

Mr D Dear,  
Planning Department,  
Barnet Council.

BY EMAIL to [dominic.dear@barnet.gov.uk](mailto:dominic.dear@barnet.gov.uk)

Our Ref : 3031

5<sup>th</sup> July 2016

Dear Mr Dear,

**PLANNING APPLICATION 16/1277/S73 @ 6 BEECHWORTH CLOSE**

We act for Sir Mick Davis of No 6 Beechworth Close, Mrs A Brun of No. 4, Mrs C Colman of No 5 and Mr K Sacki of No 2 Beechworth Close. All are very close neighbours to the application site and have a clear interest in this S73 application.

Thank you very much for alerting our clients to the submission of further information in respect of the above application. In response, our clients have instructed consultants to review and comment on the latest updated documents as follows;

- LBH Wembley on the Basement Impact Assessment
- Knightbuild on the Construction Method Statement
- Tim Moya Associates on the Arboricultural Impact Assessment.

Documents from each above are attached for your consideration as part of the assessment of Application 16/1277/S73.

At the outset of the above application, our clients made the point that the deeper basements and extended vehicle parking and turning areas were so material that they justified further supporting information before the Council could reach an informed decision on whether consent should be granted. At the Planning Committee meeting on 10<sup>th</sup> May, Members accepted that the deeper basements with greater excavation required an updated BIA before reaching a decision and deferred the application to a later Committee pending its submission.

**Directors**  
Helen Cuthbert | Stuart Slatter | Claire Temple  
**Associate Directors**  
Alastair Close | Katie Turvey

**Consultants**  
Caroline Dawson | Dan Templeton  
**Associates**  
Rob Scadding | Heather Vickers | Alan Williams | David Williams

We note that the applicant has submitted an updated BIA along with updates of the CMS and AIA. The additional documents are, presumably, in response to the full range of comments made by our clients. We have, therefore, reviewed all of the documents and you will find the full response from experts in relevant fields contained within the attached documents.

In summary, the findings are as follows;

#### ARBORICULTURAL IMPACT ASSESSMENT

- Failure to apply the guidance in BS5837 without explanation. The consequence of this is the potential underestimation of the extent of tree roots running through the site and a possible associated failure to properly assess the impact of the development on the future life of the trees.
- Lack of investigation into the potential impacts of new hard surfacing on the health of retained trees.
- Lack of evidence to support claims of limited impact of the development on retained trees.
- The construction works currently underway have commenced without the installation of Tree Protection. This is not only contrary to planning conditions but, clearly, also puts the retained trees at risk.
- Given the small size of the site and the lack of working space to carry out construction activities it is inevitable that damage will occur to retained trees and the rooting environment upon which they depend.

#### CONSTRUCTION METHOD STATEMENT

- The potential for considerable disturbance to local residents arising, inter alia, from the restricted cul-de-sac nature of the access road.
- A considerable increase in the amount of excavation and soil to be removed from site arising from the enlarged basements.
- A doubling of the construction programme and associated disturbance from one to two years.
- Potential problems in accessing the site with construction vehicles and risks to tree RPZs.

- Failure to comply with the approved CMS in several areas.
- Confirmation that the amended basements are almost 3.5m deeper than those originally approved. This measurement point was made on behalf of the objectors at the DC Committee but was refuted by the applicant's agent when questioned by Members. It is now clear that our clients' assessment of the additional basement depth was correct and this should be taken into account by the LPA. The S73 application drawings are unhelpfully unclear on the detail of the measurements which must make it difficult for the LPA to fully understand the additional excavation works comprised in this application.

#### BASEMENT IMPACT ASSESSMENT

- Lack of structural engineering and construction methodology information means that the residual impacts of the development cannot be identified.
- Doesn't demonstrate that there will not be negative impacts on the stability of neighbours' properties or on the water environment in general.
- Considerably more detailed information and analysis is required before it can be concluded that the revised development is acceptable and satisfies Barnet Council's planning policies.

From the above it is clear that the applicant has not proven that the S73 scheme is acceptable as regards Basement Impact, harm to trees and the consequences of the construction process. There is no certainty shown in the submitted information in which the Council can have confidence that the proposed materially deeper basements (+ 3.5m) will not cause harm to neighbouring properties or the local water environment. Further, the deeper basements trigger a much more prolonged construction period – a doubling to two years – which is unsatisfactory in a tight cul-de-sac of residential properties. The tight nature of the access road and of the site itself will also be likely to lead to harm to retained trees which also seems likely given that the developer has not set in place the required tree protection measures.

We feel, therefore, that our clients' position of objection to the S73 application is justified and defensible and that there are clear grounds for refusing the application.

I would be grateful if you will confirm receipt of this letter and register it individually on behalf of the objectors. Our clients are keen to ensure that these comments and their considerable investment in analysis of the application documents are fully taken into account.

We would also like to be kept informed of any further submissions on the application and the date for its hearing at Committee.

I look forward to your confirmation.

Yours sincerely,

**Caroline Dawson**

Consultant

**Planning Potential**

London

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