

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

**Reference:**                      **16/6918/CON**                      Received: 27th October 2016  
Accepted: 27th October 2016

Ward:                              Totteridge                              Expiry 22nd December 2016

Applicant:                        Mr Melvin Robinson

Proposal:                        Submission of details of condition 6 (Means of Enclosure) pursuant to  
planning permission B/05539/14 dated 08/12/14

**Recommendation:** Approve

**Informative(s):**

- 1      The plans accompanying this application are: Drawing Site-Enclosure-1.

**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 a new 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**

16/5440/CON: Submission of details of condition 11 (Landscaping) pursuant to planning permission B/05539/14 dated 08/12/14. Under consideration and on this committee agenda.

16/2448/S73: Variation to condition 1 (Plans) pursuant to planning permission B/05539/14 dated 08/12/14 for "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". Variations include changes to window, rooflight and door positions, addition of PV panels and variations to landscaping. Refused July 2016, being a reversal of the officer recommendation - The proposed replacement house, by reason of its design, appearance, size, bulk, height and rooftop PV panels would appear as an incompatible structure in this part of the Totteridge Conservation Area and would result in a loss of outlook and an overbearing and visually intrusive impact when viewed from No. 5 Horseshoe Lane. The proposal would not preserve or enhance the character or

appearance of the conservation area, would be detrimental to the amenities of neighbouring occupiers.

16/0249/CON: Submission of details for condition 11(landscaping) pursuant to planning permission B/05539/14 dated 08.12.14. Refused May 2016, being a reversal of the officer recommendation - 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.

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 October 2015 - 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 6 (Means of Enclosure) pursuant to planning permission B/05539/14.

Condition 6 reads as follows:

*Before the development hereby permitted is first occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.*

*Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).*

#### **4. Public Consultation**

This application concerns the submission of details pursuant to a condition attached to the original grant of planning permission. Five neighbouring residents were consulted on this application. Two objections have been received at the time of drafting the report. Any further responses which are received will be reported at the committee meeting.

The two objections can be summarised as follows:

- The fencing is flimsy in appearance.
- The post spacing is at intervals which are far too large and irregular and not in keeping with the usual fencing used in this conservation area.
- All other houses in Horseshoe Lane have closed boarded fencing facing the lane. The former house had close boarded fencing facing the lane. Close boarded fencing should be reinstated.

Totteridge Conservation Area Advisory Committee: Fencing should be in keeping with the area and rural environment and the spacing of the posts should be clarified on the plans as at present they appear haphazard.

Totteridge Residents Association: The proposed fencing style is not in keeping with this part of the Conservation Area and the post spacing is haphazard and should be at regular smaller intervals ( more usually 1.8m). It is thought this current proposal would not conserve or enhance this part of the Conservation Area.

This application has been called to committee by Cllr Prentice to allow members' to assess the impact of the proposal on the conservation area. In addition, it should be noted that the submission pursuant to Condition 11, which was originally on the agenda for the meeting of the Chipping Barnet Area Planning Committee on 13 October 2016, was deferred as the Committee agreed it was considered necessary for that application to be dealt with alongside Condition 6, at the same time. Both condition applications therefore appear on this agenda.

#### **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 2016

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**

The main issue for consideration is whether the proposed boundary treatments preserve or enhance the character and appearance of this part of the conservation area, the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.

### **5.3 Assessment of proposals**

To the front boundary, and the side boundary with the field to the north of the site, it is proposed to construct a 1.2m high post and rail fence. This would comprise vertical posts 2.85m apart, and 9x horizontal rails. The entrance gates would be of an identical appearance.

It is considered that the proposed 1.2 metre high post and rail boundary fence to the front and side boundaries would be an appropriate addition to the application site. The Totteridge Conservation Area Character appraisal identifies 'views to descending open countryside of the Dollis Brook from Horseshoe Lane' as being amongst the most notable views and vistas. The proposed fencing would be low in height, and open in appearance. This would ensure these views and vistas are maintained. The proposed front and side boundary treatment is considered to be commensurate with the semi-rural character and appearance of Horseshoe Lane. The proposed front and side fencing is not considered to prejudice the amenities of the occupiers of adjoining residential properties. The proposed front and side fencing would confine vehicular access to the single point of access at the northern part of the site.

The comments raised in respect of the spacing between vertical posts is noted. The applicant's agent has confirmed that the post centres will be spaced 2.85m apart.

To the rear of the site, and the southern boundary of the site (the boundary with No. 5 Horseshoe Lane), the existing boundary treatment is proposed to be retained and this is considered to be acceptable.

### **5.4 Response to Public Consultation**

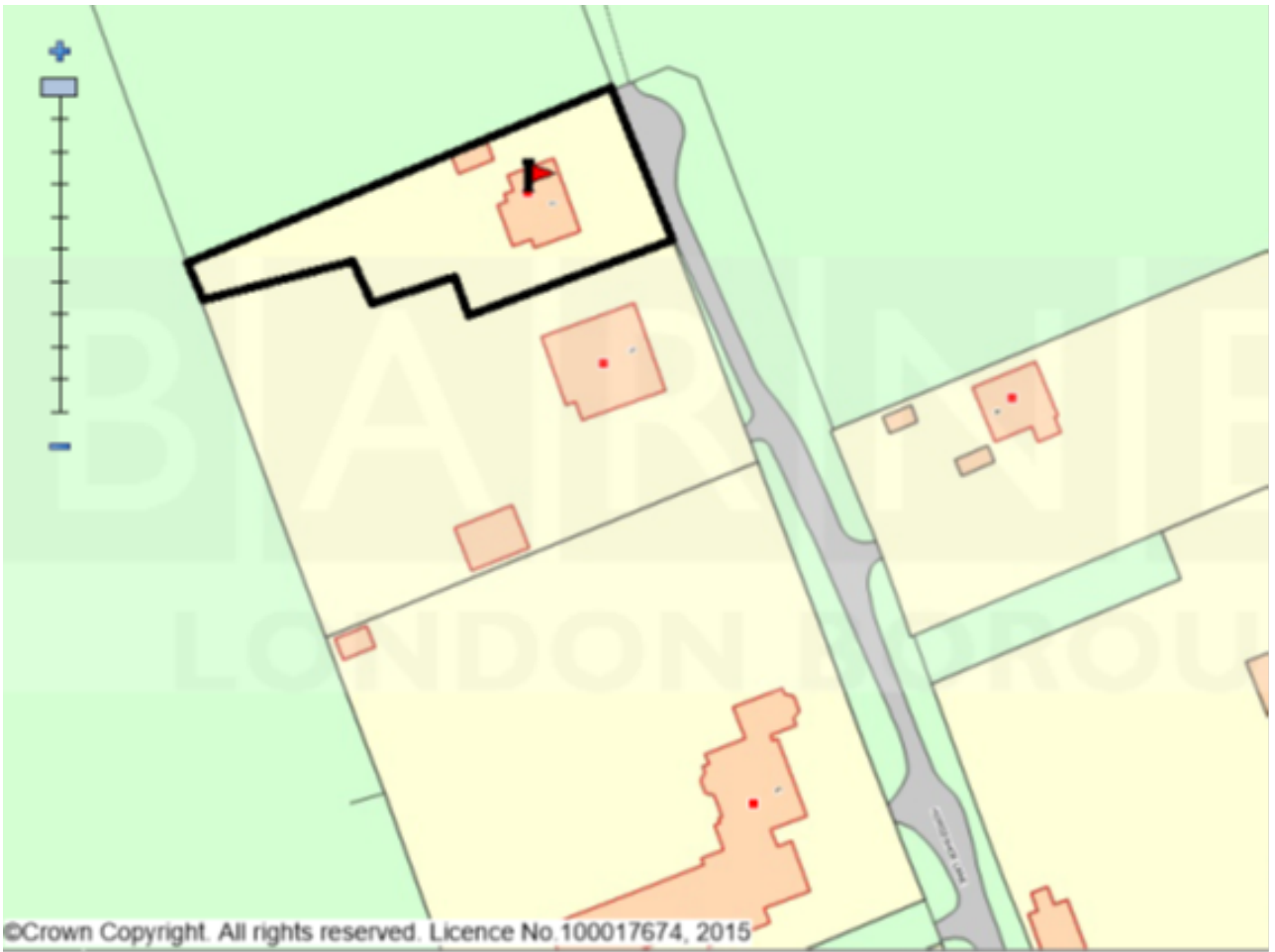
The comment received is addressed in the appraisal above.

## **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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