

Informative(s):

- 1 In accordance with paragraphs 186 and 187 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 comprises of a two storey mid terrace dwellinghouse located to the west of Hadley Highstone which is residential in character.

The property has a front garden at a depth of 8.2m mainly laid to lawn with a part york stone paved, part tarmac footpath sited to the north of the front garden some 1.0m in width. The front garden is subdivided with a white picket fence sited within 3.0m of the dwellinghouse which comprises of shrubs and small trees. The remaining garden 5.2m deep is laid to lawn and enclosed by a white picket fence and side gate forming the full width of the dwellinghouse at a height of 1.0m.

The open grassed area extends across the front of no's 19 -27 with no dividing boundary fencing between properties.

The property is within The Monken Hadley Conservation Area, an Article 4 area and not Statutory Listed.

The applicant states in the Design and Access Statement that the reason for making the alterations to the front garden is that the tarmac path and front boundary fence needs replacing.

2. Site History

Reference: 15/01895/HSE

Address: 25 Hadley Highstone, Barnet, EN5 4PU

Decision: Refused

Decision Date: 26 May 2015

Description: New drive way to the front garden to provide car parking area/space, drop kerb for vehicular access, new fence following demolition of existing, and installation of 2no. gates to the front

Reason:

The proposed driveway, vehicular crossover and the proposed fencing, by reason of their siting and appearance, would be detrimental to the setting of the application building, and to the special and open character of this part of the Monken Hadley Conservation Area. It would be detrimental to the character and appearance of the dwelling and street scene, and would not preserve or enhance the character and appearance of the conservation area. As such, the proposal would be contrary to policies CS NPPF and CS5 of the Local Plan Development Management Policies DPD (adopted September 2012, and Residential Design Guidance Supplementary Planning Document (adopted April 2013

Dismissed at Appeal

Reference: 16/1510/HSE

Address: 25 Hadley Highstone, Barnet, EN5 4PU

Decision: Withdrawn

Decision Date: 27 April 2016

Description: Repairs and replacement of existing pathway. Gate to be relocated and replaced to provide a central entrance

Reference: B/04340/13

Address: 25 Hadley Highstone, Barnet, EN5 4PU

Decision: Refused

Decision Date: 20 December 2013

Description: Formation of new landscaping to front garden. Replacement of existing path with new York stone path. Erection of new Picket fence with shrubs in borders.

Reason:

The proposed fencing, by reason of its siting and appearance, would be detrimental to the setting of the application building, and to the special and open character of this part of the Monken Hadley Conservation Area. It would be detrimental to the character and appearance of the dwelling and the street scene, and would not preserve or enhance the character and appearance of the conservation area. As such, the proposal would be contrary to Policies CS NPPF and CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Local Plan Development Management Policies DPD (adopted September 2012), and Residential Design Guidance Supplementary Planning Document (adopted April 2013)

Reference: B/01408/13

Address: 25 Hadley Highstone, Barnet, EN5 4PU

Decision: Refused

Decision Date: 13 June 2013

Description: Creation of vehicular hardstanding.

Reference: N00272F/07

Address: 25 Hadley Highstone, Barnet

Decision: Refused

Decision Date: 25/05/07

Description: Variation of Condition 3 of planning permission N00272D/04 dated 11-01-05 to allow for existing hardstanding to be used for parking cars.

Reference: N00272D/04

Address: 11-27 Hadley Highstone, Barnet EN5:

Decision Date: 11/01/05

Description: use of land for garden and erection of fencing and gates.

3. Proposal

The proposal seeks consent involving:

The relocation of the existing tarmac pedestrian entrance pathway to the dwellinghouse away from the north boundary of the site in the form of a curve towards the centre of the garden and still forming part of the existing yorkstone footpath and the depth of the remaining garden up to the front boundary picket fence.

The existing pedestrian entrance front boundary gate is to be relocated to the middle of the front garden and boundary picket fence, in line with the proposed footpath to provide a central entrance.

4. Public Consultation

Consultation letters were sent to 4 neighbouring properties.

No representations have been received.

Councillor Prentice has requested that the application be considered by committee due to the site's location in the conservation area.

Conservation Area Advisory Group - Should take the opportunity to put the new path in 'York Stone' to match path by front door.

4.1 Internal Consultation

None

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 Government's 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 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 2050. 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, 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

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 conservation area, street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Character and Appearance

The NPPF attaches great importance to the design of the built environment, stating, "good design is a key aspect of sustainable development...and should contribute positively to making places better for people". It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'

Paragraph 131 of the NPPF states that in determining applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The Council's approach to development as set out in Policy DM01 is to minimise its 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.

The property is located within the Monken Hadley Conservation Area and the Character Appraisal (CA) states that most properties along Hadley Highstone are noted for their group value. It identifies no's 15-27 as a notable group of redbrick terraces. The Character Appraisal notes that boundaries in this area tend to be picket fencing, hedging and similar rural features and that the main contribution to the street scene is through well planted gardens and boundary vegetation. It goes on to state that Monken Hadley has managed to retain its special green and leafy character. There is a strong relationship between public and private space where private space is enclosed but in a quite transparent form. It explains that when early houses were built it was intended that views onto and across the open space were uninterrupted except by the trees, vegetation and natural features.

The history of the site reveals that the main open front garden to the property was incorporated into the gardens of no's 11-17 Hadley Highstone following the grant of planning permission N0027D/04. Condition 3 of that approval states that, 'the frontage of properties at 11-27 Hadley Highstone shall be used as garden only and shall not be used for parking of vehicles' in order to safeguard the character and appearance of the conservation area.

The previous two planning applications were refused planning permission because they sought to use the front garden area for the accommodation of a car space involving a hard standing area and crossover and the enclosure of the front garden with a dividing fence. It was considered that by reason of their siting and appearance the proposal would be detrimental to the setting of the application building, and to the special and open character of this part of the Monken Hadley Conservation Area failing to preserve or enhance its character and appearance.

In respect of this application, the scheme proposes alterations to the front garden involving the relocating of part of the existing footpath using the same material from the north boundary to the centre of the garden in the form of a curve and the replacement of the existing front boundary fence and gate is to be replaced with a new identical white wooden picket fence and the relocation of the side gate from the north boundary to the centre of the front boundary fence. The proposal does not involve any change of use of the land or enclosing the open character of this part of the front garden.

In terms of design and siting, the development is considered to be in keeping with the character and appearance of the property and within the context of the architectural design and visual appearance of the surrounding area and is not considered to result in any additional or harmful impact on the character and appearance of the Monken Hadley Conservation Area.

In summary, the proposed development is considered appropriate design and layout which would preserve and enhance the character and appearance of the dwellinghouse, the adjoining dwellinghouses and the conservation area and complies with Policy DM01, DM02 and DM06 of the Development Management DPD, policy CS5 of the Barnet Core Strategy, and the Supplementary Planning Document: Residential Design Guide, 2013 and the NPPF.

Whether harm would be caused to the living conditions of neighbouring residents

The National Planning Policy Framework states,
'Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'

The proposed relocating of part of the front entrance pedestrian footpath and pedestrian entrance to follow the path is not considered to result in any demonstrable harm to the amenities of the adjoining properties or surrounding area in the form of a loss of light or outlook.

For the reasons outlined above, the proposal is considered to have a satisfactory relationship to the adjoining properties subject to the attachment of appropriate conditions and is in accordance with the relevant policies outlined above.

5.4 Response to Public Consultation

None

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 subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the conservation area 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.

