

**Location** **12 Verwood Drive Barnet EN4 9TP**

**Reference:** **23/2917/HSE** Received: 5th July 2023  
Accepted: 6th July 2023

Ward: East Barnet Expiry: 31st August 2023

**Case Officer:** **Refael Saffer**

Applicant: Mr & Mrs Silton

Proposal: Single storey side extension following demolition of existing garage and conservatory. Insertion of rooflights. Alterations to the existing patio. Erection of a new bin store and boundary wall/fencing. Changes to fenestration. Widening of the existing driveway

### **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 Chair (or in their absence the Vice-Chair) 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:

0186-01 (REV E),  
0186-03 (REV B),  
0186-04 (REV A),  
0186-05 (REV A),  
0186-06 (REV A),  
0186-07 (REV A),  
0186-10 (REV C),  
0186-11 (REV B),  
0186-12 (REV B),  
0186-13 (REV B),  
0186-14 (REV C),  
0186-15 (REV B).

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 specified in the application documents.

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).

#### **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 at 12 Verwood Drive, EN4 9TP, consisting of a detached dwellinghouse with a front hardstanding and front/rear amenity space. The area surrounding the site is mainly residential consisting of several different housing types of varying architectural form and style. A number of large green spaces surround the site, including the Ludgrove Playing Fields and Cockfosters Bowling Club. The site is located within the East Barnet ward.

The property does not lie within a Conservation Area, and is not a listed building, it has the Monken Hadley Conservation Area lying adjacent to the site.

## **2. Site History**

Reference: N00264Q

Address: West Farm Place Chalk Lane Barnet Herts

Decision: Approved subject to conditions

Decision Date: 22 September 1993

Description: Residential Development (Outline)

Reference: N00264S

Address: West Farm Place Chalk Lane Barnet Herts

Decision: Approved subject to conditions

Decision Date: 22 September 1993

Description: Details of siting, design, external appearance & parking pursuant to conditions 3 & 5 of planning permission N00264Q dated 22/9/93 for residential development to provide 106 units including conversion of

Notably, condition 2 of this application states as follows -

'The building(s) hereby permitted shall not be extended in any manner whatsoever without the prior specific permission of the local planning authority notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order relating and re-enacting that order).

Reason:

To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties.'

## **3. Proposal**

Single storey side extension following demolition of existing garage and conservatory. Insertion of rooflights. Alterations to the existing patio. Erection of a new bin store and boundary wall/fencing. Changes to fenestration. Widening of the existing driveway.

The single storey side extension would replace the existing garage, measuring 7m in width and 7.8m in overall depth, with an eaves height of 2.7m, maximum height of 5.2m and flat/pitched roof design.

The new boundary fence would measure 1.8m, with the rear boundary wall measuring 2m in height.

Although an EV charging point, as well as new front door have been indicated on proposed drawings, they have not been included in the description and will not be assessed as part of this application.

It is noted that amendments have been received involving the omission of solar panels, altered boundary wall as well as further set back of the side extension.

## **4. Public Consultation**

Consultation letters were sent to 5 neighbouring properties. 5 objections have been received, with comments summarised as follows:

- Removal of plants and replacement with fence out of character, brick wall with planting more appropriate
- Existing guttering attached to the garage should be removed
- Increase in noise, dust. Requirement of protection barrier and working times
- Cars to the front drive cause a blind spot
- Loss of privacy, visual amenity
- Fence out of character
- Amended front trellis design resulting in loss of privacy
- Removal of side plants detrimental to visual amenity
- Rooflight would lead to loss of privacy
- Negative visual impact of solar panels
- New boundary treatment not in line with boundary in property deeds
- Design of scheme out of character with rural/historic look of the area
- No consideration for Charles Church Deeds, 5th Schedule - Item 38 (a) which states that consent must be given in writing to the Transferor for alterations to the external decor of a Property
- Digging of deep foundations could disrupt water, electricity, telephone and broadband supply to neighbouring properties
- Loss of access for emergency vehicles to surrounding properties during construction, general loss of access
- Materials to front elevation out of character
- Front roof height of part of the side extension appears to low
- Part of boundary of applicant illustrated incorrectly

## **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 revised National Planning Policy Framework (NPPF) was published on 20th 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, creates better places in which to live and work and helps make development acceptable to communities...being clear about design expectations, and how these will be tested, is essential for achieving this'. 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.

### 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

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.

### Barnet's 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

Residential Design Guidance SPD (adopted October 2016)

- 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. The SPD 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.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which

can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that 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.

Sustainable Design and Construction SPD (adopted October 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 existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

Barnet's Residential Design Guidance SPD states that 'side extensions should not be more than half the width of the original house. In addition, the setting back of the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene.' The proposed side extension would not comply with the above guidance, with its width measuring over half the width of the main dwelling. Nevertheless, the applicant has received pre-application advice from the council, with the current design subsequently recessed by approximately 1.5m from the main elevation. Therefore, although the width of the extension would be greater than half the width of the property, this set back would on balance ensure that the element reads as a subordinate feature. The set back ensures that the extension still appears subordinate.

The SPD further states that 'The permitted height of a means of enclosure is generally 1 metre adjacent to a highway and 2 metres elsewhere. This is the permitted development allowance.' Accordingly, the boundary treatments, with their 2m height to the rear and 1.8m height along the side boundary would be appropriate in this instance. In addition, given the mixed hedge and trellis design along the side, its replacement of the current trellis would also be acceptable. It is not considered that this element would appear out of context.

The insertion of new rooflights and changes to fenestration would not significantly alter the appearance of the main dwelling. Likewise, the new bin store and widened driveway would

be minor changes to the property. The alterations to the existing patio, being under 0.3m in height, can be achieved using Permitted Development rights and would thus be acceptable in this case.

Overall, the proposed development would be acceptable in character.

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

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. The Residential Design Guidance SPD states that proposals should be designed to ensure the provision of sufficient privacy, minimisation of overlooking between surrounding dwellings and orientation of buildings to maximise sunlight and daylight. With regard to this application, the key concern is whether the proposal would result in any degree of overlooking to neighbouring sites and if overshadowing, loss of outlook and loss of light would occur as a result of the development.

No. 3 Oakham Close is located to the rear of the site and would be distanced by approximately 10.5m from the side extension and by 9.7m from the rear boundary wall. Thus, no significant amenity losses, such as loss of light or overshadowing would result on this neighbour.

No. 10 Verwood Drive would be shielded from the proposal by the existing dwellings, with no amenity impact caused by the extensions. Similarly, Oakham Close separates the applicant site from no. 1 Oakham Close, with no change in relationship between these occupiers to occur. It is not considered that the proposed development would result in any loss of light/outlook or appear overbearing to the neighbouring properties. The bulk and mass of the proposed development is not considered to be out of context. The fence is not considered to be harmful to the neighbours outlook or result in loss of light and is considered to be an appropriate feature.

Overall, the proposal would be acceptable on amenity grounds.

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

- Removal of plants and replacement with fence out of character, brick wall with planting more appropriate

Aside from the above comments on this element, an amended design has been submitted, with hedging incorporated.

- Existing guttering attached to the garage should be removed  
Guttering is not assessed as part of this application.

- Increase in noise, dust. Requirement of protection barrier and working times  
As these concerns are civil matters between occupiers, they are not dealt with in this report.

- Cars to the front drive cause a blind spot  
Space has been allocated to the front of the property for parking usage

- Loss of privacy, visual amenity

These concerns have been elaborated upon above.

- Fence out of character

Boundary treatments have been discussed above.

- Amended front trellis design resulting in loss of privacy

Amenity loss, including loss of privacy has been discussed.

- Removal of side plants detrimental to visual amenity

An amended design has since been submitted which includes soft landscaping.

- Rooflight would lead to loss of privacy

The rooflight would allow for limited views towards surrounding properties.

- Negative visual impact of solar panels

These elements have been omitted.

- New boundary treatment not in line with boundary in property deeds

Proposal falls within the red boundary with further investigations into property ownership a civil matter

- Design of scheme out of character with rural/historic look of the area

The character of the scheme has been discussed above.

- No consideration for Charles Church Deeds, 5th Schedule - Item 38 (a) which states that consent must be given in writing to the Transferor for alterations to the external decor of a Property

This legislation is not utilised as part of a planning assessment by the council.

- Digging of deep foundations could disrupt water, electricity, telephone and broadband supply to neighbouring properties

Construction works are not dealt with as part of this assessment.

- Loss of access for emergency vehicles to surrounding properties during construction, general loss of access

This is a civil matter to be further discussed between neighbouring occupants.

- Materials to front elevation out of character

The materials would match those of the main dwelling.

- Front roof height of part of the side extension appears to low

The dimensions of the scheme have been deemed appropriate.

- Part of boundary of applicant illustrated incorrectly

Proposal falls within the red boundary with further investigations into property ownership a civil matter.

## **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 street scene 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.

