

iii) 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 application as submitted is considered to be in accordance with the Council's relevant policies and guidance.

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 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 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 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.

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 11 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

Design Guidance Note No 5 – Extensions to Houses

The Council guide 'Extension to Houses' was approved by the Planning and Environment Committee (The Local Planning Authority) in March 2010. This supplementary planning guidance (SPG) sets out information for applicants to help

them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

In respect to amenity, extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

The Council adopted a Supplementary Planning Document (SPD) "Sustainable Design and Construction" (June 2007), following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

The Council is currently consulting on the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD (consultation draft November 2012) and Sustainable Design and Construction SPD (consultation draft November 2012) are now material considerations.

Relevant Planning History:

B/04738/11: Part single, part two-storey side and rear extensions. Extensions to roof including, rear dormer window and roof lights to front and rear elevations to facilitate a loft conversion. Approved.

B/04048/12: Retention of the variation of condition No.1 (plan numbers) pursuant to planning permission Ref: B/04738/11 dated: 26/3/2012 for "Part single, part two-storey side and rear extensions. Extensions to roof including, rear dormer window and roof lights to front and rear elevations to facilitate a loft conversion. Variation to include: "insertion of a window to the front elevation of the garage; bifolding doors to the rear elevation; canopy to the side/rear and a safety guard railing to the roof French door". Under consideration.

Consultations and Views Expressed:

Neighbours Consulted: 8 Replies: 6 letters of objection received.
Neighbours Wishing To Speak: 0

The objections raised can be summarised as follows:

- Scale of the building is inappropriate for a garden setting.
- Building dominates the ends of the gardens at Chanctonbury Way.
- Proposal will result in light nuisance.
- Proposal may result in additional noise and disturbance to neighbours.

- Deep foundations have been dug in close proximity to two oak trees.
- Proposed building exceeds "permitted development" size regulations.
- Size of the building will compromise privacy of neighbours.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a two storey semi-detached property, located on a relatively flat site at the end of Pyecombe Corner, a cul-de-sac. The main application dwelling is currently being extended to the side and rear. The current application relates to an outbuilding which has been constructed in the rear garden of the property.

Proposal:

The application proposes the retention of an outbuilding toward the rear of the rear garden of No. 15 Pyecombe Corner. The submitted plans show the building to measure 7.7 metres in width by 6 metres in depth, with a hipped roof 3.7 metres high.

Planning Considerations:

The main issues in this case are considered to be covered under two main areas:

- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene.

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. The Council's draft SPD 'Residential Design Guidance" states that outbuildings in rear gardens should not overshadow neighbouring properties, should not be too large or significantly reduce the size of a garden to be come out of character with the area, should not unduly affect outlook from neighbouring properties and should be of a design and appearance in keeping with the surrounding area. Garden buildings should be sited so as to minimise the impact on neighbours, and be located to the rear of properties.

The outbuilding is located to the rear of the site, approximately 0.8 metres from the tapering side boundaries and 6 metres from the rearmost boundary. It has a hipped roof, is considered to be of an acceptable design and appearance, and is not detrimental to the character and appearance of the main dwelling, the street scene or the wider locality.

The outbuilding is located to the rear of the site. It is adjacent to the rear areas of the neighbouring gardens, and is therefore set away from the main private amenity areas of these neighbouring properties. The outbuilding would be visible from the neighbouring properties. However, given its size and distance (approximately 25 metres) from the neighbouring properties, it would not appear overbearing or visually intrusive when viewed from any neighbouring property. Furthermore, it would not adversely affect the privacy of the occupants of any neighbouring property.

This application would comply with the abovementioned policies and guidance. The proposal is an acceptable addition to the property which would not adversely affect the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

This application is required because the outbuilding does not comply with the requirements of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The application falls to be determined in light of local and national planning policy, rather than in light of the abovementioned Order. Whilst the proposal is in close proximity to a number of trees, these trees are not included or considered worthy of inclusion within a Tree Preservation Order.

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

The proposal is considered to be acceptable in terms of its impact on the application site, the general locality and the amenities of neighbouring residents. The proposal accords with council policy and guidance and the application is subsequently recommended for approval subject to conditions.

