

Location **Fairlight Cottage, 7 Horseshoe Lane, London, N20 8NJ**

Reference: **16/0249/CON** Received: 13th January 2016
Accepted: 19th January 2016

Ward: Totteridge Expiry 15th March 2016

Applicant: Mr Melvin Robinson

Proposal: Submission of details for condition 11(landscaping) pursuant to
planning permission B/05539/14 dated 08.12.14

Recommendation: Approve

Informative(s):

- 1 The plans accompanying this application are: Drawing 1501 and front driveway detail drawing.
- 2 The applicant is reminded that Condition 6 requires the site to be enclosed in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. Such details should be submitted for approval, and installed, prior to the first occupation of the dwelling hereby approved.

Officer's Assessment

1. Site Description

The application site is located at the northern end of Horseshoe Lane and is the final plot along Horseshoe Lane, which continues north as a footpath only beyond the application site. The plot originally contained a detached bungalow, and a detached single garage. Since planning permission was approved, the bungalow has been demolished and works have commenced on the construction of the approved building.

Horseshoe Lane contains only a small number of dwellings, with the layout generally comprising pairs of dwellings in relatively close proximity, with larger gaps between the pairs. For example, Nos. 1 and 3 are approximately 16 metres apart, Nos. 5 and 7 approximately 13 metres apart. However, Nos. 3 and 5 are approximately 47 metres apart. Similarly, Nos. 2 and 4 are over 70 metres apart. This spacing between properties, and the different form of the properties (a mixture of bungalows, and two storey dwellings) ensures that Horseshoe Lane retains a spacious and rural feel.

2. Site History

15/04496/CON: Submission of details for condition 3 (Levels), condition 4 (Materials), condition 5 (Proposed windows) and condition 11 (Hard and soft landscaping) pursuant to planning permission B/05539/14 dated 08/12/14. Split decision issued - application approved in respect of conditions 3, 4 and 5. Application refused in respect of condition 11 - landscaping on the grounds that the landscaping would harm the character and appearance of the conservation area.

15/00603/CON: Submission of details of conditions 10 (Demolition and Construction Method Statement), 14 (Trees -Protective Fencing), 15 (Method Statement -Trees), 18 (Demolition Works in Conservation Areas) pursuant to planning permission reference B/05539/14, dated 08/12/2014. Details approved March 2015.

B/05539/14: Demolition of existing dwelling and detached garage. Erection of single storey family dwelling, including basement level and rooms in roof space. Hard and soft landscaping. Approved December 2014.

B/02926/14: Demolition of existing dwelling and detached garage. Erection of single storey family dwelling, including basement level and rooms in roof space. Hard and soft landscaping. Approved at Chipping Barnet Area Planning Committee in September 2014.

B/05763/13: Demolition of existing dwelling and erection of single storey family dwelling, including basement level and rooms in roof space. Hard and soft landscaping and refuse. Refused March 2014.

B/02497/12: Demolition of existing bungalow and garage and construction of replacement dormer bungalow with integral garage. Approved November 2012.

3. Proposal

This application relates to the submission of details pursuant to Condition 11 (Hard and soft landscaping) pursuant to planning permission B/05539/14.

Condition 11 reads as follows:

A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

4. Public Consultation

This application concerns the submission of details pursuant to various conditions attached to the original grant of planning permission. As a result, a public consultation exercise is not undertaken. However, 5 objections have been received which make the following comments:

- Verges have been completely destroyed by the building works and the planning application does not make it clear whether the verges will be reinstated.
 - The copse opposite the site has been cleared and destroyed and is being used for the parking of construction vehicles.
 - The land opposite the site is part of the Totteridge Conservation Area and is noted in the Conservation Area Character Appraisal as "amongst Totteridge most notable views and vistas".
 - Proposed landscaping includes the formation of a carriage drive and this is objectionable.
 - The narrow width of Horseshoe Lane precludes any reasonable turning of a car from the site without encroachment onto the surrounding grass verges.
 - The road should be fully restored following works.
 - The proposed materials are not acceptable for use in a conservation area.
 - The original narrowness of Horseshoe Lane as the proposed access point does not permit the routine turning of a motor vehicle in one manoeuvre without incursion onto the opposite grass verge area and surrounding copse.
 - The previous entrance gate onto Horseshoe Lane was at the northernmost end of the plot, opposite the expanded terminal area of Horseshoe Lane which historically has always been used to facilitate vehicular access to and from No. 7. Therefore the location of the original gate is the only practical position that facilitates vehicles turning into and from the site.
 - If the lane is restored post-development to its former narrow verdant nature, the proposed entrance will not provide a practical entrance point.
- The original application was to maintain some sort of country feel at this sensitive location.

Totteridge Residents' Association

- This site is in the Conservation Area and Green Belt and prior to construction works commencing the site was accessed at the northern end from a narrow unmade lane bordered by grass verges on both sides and a copse opposite the site, all of which is in the ownership of Barnet Council.
- Now the site is accessed by an unmade road bereft of grass verges and numerous trees and is a muddy wasteland as the verges have been eroded by the construction vehicles and the trees cut down.
- It would appear that condition 10 of approved application B/05539/14 has been completely ignored by the owner and the comments made in our letter dated 15th August 2015 remain relevant to this application and are repeated below:
 - ...it is hoped that on completion of the building works the Council will insist on reinstatement of the verges and roadway to their original dimensions, with the owner of the above property bearing the cost.
 - It is unacceptable that this damage has been allowed to happen and it is essential that reinstatement works are carried out without delay.

- With regard to the above application, which seeks to satisfy condition 11 of application B/05539/14, we believe the proposed Glopla treatment is unattractive and inappropriate and would do nothing to lessen the unacceptable impact of the hard landscaping or conserve or enhance this part of the Conservation Area and Green Belt.
- Furthermore planning permission does not appear to exist for the two vehicular accesses to the site as shown on the above application and the committee believes only the original single vehicular access should be allowed.
- If two entrances were permitted it would require a crossover across the reinstated verge owned by Barnet Council and this would be detrimental to this part of the Conservation Area. Also as the lane should be reinstated to its original dimensions it would not be possible to turn out of a driveway at the southern end of the site as the lane is too narrow.
- It is noted that the applicant is now seeking a single driveway entrance to the property at a central point. The lane and verges should be properly re-instated to their original dimensions and it is thought that this would then make the roadway too narrow at this central point for vehicles to turn in and exit without causing verge damage.

Totteridge Conservation Area Advisory Committee: No comment

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 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 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 July 2015

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, DM06.

Supplementary Planning Documents
Totteridge Conservation Area Character Appraisal.

5.2 Main issues for consideration

As noted above, landscaping details were previously submitted for the LPA's consideration. The details were refused for the following reason:

The proposed hard landscaping, by reason of its site coverage and proximity to Horseshoe Lane would be excessive and would detract from the open and rural character of the street scene. The proposal would not preserve or enhance the character or appearance of the conservation area and would be contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), and Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012).

Therefore, the main issue for consideration in the current application is whether the submitted details overcome the previous reason for refusal and are acceptable pursuant to the existing grant of planning permission.

5.3 Assessment of proposals

Amended drawings have been received since this application was first publicised. In the current application, the amount of hard surfacing proposed within the frontage of the approved building has been reduced. The application includes one single point of vehicular access to/from the site from Horseshoe Lane. Additional tree planting and soft landscaping is proposed either side of the single entrance point. Part of the front hard surface would be gravel, with a grass-covered hard surface also proposed to parts of the frontage to soften the appearance of the frontage area. This comprises a plastic mesh set into the ground, which grass can then grow through. Therefore, the end appearance would be of grass but vehicles are able to drive and park on the surface without eroding the soil. The surface is permeable, and given the low level of usage associated with a single family dwellinghouse would be capable of establishing itself with a grass appearance.

On the basis that the level of hard surfacing is reduced from the previous application, and that the proposal would include planting of additional tree and soft landscaping, it is considered that the proposal would preserve the character and appearance of the conservation area, and the submitted details are therefore considered acceptable pursuant to condition 11.

5.4 Response to Public Consultation

In respect of the current state of repair of Horseshoe Lane as a result of ongoing building works, the reinstatement of the Lane as it was prior to the works would be required of the landowner. However this is not a material planning matter and instead would need to be enforced by the London Borough of Barnet as landowner.

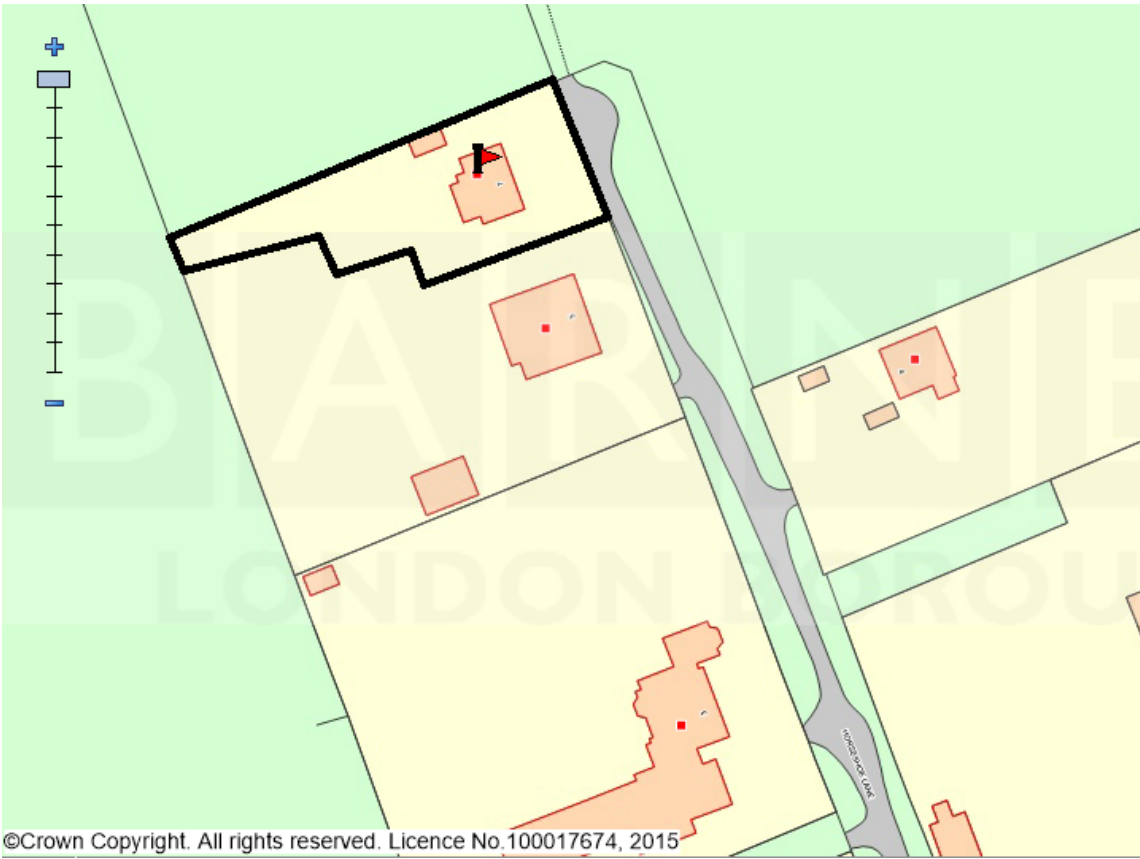
6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that the details submitted as part of this application are acceptable pursuant to the planning condition

referred to, and would ensure the approved building and its setting would not be detrimental to the character and appearance of the conservation area. This application is therefore recommended for approval.



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