

Location **Aynho Hadley Common Barnet EN5 5QE**

Reference: **20/0161/HSE** Received: 13th January 2020
Accepted: 16th January 2020

Ward: High Barnet Expiry 12th March 2020

Case Officer: **Alissa Fawcett**

Applicant: Mr & Mrs Stephen Short and Antonia Hill

Proposal: Ground and first floor rear extension with mansard roof and rear dormer window. Internal refurbishment

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

100 - Site Location Plan

Existing Plans

200A - Existing Ground Floor Plan

201A - Existing First Floor Plan

202A - Existing Roof Plan

303 - Existing Section DD

315 - Existing Section PP

400 - Existing Front Elevation

401 - Existing Side Elevation 1
402 - Existing Rear Elevation
403 - Existing Side Elevation 2
404 - Existing Front Elevation and Street Scene
SK001 - Existing Ground Floor showing neighbours window
SK003 - Detail showing neighbours window at The Chase

Proposed Plans

250 Rev P - Proposed Ground Floor
251 Rev P - Proposed First Floor
252 Rev P - Proposed Roof
350 Rev J - Proposed Section AA
351 Rev I - Proposed Section BB
450 Rev I - Proposed Front Elevation
451 Rev I - Proposed Side Elevation 1
452 Rev I - Proposed Rear Elevation
453 Rev I - Proposed Side Elevation 2
454 Rev A - Proposed Front Elevation and Street Scene
SK002 - Proposed Ground Floor plan showing neighbouring window

Rigby & Rigby - Design and Access Statement
Savills - Planning Statement

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The windows hereby approved shall match the original windows in material and style.

Reason: To protect the character of the house and the Hampstead Garden Suburb Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

- 5 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any Class of Part 1 of Schedule 2 of that Order shall be carried out within the area of Aynho, Hadley Common, EN5 5QE hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers and the character and appearance of the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 38-57 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 and the Applicant engaged with this prior to the submissions of this application. 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 is located on the southern side of Hadley Common situated within Area 7 of the Monken Hadley Conservation Area. The adopted Conservation Area Character Appraisal notes; 1.2 The application property is a two-storey cottage, constructed in the late 19th century and substantially extended in the early 20th century. It sits back from the road accessed by an open shared driveway and is mostly hidden by vegetation.

The site was previously noted to be a Grade II listed dwelling house, and indeed listed building consent applications have been made for works at the application property, however, the list description can be attributed to the neighbouring Hurst Cottage and Historic England have corrected the entry to remove reference to Aynho.

"The road named Hadley Common extends south east from the timber barred gate at The Gate House (area five). This is undeveloped on the side of the road that adjoins Monken Hadley Common itself and so allows sweeping views across from the developed side of the road and gives the overall feeling of a rural setting. Camlet Way bounds the other side of Monken Hadley Common, where the same effect is evident. The Common includes Hadley Woods and becomes entirely wooded opposite to the properties Hurst Cottage and Aynho.

The next cluster of listed buildings provides an interesting combination beginning with the white stuccoed Georgian property, The Chase, with its central doorway and large broad framed windows; then the more modest Aynho which is a cottage of two storeys with a large central chimney and two front gables. Next is the larger Hurst Cottage of the late 17th and early 18th centuries a two-storeyed house of brick, now rendered, slightly less grand than The Chase but not dissimilar; a listed 18th century timber framed barn in the grounds of Monkenmead, set back from the road"

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2. Site History

Reference: B/02793/09

Address: Aynho, Hadley Common, Barnet, EN5 5QE

Decision: Approved subject to conditions

Decision Date: 28 September 2009

Description: Internal alterations including; widening of dividing wall between kitchen and dining room and removal of existing boiler and insertion of new boiler. External alterations including; replacement of existing windows and doors with hardwood timber windows and doors and new boiler flue to front elevation (Listed Building Consent).

3. Proposal

This application seeks consent for ground and first floor rear extension with mansard roof and rear dormer window, as well as internal refurbishment.

The proposals have been amended since the initial submission to show a reduction in both width and height.

Looking from the front of the site, the reduced extension will measure approximately 2.7m in width, a reduction of 0.8m from the original submission of 3.5m; this allows a greater separation distance of approximately 1.3m between the flank wall and the shared boundary with the neighbour at The Chase, compared to the original submission which showed approximately 0.5m. The height of the extension has been reduced to approximately 2.8m from the originally proposed 3.1m height.

At the rear of the site, the extension shows the same fenestration arrangement as the original application; at roof level three dormer windows; two three-casement windows to each side with a two-casement window in the centre, and at ground floor the addition of new door flanked by side lights to match that existing closest to Hurst Cottage.

No new fenestration is proposed to the flank elevation facing The Chase.

Given the application property is not a listed building there is no need to assess the proposed internal works.

4. Public Consultation

Site Notice: 20h January 2020
Press Notice: 23rd January 2020

3 consultation letters were sent to neighbouring properties.
9 objections were received.

The views of objectors can be summarised as follows;

- Loss of light
- Loss of outlook
- Overlooking
- Loss of privacy
- Closing of gap between properties
- Impact on parking
- Impact on Green Belt
- As it is a listed building I thought no outside extensions could be carried out.
- Harmful impact on listed buildings and Conservation Area
- Massing, scale and design

Internal / other consultations:

Monken Hadley CAAC - No objection

Barnet Society - Objection:

The present Aynho, dominated by its attractive two-storey Arts & Crafts former stable building, makes a distinctive contribution to the Monken Hadley Conservation Area. The proposed extension would be visible from the street, and particularly so from the gardens to the rear. Its bulkiness would diminish the impact of the stable building, and from the rear (seen by human eye at ground level, not in elevation) would largely obscure it. Additionally, neither the mansard roof nor the flat roof of the first-floor extension relate well either to the existing building or to its neighbourhood.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 updated on 20 July 2021. 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 2021

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. The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

Barnet's Local Plan 2012

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

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.

Barnet's Draft Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in

accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

Sustainable Design and Construction SPD (2016)

- 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 Conservation Area;
- Whether harm would be caused to adjacent Listed Buildings;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the Green Belt;
- Whether harm would be caused to trees of high amenity value.

5.3 Assessment of proposals

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework, 2021 sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 195 of the NPPF (2021) states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 199 states When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is

irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 201 states Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent.

Paragraph 202 continues and states Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HC1 of the London Plan 2021 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed.

In this instance, it is considered that there is no harm associated with the proposal to the heritage asset and is therefore acceptable having regard to the provisions of Policy DM06 of the Development Management Policies and Section 16, 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and NPPF, 2021 . Accordingly, it is recommended that planning permission should be granted.

This application seeks consent to extend the existing dwelling house with new first floor side and rear extension. From the front of the site the new extension would site above the existing single storey flat roofed extension, which is a later addition to the host application property. The revised scheme shows a reduction in width to allow for greater separation distance between the flank wall of the new extension and the shared boundary with the neighbour at The Chase, a Grade II listed building. The height of the proposed extension has also been reduced to allow it to appear more subordinate whilst maintaining a sense of balance to the front and rear elevations.

Impact on character and appearance of Conservation Area

In accordance with the aforementioned policies the preservation of the setting and significance of designated heritage assets such as the overall Monken Hadley Conservation Area is imperative and therefore any harm whether 'substantial' or 'less than substantial' needs to meet the tests set out in the NPPF.

Significance is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Setting is defined in the NPPF as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.

The Planning Practice Guidance (PPG) provides further insight as to how to take account of the 'setting' of a heritage asset; 'The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations.'

The proposed development, as amended is considered to have an acceptable impact on the character and appearance of this part of the Monken Hadley Conservation Area and is not considered to result in any harm, on the setting of this part of the Conservation Area.

Externally the proposed alterations are unlikely to be visible from the streetscene or wider Conservation Area due to the distance of the building set back from the road and positioning of established vegetation between it and the application property. As such there is no objection to the works on these grounds. Furthermore, it is considered the scheme as revised to show a reduced width and height ensures the proposals are appropriate and subordinate in their mass, scale and bulk.

Impact on adjacent Listed Buildings

Looking at the impact of the proposed development on the setting of the adjacent Listed building, also designated heritage assets, regard must be had of the tests set out in the NPPF as was detailed above.

The proposed extension is considered to be positioned far enough away from the attached listed cottage and Hurst Cottage not to have any impact upon them.

In terms of the impact on the adjacent listed building at The Chase, the proposed extension as amended is also not considered to have a detrimental impact on the setting of this listed building. It is considered that the existing relationship between the respective buildings is such that the separation distances in built form result in the two plots being distinct and not visually read in one sighting.

The amended scheme which, although would result in the built form coming close to the listed building still ensures a sufficient gap remains between the two properties to retain the existing contextual relationship between the two sites is not considered to materially differ or result in an altered experience of the neighbouring heritage asset that would diminish its significance or compromise its setting; the siting and profile of the proposed extension is such that it would not be openly and visibly read with the neighbour at The Chase or its setting. As noted above any glimpsed views would be at a substantial distance and beyond existing vegetation which would largely conceal the extension and therefore amount to no harm.

Taking the above into consideration, officers do not consider that the proposed development would alter the way in which the neighbouring heritage asset is experienced both from within or outside of the site nor result in any material visual relationships that would cause harm, even negligible, to the setting or significance of the asset.

Impact on amenity of neighbouring occupiers

The application plot is large with a wide frontage, similar to the other plots along this part of Hadley Common. Given the distance between properties it is not considered that the revised proposals, which bring the extension approximately 1.3m away from the boundary with the neighbour at The Chase, will give rise to any loss of residential amenity to neighbouring occupiers.

Concerns were raised regarding the positioning of a ground floor window in the flank elevation facing the application site at The Chase. A site visit was undertaken, and additional plans provided to demonstrate that the positioning of this window, which lines up with the

existing porch of the existing ground floor element at the application site will not be detrimentally impacted by the proposed development which is proposed to sit further back along the flat roof of the existing ground floor structure. The revised scheme which shows the extension brought further away from the shared boundary with this neighbour ensures the proposed extension will not be harmful to the amenity of these neighbours.

It is not considered that the proposed development will have any impact on the other neighbours abutting the site. The reduced height of the extension at the rear ensures the amended extension will appear subordinate adjacent to the listed Hurst Cottages.

Impact on the Green Belt

The application site is wholly sited within the Green Belt. The policy background for development within the Green Belt is set out in Section 13 of the National Planning Policy Framework (NPPF, 2021) and establishes that the government attaches great importance to Green Belts, "the fundamental aim" of which is to prevent urban sprawl by keeping land permanently open.

The essential characteristics of Green Belts are their openness and their permanence and the NPPF identifies five purposes (para 138):

- To check the uncontrolled sprawl of urban areas
- To prevent neighbouring towns merging into one another
- To assist in the safeguarding of countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land

The document consequently establishes that inappropriate development is harmful to the Green Belt and should not be granted planning permission except in very special circumstances. In considering planning applications, local authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

Paragraph 149 of the NPPF states that the construction of new buildings as being inappropriate in the Green Belt, but also lists a number of exceptions which include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Within the Local Plan, policy DM15 echoes these provisions, stating:

- i. Development proposals in Green Belt are required to comply with the NPPF. In line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL).
- ii. Except in very special circumstances, the council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness.
- iii. The construction of new buildings within the Green Belt or Metropolitan Open Land, unless there are very special circumstances, will be inappropriate, except for the following purposes:
 - a. Agriculture, horticulture and woodland;
 - b. Nature conservation and wildlife use; or
 - c. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of Green Belt or MOL.
- v. The replacement or re-use of buildings will not be permitted where they would have an adverse impact on the openness of the area or the purposes of including land in Green Belt or MOL.

It is considered that the proposed first floor extension, along with the existing ground floor extension, which is a later addition to the application property would represent approximately a third of the built form of the application property, therefore would not represent inappropriate development within the Green Belt.

The proposed extension, which sits on top of an existing side extension with no additional footprint at ground floor level, is considered to provide a subordinate addition which reads well with the rest of the building; creating a balanced appearance with the host building as a whole.

On balance, the proposed cumulative impact on the Green Belt is not considered to be harmful, and the proposal would not constitute inappropriate development which by definition, is harmful to the Green Belt instead resulting in limited infilling. In this instance the small increase in footprint is considered to be an acceptable development.

Impact on trees

Any trees situated within a Conservation Area are automatically protected due to their inclusion with the Conservation Area. However, in this instance there are no trees within close proximity of area to be developed either at the front or rear of the application site. The front is mainly characterised by gravel hardstanding affording ample parking for construction vehicles. Whilst there is more vegetation at the rear there are no trees of high amenity value within close proximity of the area to be developed.

Furthermore, given this is a first-floor side and rear extension it is not considered that the proposed development will give rise to any detriment to trees of a high amenity value.

5.4 Response to Public Consultation

The comments made by objectors are noted. In regard to the concerns that the proposed extension may result in a loss of light or outlook, it is not considered that the amended scheme, which has been brought further away from the shared boundary with The Chase will result in any loss of amenity to neighbouring occupiers in this respect.

The proposed development is not considered to result in any further overlooking or loss of privacy beyond what is currently experienced on site.

The revised scheme showing a reduced extension with greater separation distance between the flank wall of the extension and boundary with The Chase is not considered to result in the closing of the existing gap between properties to detrimental degree.

The proposed development is not considered to have any impact on parking.

The modest nature of the proposed extension, which sits on the footprint of a larger ground floor element is not considered to be harmful to the Green Belt. This is discussed in greater detail above.

The host property is not in fact a listed building, and nonetheless appropriate extensions are permitted to listed buildings.

The proposed amended extension is not considered to have a harmful impact on listed buildings and Conservation Area.

The reduced massing, scale and design of the revised scheme is considered to be acceptable resulting in an appropriate addition to the host dwelling house.

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

In conclusion, it is considered that subject to compliance with the attached conditions, the proposed development as amended would have an acceptable impact on the character and appearance of the application site, the street scene and the wider Monken Hadley Conservation Area. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is recommended for approval.

