore, although the enlarged basement would result in the inability to establish large landscape trees in the rear garden, none currently exist on site and a suitable landscaping plan to be secured through planning condition, could mitigate this; and

Impact on trees: The changes described above would have implications on trees on site. The Tree Officer have reviewed the information and states: "I have reviewed the submitted arboricultural impacts assessment by Landmark Trees ref: NLP/85WNR/AIA/01a dated 6th August 2017. Designations: Conservation area. The impact assessment identifies the need to remove sections of G2 and H6 yew and privet hedges along the southern boundary to facilitate the basement extension. The loss of these trees is not significant and could be replaced with yew or privet trees of a similar size post development. The extent of the basement and demolition and construction of the main building activities may impact on trees around the site. Therefore an arboricultural method statement should be submitted detailing how the demolition and construction will managed so that no harm occurs to retained trees. The basement extends out into the rear garden significantly requiring 50% of the garden. The loss of this much garden means that large landscape trees will be unable to establish in this area; resulting in a permanent loss of potential amenity land. To offset this loss a detailed landscaping plan for the front and rear gardens is required. With particular attention to the podium areas on the front and rear which must be landscaped so that the extent and presence is masked by soft and hard landscaping.

## 4.0 THE POLICY CONTEXT

31. The Council's Local Plan that was in force in 2018 when application 17/6323/FUL was permitted remains the same full weight policy. There has been no new material consideration since the last planning consent issued.

32. The relevant DPD policies set out relevant general principles that principally relate to the heritage impact aspect of the proposal. Policy DM01 says that all development should provide high quality design and designed to allow adequate daylight, sunlight, privacy and outlook for adjoining occupiers'; Policy DM02 says where appropriate development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough; Policy DM06 says development proposals must preserve or enhance the character and appearance of the 16 Conservation Areas in Barnet.
33. The relevant adopted supplementary planning policy documents are 'Residential Design Guidance (October 2016) and Sustainable Design and Construction (October 2016). These contain the following criteria:

#### Extensions to houses

- extensions reflect the design of the original building, whilst having regard to the character and appearance of the area;
- the design of the extensions/houses result in subordinate additions to the building they relate to and respect its existing architectural features, materials, settings, local character and wider context;
- proposed extensions, outdoor buildings and porches do not cause undue harm to the street, are not overbearing, intrusive, cause overshadowing or undue harm to the amenity of neighbouring occupiers and users; and
- all development proposals should protect and enhance residential gardens (side, front and back). Garden walls, fences, railings should be sympathetic to its local character and within required standards.

## 5.0 THE PROPOSAL

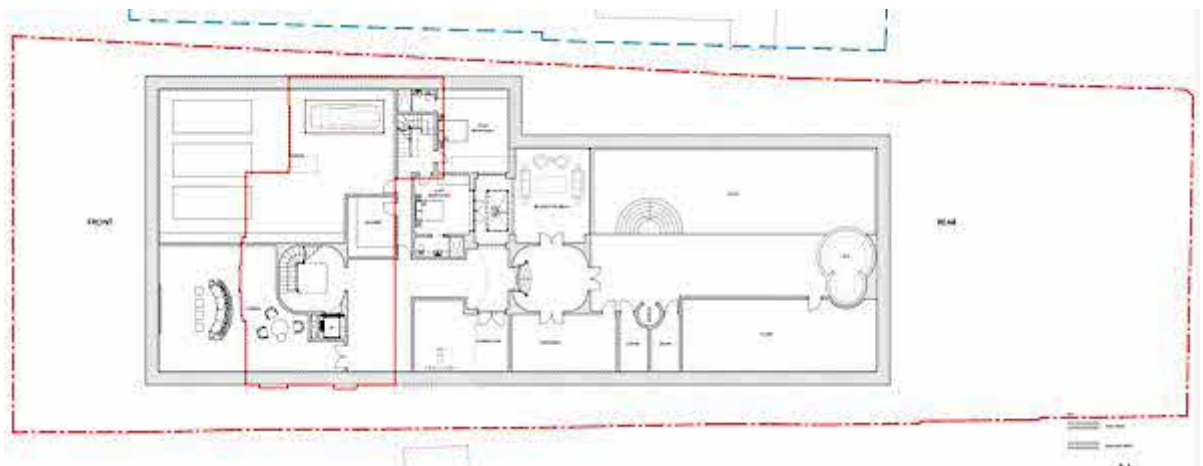
34. The proposal is identical to the 2018 planning consent which involves partial demolition of the main house with retention of the front facade and partially retention of the side flank walls; demolition of north side wing; new works comprise rebuilding the main house with a rear extension; rebuilding the side extension with a larger rear portion; and a basement extension together with new proposed internal layouts.
35. Careful consideration has been paid to enhance this single family dwelling so that it meets the highest standard achievable in a building of this status. The Design and Access Statement prepared by Wolff Architects describes the proposal as follows:
36. The front facade and short return elevations are proposed to be retained as much as possible and refurbished and repaired. The front dormers will be removed and rebuilt slightly narrower to improve the proportions of the front elevation. This will result in a minimal change to the street scene.



37. The new side and rear elevations are proposed to match the existing building in design, style and materials particularly through the use of carefully matched bricks. The proposals will therefore preserve but also modestly enhance the character and appearance of the area.



38. In accordance with Hampstead Garden Suburb Trust “Hampstead Garden Suburb Conservation Area Design Guide” the visual character and impact of the house will remain the same through the use of the same roof form and chimneys as the existing building. This allows the proposed scheme to maintain the architectural style of the existing property, with no detrimental impact on the character or appearance of the local area.
39. The new single storey side extension is designed to replace the existing single storey side extension and will be linked to the main house with a new corridor as accessed via the side entrance proposed between the new garage extension and north elevation of the main house. This is proposed in a design which matches the existing main house. The elevations will emulate the existing facade using carefully matched bricks and matching windows. The roof will be a flat roof hidden behind a parapet as is the existing garage roof. The resultant proposed treatment is intended to be appropriately symmetrical in its own right and more subservient to the main house.
40. A basement extension is proposed under the front drive, below the main house and extending below part of the rear garden. This form of extension provides increased accommodation whilst having the least impact on the principles of the Garden Suburb by maintaining the garden as entirely useable as such.



41. The application is accompanied by a Preliminary Ecological Appraisal prepared by Ecology Partnership. Para 6.4 states the proposed development will impact the house which has 'negligible' suitability for roosting bats. The limited amenity garden trees did not support potential roosting features and have 'none' suitability for roosting bats. As such no further surveys for roosting bats are required. Sensitive lighting should be utilised throughout the development for bats and wildlife.
42. An updated Arboricultural Impact Assessment Report prepared by Landmark Trees accompanies the application. This confirms that the trees recommended for felling (H6 Yew, Common) are of little significance such that their loss will not affect the visual character of the area.

## 6.0 ASSESSMENT OF HERITAGE IMPACT

43. The revised National Planning Policy Framework ("RNPPF") was published in July 2021. This has current national policy on the impact of development on heritage assets. At the heart of the NPPF is a presumption in favour of sustainable development, including contributing to protecting and enhancing our built and historic environment and conserving heritage assets in a manner appropriate to their significance.
44. RNPPF Para 8 outlines the environmental objective to achieving sustainable development is to protect and enhance the historic environment.
45. A heritage asset is defined in the RNPPF glossary as "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)." Listed buildings and conservation areas are termed 'designated heritage assets'.
46. RNPPF Para 190 outlines that the conservation of heritage assets can bring wider social, cultural and environmental benefits. RNPPF Para 194 requires applicants to describe the

historic significance of heritage assets affected by proposals, including any contribution made by their setting. Under RNPPF Para 199 great weight should be given to an asset's conservation. The more important the asset, the greater the weight should be and as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

- 47. RNPPF para 202 says: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 48. The key heritage issue is the significance of the heritage assets affected and the contribution made by their setting.

#### Designated Heritage Assets

the Hampstead Garden Suburb Conservation Area.

#### Heritage Assets

No. 84 to the south west (on the opposite side of the road) is a positive contributor; and No. 91 to the south is locally listed.

- 49. The heritage assets at the south end of Winnington Road are shown on the Area 14 Character Appraisal plan below. In all there are about 11 houses in the part of Winnington Road shown on the plan. Of these 3 have no designation, 1 is identified as a positive contributor (green) and 7 are locally listed (yellow). No houses are identified as heritage assets immediately to the north in Character Area 15.



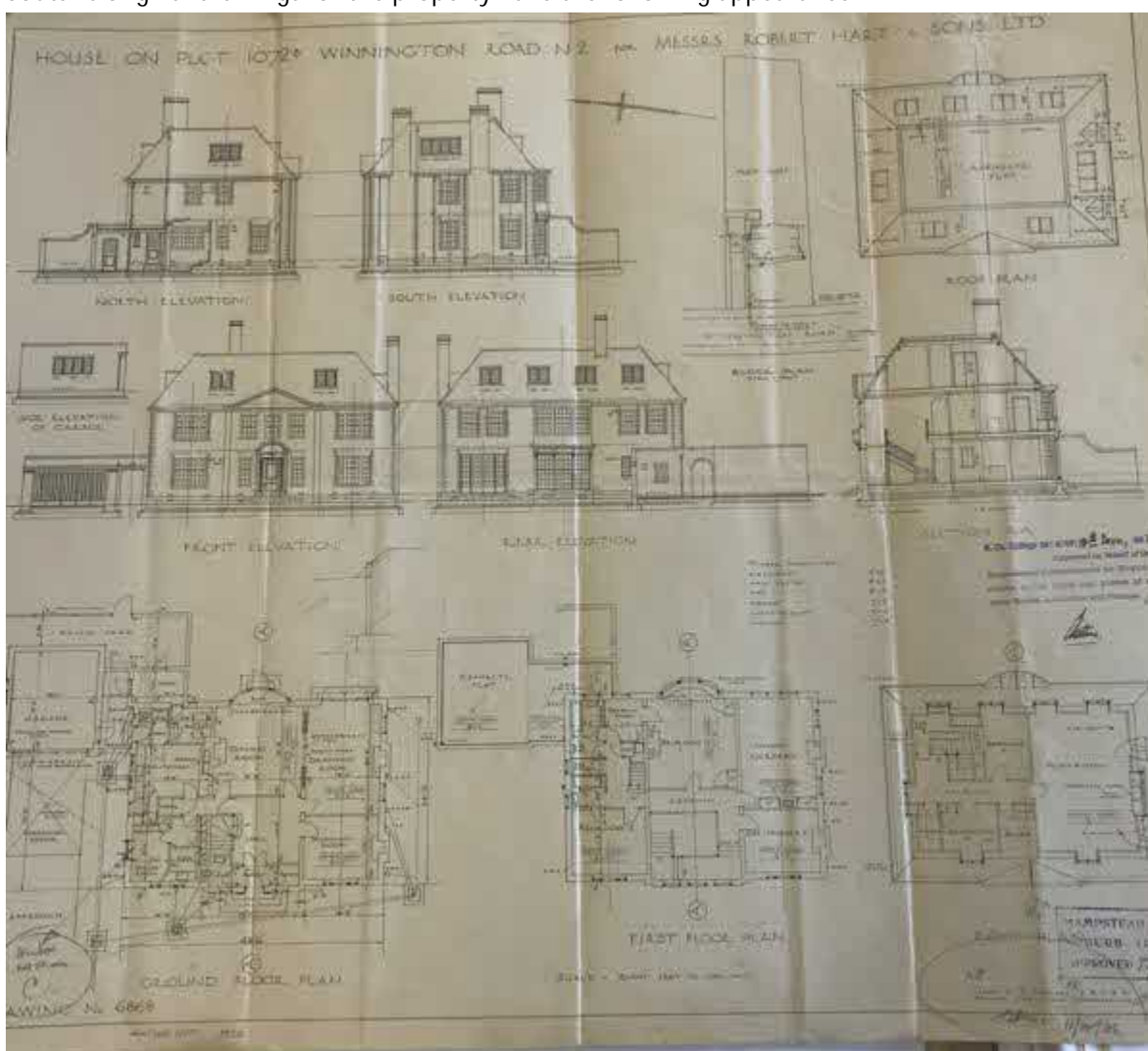
50. The Conservation Appraisal says Winnington Road was developed in 3 phases, explaining the inconsistent style of the architecture:

Phase one in the 1930s with Soutar's office designing the majority of the properties, although works by other architects including C.G Butler and Morris De Metz C.H. James, Adrian Gilbert Scott feature on the road;

Phase two in the 1950s that attempted to reflect the neo-Georgian characteristics of the pre-war period; and

The final phase was the completion of a small number of 1960s properties in a wide variety of styles.

51. The principal relevant heritage assets are the Conservation Area and the host property. Soutar's original drawings for the property have the following appearance:



52. By retaining the front façade and replicating the roof form and chimneys, the proposal will not harm the Conservation Area's setting.



53. By replacing the existing, non-original, dormers with slightly narrower ones the proportions will improve, thereby enhancing the existing front façade.
54. The replacement side extension is more sympathetic to the host property in comparison to the existing side wing. Again, this will enhance the significance of the host property and is more consistent with Soutar's original design.



55. In permitting the earlier 2018 application the Council has already decided that redevelopment behind a retained façade will retain some link to the work of the original architect and so not harm this part of the Conservation Area.

## 7.0 CONCLUSION

56. The Council is respectfully requested to permit the application.