

LOCATION: 18 Brent Way, London, N3 1AL

REFERENCE: F/03584/13

Received: 12 August 2013

Accepted: 19 August 2013

WARD(S): West Finchley

Expiry: 14 October 2013

Final Revisions:

APPLICANT: Mrs Wixon

PROPOSAL: Formation of new steps and wall to incorporate a new bin store to front elevation.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site location plan
- Design and access statement
- Sustainability checklist
- Drawings 800/13/01, 800/13/02

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 walls shall match those used in the existing wall.

Reason:

To safeguard the visual amenities of the building and surrounding area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 4 Before this development is commenced, details of levels of the reinstated front garden and works of making good following removal of the existing steps shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- ii) In this case, formal pre-application advice was sought prior to submission of the application.

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.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11th September 2012

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02.

Supplementary Planning Documents and Guidance

Residential Design Guidance (2013)

Relevant Planning History:

Site Address: 18 Brent Way, London, N3 1AL
Application Number: F/01908/11
Application Type: Householder
Decision: Refuse
Decision Date: 25/07/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing steps and reduction of levels of front garden. Formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.**
Case Officer: Elizabeth Thomas

Site Address: 18 Brent Way, London, N3 1AL
Application Number: F/04240/11
Application Type: Householder
Decision: Refuse
Decision Date: 3/20/2012
Appeal Decision: Dismissed
Appeal Decision Date: 3/20/2012
Proposal: **Demolition of existing steps and reduction in level of the front garden. Formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.**
Case Officer: Elizabeth Thomas

Site Address: 18 Brent Way, London, N3 1AL
Application Number: 01453/12

Application Type: Section 192
Decision: Unlawful Development
Decision Date: 26/09/2012
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Creation of hardstanding area for bin store and new access steps to front of property.**
Case Officer: Elizabeth Thomas

Consultations and Views Expressed:

Neighbours Consulted: 14 Replies: 12
Neighbours Wishing To Speak 2

The objections can be summarised as follows:

- The use of excessive paving would have a detrimental impact and be out of character with surrounding area
- The presence of a brick wall on the front boundary of the property would be out of character with surrounding area
- The height of the brick wall would be excessive and would have a detrimental impact on the character and appearance of the surrounding area
- The removal of trees would have a negative impact on the landscaped character of property frontages in the surrounding area
- The removal of trees would reduce protection against flooding
- The proposal would add an opening to the front garden, which would be out of keeping with the character and appearance of the surrounding area
- A bin storage area should have been provided when the property underwent recent renovation

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a mid terrace single family dwellinghouse located in the West Finchley ward. The property is in a predominately residential location and does not fall within a conservation area.

Proposals and Planning History

The current planning application seeks permission for the formation of new steps and wall to incorporate a new bin store to front elevation.

Planning permission has been refused twice before (see planning history above) for the demolition of existing steps and reduction of levels of the front garden and formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.

Both permissions were refused for the following reason: "The proposed development by reason of its design and amount of hardstanding would harm the character of this part of Brent Way". The latter refusal was appealed and dismissed by the Planning

Inspectorate.

The current application differs in that the reduction of levels of the front garden are no longer proposed. There are no trees in the front garden. The street tree remains unaffected by the proposals.

Planning Considerations:

Policy DM01 of the Development Management Policies (Adopted) 2012 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 DM01 also states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

As part of the determination of the appeal for the previous application, the Inspector noted that the proposed development would result in the removal of most of the front boundary and the significant excavation of the garden to create a level surface. He did not consider that the introduction of planters and grass cretes would have been sufficient to mitigate against the harm to the street scene caused by the extent of the new hardstanding and other hard surfaces. He considered that the loss of the front boundary would exacerbate the effect drawing the eye into the site.

As explained above, the current proposals would not result in the excavation of the front garden. The existing levels to the front of the bay window would remain as existing. In order to secure this, details of reinstated levels following removal of the existing steps are required by planning condition to ensure a satisfactory appearance to the development.

It is proposed to relocate the stairs along the boundary with number 16. This would be in character with the area since the stairs would run parallel to those at number 16. An area of hardstanding is proposed between the steps and the pavement to accommodate bins (black, blue and green and a food bin). The amount of hardstanding is the minimum required to accommodate the bins.

It is considered that the amended proposals have addressed the previous refusals and would comply with the aforementioned policies and Council's Residential Design Guidance and would be a proportionate alteration to the front of the dwellinghouse. The proposed changes would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are considered to have been addressed in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

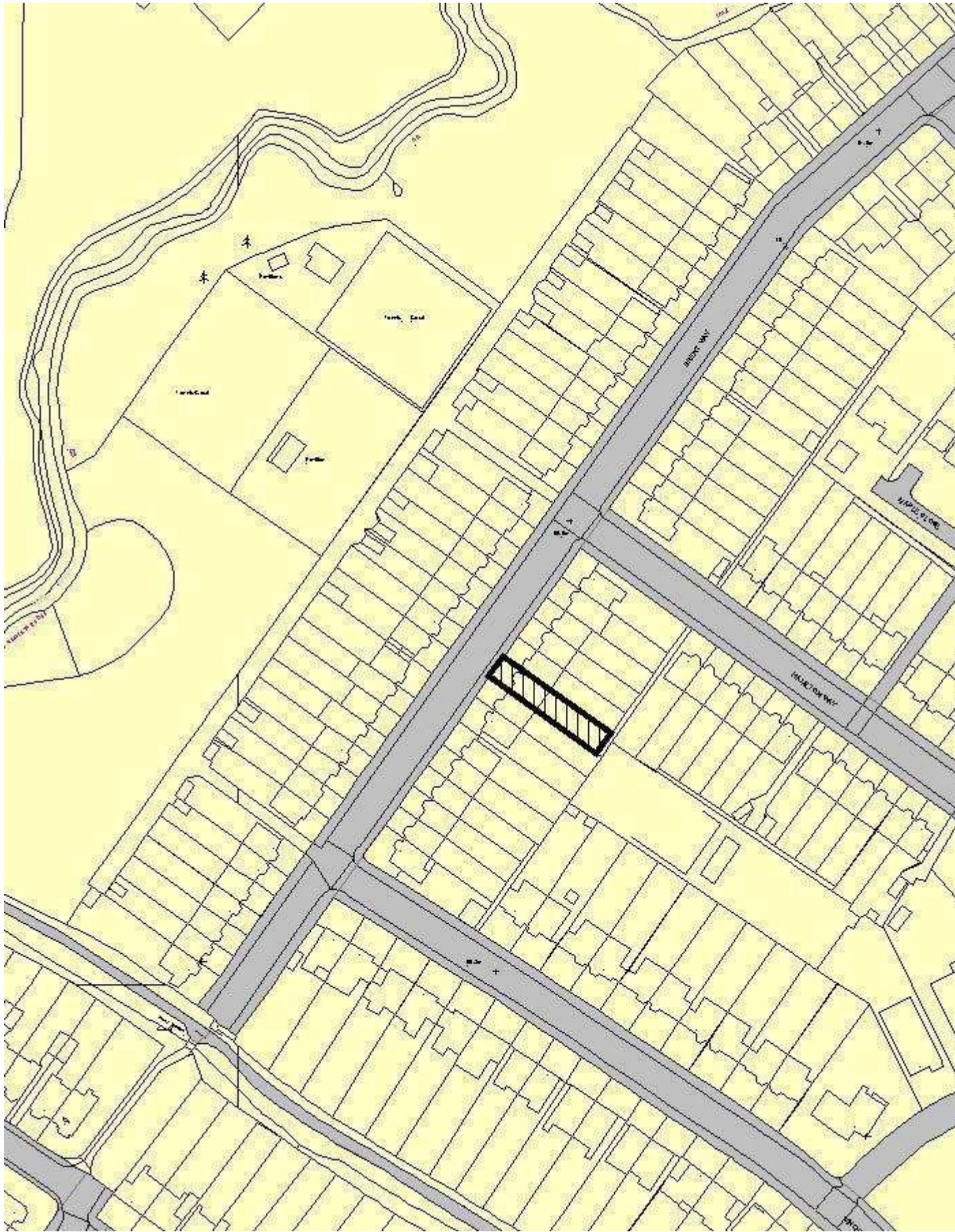
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

It is considered that the amended proposals have addressed the previous refusals and would comply with the aforementioned policies and Council's Residential Design Guidance and would be a proportionate alterations to the front of the dwellinghouse. The proposed changes would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers. This application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 18 Brent Way, London, N3 1AL

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