

Location **Arkley Riding Stables Hedgerow Lane Barnet EN5 3DT**

Reference: **22/1514/FUL** Received: 22nd March 2022

Accepted: 22nd March 2022

Ward: High Barnet Expiry 17th May 2022

Case Officer: **Stephen Volley**

Applicant: C/o Agent. HUB Architects & Designers Ltd

Proposal: Demolition of existing buildings and construction of 3no. detached single storey dwellings with associated access, landscaping, amenity space, refuse storage, off-street parking, including the change of use from equestrian to C3 residential

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:

1293-EX-000 Rev B - SITE LOCATION PLAN
1293-EX-101 Rev B - BLOCK PLAN - EXISTING
1293-EX-102 - Rev C SITE PLAN - EXISTING
1293-EX-110 Rev C - EXISTING SECTION A-A
1293-EX-111 Rev C - EXISTING SECTION B-B
1293-EX-112 Rev B - EXISTING SECTION C-C
1293-EX-115 Rev C - EXISTING ELEVATION EASTERN BOUNDARY
1293-EX-116 Rev C - EXISTING ELEVATION WESTERN BOUNDARY
1293-PL4-201 Rev C - BLOCK PLAN PROPOSED
1293-PL4-202 Rev C SITE PLAN - PROPOSED
1293-PL4-203 Rev B - PROPOSED AREA CALCULATION DIAGRAM
1293-PL4-205 Rev B PROPOSED LANDSCAPE PLAN
1293-PL4-220 Rev A - PROPOSED SECTION A-A
1293-PL4-221 Rev A - PROPOSED SECTION B-B
1293-PL4-222 Rev A - PROPOSED SECTION C-C
1293-PL4-225 - PROPOSED ELEVATION EASTERN BOUNDARY
1293-PL4-226 - PROPOSED ELEVATION WESTERN BOUNDARY

1293-PL4-230 Rev A - HOUSE TYPE 1 DRAWINGS
1293-PL4-232 Rev A - HOUSE TYPE 2 DRAWINGS
TPP/ASHLAH/010B - TREE PROTECTION PLAN

ARBORICULTURAL REPORT (MARCH 2022)
ECOLOGICAL ASSESSMENT (OCTOBER 2020)
ECOLOGICAL BRIEFING NOTE (SEPTEMBER 2020)
FLOOD RISK ASSESSMENT (MARCH 2022)
LANDSCAPE AND VISUAL IMPACT ASSESSMENT AND GREEN BELT
ASSESSMENT (MARCH 2022)
SCHEDULE OF AREAS & VOLUMES (MARCH 2022)
SPORTS NEEDS ASSESSMENT (FEBRAURY 2021)
TRANSPORT NOTE (MARCH 2022)
DESIGN AND ACCESS STATEMENT (MARCH 2022)
PLANNING STATEMENT (MARCH 2022)

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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies D3, D4, D5 and D6 of the London Plan 2021.

- 4 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

- 5
- a) The development shall be implemented and thereafter maintained in accordance with the recommendations made within the Ecological Impact Assessment dated October 2020.
 - b) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an updated ecological survey has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.
 - c) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and, Policy G6 of the London Plan 2021.

- 6
- a) No site works or works in connection with the development hereby approved shall be commenced until details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.
 - b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and Policy G6 of the London Plan 2021.

- 7
- a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
 - b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

8 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016).

9 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on Tree Protection Plan - TPP/ASHLAH/010 B, approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

10 a) Prior to first occupation of the hereby approved development, a scheme of hard and soft landscaping to the front forecourt area, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016)

11 a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012)

12 Before the development hereby permitted commences, the applicant shall submit for approval details of measures to improve biodiversity on the site in accordance with guidance set out within BS42040:2013: Biodiversity - Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval. The development shall be implemented in full accordance with these details.

Reason: The above conditions is required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 of the London Plan 2021

13 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawings no.1293-PL4- 205, submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other

than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 14 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 15 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented as approved following completion of the development.

Reason: To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway

- 16 Prior to the occupation of the development a Waiver of liability and indemnity agreement must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 17 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 18 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policy D7 of the London Plan and the 2021

- 19 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy SI5 of the London Plan 2021.

- 20 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policy SI2 of the London Plan 2021.

- 21 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 22 The residential units hereby approved shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and for no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 23 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD

(adopted October 2016) and the London Plan 2021.

- 24 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

- 25 Before the development hereby permitted is first occupied, details of wayfinding lighting measure of low intensity offering soft, directional lighting or motion sensors so to reduce any ecological impacts shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure on site security measures and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 and CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

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. 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.
- 2 The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £__ payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

for further details on exemption and relief.

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 5 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway. To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any

damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 6 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 7 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk
- 8 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 9 The Air Quality reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, (Jan 2017); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014

Please note that in addition to the above, consultants should refer to the most

relevant and up to date guidance and codes of practice if not already listed in the above list.

- 10 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

 - o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 11 Development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 12 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale London NW9 4EW.
- 13 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below. "An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine

OFFICER'S ASSESSMENT

1. Site Description

The application site is located at the southern end of Hedgerow Lane, a cul de sac located off Barnet Road, in the Underhill ward. To the north of the site are residential houses accessed from Hedgerow Lane. Adjacent to the east of the site are the rear gardens of the residential dwellings located on Raeburn Gardens. To the south and west of the site is open countryside.

The application site is located within the designated Green Belt.

Although the site falls outside a Site of Importance for Nature Conservation (SINC), the Arkley South Fields SINC lies to the west of the application site. The Arkley South Fields SINC conservation value lies in its breeding birds, particularly skylarks, which are a declining species, as well as meadow pipits, kestrels, reed buntings, whitethroats, willow warblers, green woodpeckers.

Stables are located on the west side of the access road with ancillary buildings and areas of hardstanding and a former mobile home located on the east side. All the buildings are in a poor state of repair. The site presently benefits from a considerable amount of shrub cover which has grown since the stable's closure, and which hides the extent of existing development across the site.

The site is in Flood Zone 1, and therefore carries a low risk of flooding. It is not located within a designated conservation area, does not contain or include any locally or statutory listed buildings or protected trees and is not immediately adjacent to any Heritage assets.

The site is subject to an Article 4 Directive preventing the conversion of Dwellinghouses (Use Class C3) to Houses of Multiple Occupation (Use Class C4) under Permitted Development.

There are no public rights of way on or adjacent to the site.

2. Relevant Site History

Reference: 20/4297/FUL

Address: Arkley Riding Stables, Hedgerow Lane, Barnet, EN5 3DT

Decision: Refused

Decision Date: 4 December 2020

Description: Demolition of existing buildings. Change of use from equestrian (Sui-Generis) to Residential use (Use Class C3) and construction of 4 detached dwellings., With associated access and landscaping.

Appeal: Dismissed 2nd December 2021

The application was refused for the following reasons:

1. The proposed development would result in a net loss of sports and recreation facilities. The applicant has failed to adequately demonstrate that there is no demand for a continued sports and recreation facility, and that the site has been marketed effectively for such use.

The application is therefore considered unacceptable and contrary to the requirements of the National Planning Policy Framework (2019); London Plan Policy 3.19, Policy CS10 of Barnet's Core Strategy DPD (2012) and Policy DM13 of Barnet's Development Management Policies Document DPD (2012).

2. The proposed development would, by reason of its location within the Green Belt, represent an inappropriate form of development which is, by definition, harmful to the Green Belt. The proposed development would harm the openness of the Green Belt. It is not considered that very special circumstances have been demonstrated which would outweigh the harm caused to the Green Belt by reason of its inappropriateness.

The application is therefore considered unacceptable and contrary to the requirements of the National Planning Policy Framework (2019), London Plan Policy 7.16, Policy CSNPPF and CS7 of Barnet's Core Strategy DPD (2012) and Policy DM15 of Barnet's Development Management Policies Document DPD (2012).

3. The proposed development would, by reason of its form, design, materiality, height, massing and site coverage, fail to preserve or enhance the character and appearance of the site and surrounding area.

The application is therefore considered unacceptable and contrary to Policy CS5 of Barnet's Core Strategy DPD (2012) and Policy DM01 of Barnet's Development Management Policies Document DPD (2012).

An appeal was lodged and subsequently dismissed on 2nd December 2021 (Pins Ref: APP/N5090/W/21/3268715).

The Planning Inspector determined that the loss of the stables would not conflict with adopted policy which requires the retention of land and buildings for the purposes of sport and recreation and that the form of development proposed would not adversely impact on the character and appearance of built development in the area.

However, in dismissing the appeal the Inspector determined that the proposed scheme would have a greater impact on the openness setting of the green belt contrary to the provisions of the of the National Planning Policy Framework.

Reference: 21/8239/QCE

Address: Arkley Riding Stables, Hedgerow Lane, Barnet, EN5 3DT

Decision: Pre-application advice issued

Decision Date: 13 September 2021

Description: Demolition of existing Arkley Riding Stables and Construction of three new houses.

Reference: 21/8527/QCD

Address: Arkley Riding Stables, Hedgerow Lane, Barnet, EN5 3DT

Decision: Pre-application advice issued

Decision Date: 1 March 2022

Description: In light of the recent appeal decision this pre planning application seeks the planning authorities advice on the change of use to C3 residential for the development of three new dwellings.

Reference: N02306J/05

Address: Arkley Riding Stables, Hedgerow Lane, Barnet, EN5 3DT

Decision: Approved

Decision Date: 12 May 2005

Description: Submission of details for materials and landscaping pursuant to condition 12 and 5 of planning permission N02306G/01 dated 18-03-02.

Reference: N02306G/01

Address: Land Adjoining Arkley Riding Stables Barnet Road Arkley Herts EN5

Decision: Approved subject to conditions

Decision date: 18 March 2002

Description: Demolition of stables/office/bothy and erection of two storey detached house with attached garage.

Reference: N02306F

Address: Arkley Riding Stables Barnet Road Arkley

Decision: Approved subject to conditions

Decision date: 13 June 1973

Description: Advert

Reference: N02306B

Address: Arkley Riding Stables Barnet Road Arkley

Decision: Refused

Decision date: 10 January 1973

Description: Single-storey building

Reference: N02306A
Address: Arkley Riding Stables Barnet Road Arkley
Decision: Approved subject to conditions
Decision date: 11 October 1972
Description: erection of 55 horseboxes to replace existing

Reference: N02306
Address: Arkley Riding Stables Barnet Road Arkley
Decision: Approved subject to conditions
Decision date: 16 September 1970
Description: retention of riding paddock and floodlighting

Pre-application History:

Reference: 20/0261/QCM
Address: Arkley Riding Stables, Hedgerow Lane, Barnet, EN5 3DT
Decision: Pre-application advice issued
Decision Date: 29 July 2020
Description: Follow-up review in relation to 20/0106/QCE The proposal is for the change of use from an equestrian use to C3 Residential. The development will provide 4 high quality new dwellings.

Reference: 20/0106/QCE
Address: Arkley Riding Stables, Hedgerow Lane, Barnet, EN5 3DT
Decision: Pre-application advice issued
Decision Date: 21 April 2020
Description: The proposal is for the change of use from an equestrian use to C3 Residential. The development will provide 4 high quality new dwellings.

3. Proposal

The proposal is a revision to a previously refused scheme (20/4297/FUL) for the provision of 4 no. dwellings. This current application proposes the demolition of the former stable buildings, menages, and mobile home and change of use from equestrian (Sui-Generis) to residential use (Use Class C3) comprising 3 no. detached dwellinghouses.

As shown on the submitted 'Proposed site plan' (Drawing No. 1293 - PL4 - 202 Rev D), the 3 no. proposed dwelling houses would be sited in a linear form between the eastern and western boundary of the application site with House 'H2' being located slightly forward of the other two dwellings due to access arrangements.

Comparing the submitted existing site plan with the proposed block plan, a new boundary would be created long the rear of the site comprising a hedgerow with orchard tree planting. The existing hedging along the eastern and western boundaries of the application site are to be retained and strengthened.

The existing access to the site will be retained and improved from Hedgerow Lane to provide vehicular and pedestrian access to all three houses. A tree lined pathway running between proposed House 'H2' and proposed House 'H3' provides access to the fields beyond.

A contemporary design has been adopted whilst retaining traditional forms. This is achieved using a combination of materials comprising grey coloured bricks, a contrasting

brickwork band along the parapet, and powder coated metal capping over the parapet. Slate roofing tiles set at a pitch of 22.5 degrees is proposed to the pitched roof areas. Dark crittall style glazing is a feature of the rear elevations.

Each dwelling is to be allocated two car parking spaces and secure and covered cycle parking spaces. A swept path analysis has been undertaken for a refuse vehicle and large car entering and existing the site without compromising highway or pedestrian safety.

4. Public Consultation

Consultation letters were sent to 57 neighbouring properties.

A total of 30 letters of objection have been received, with 2 letters received neither objecting to nor supporting the Planning Application.

The objections received can be summarised as follows:

- Impact on openness and character of green belt land
- Overdevelopment of the site
- Visually harmful to the character and appearance of the area
- Loss of security, privacy, and tranquillity
- Loss of valuable wildlife habitat and ecosystem
- Increased Flood risk
- Increase in traffic movements
- Noise and pollution
- Loss of open space, vital for flora and fauna
- Loss of local equestrian use
- Additional pressure on utilities and water table

A representative from the Barnet Society has commented:

The Barnet Society is neutral, since the houses are fewer, less conspicuous & mainly within the footprint of existing buildings than previously. But conditions must be imposed.

The Rt. Hon Theresa Villiers MP raised the following objections by email on 30th April 2022.

'While I note that the latest plan reduces the number and height of the units resulting in an application for three single storey bungalows, my views about any such development on this site remain the same and I am therefore writing to object to the application.

Looking at the council website, I note that, to date, 29 objections have been submitted, many of which set out concerns about the impact the development will have on the valuable wildlife habitat which has been enjoyed by birds such as Greenfinches or muntjac deer.

Another constituent has pointed out that paragraph 6.5 of Barnet Council's CA Character Appraisal highlights: "The open rural character of the grounds and views in and across the site are highly important aspects of the character of the conservation area and echo the Green Belt and the open country beyond." As my constituent points out that if the project proceeds, the area would lose its rural character and links with the green belt and open country.

I would be grateful if the objections lodged by my constituents could be taken on board by the planning committee before a decision is reached. Please also inform the committee that I oppose the application and believe it should be refused because I believe that it is inconsistent with the Barnet Plan policies which protect the green belt'.

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 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 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.

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: NPPF, CS1, CS4, CS5, CS7, CS9, CS10, CS13
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM10, DM13, DM15, DM16, DM17

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.

Barnet's Local Plan (Reg 22) 2021:

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft Local Plan.

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.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development
- Impact on character and appearance
- Impact on the amenity of neighbouring occupiers
- Impact on the amenity of future occupiers
- Impact on Highways and Parking
- Arboricultural and Ecological Impact

- Other material planning considerations

5.3 Assessment of proposals

Principle of development:

The principle of development is assessed in two parts:

- (i) the effect of the proposal on the provision of community facilities in the borough, and:
- (ii) whether or not the proposal is inappropriate development within the green belt, including the effects of the development on openness.

(i) The effect of the proposal on the provision of community facilities in the borough

The previous application (20/4297/FUL) proposed the demolition of existing buildings and change of use from equestrian (Sui- Generis) to residential use (Use Class C3) to provide 4 No. detached dwellings. In refusing the application the Local Planning Authority considered the loss of the private livery to be contrary to both national and local planning policy. It was agreed that the site was previously in use as a private livery for the keeping and training of horses, but the use has ceased and the site is currently overgrown with dilapidated stables and other ancillary structures, including a mobile home.

It was determined in the previous application that a national marketing campaign for re-use of the site for equestrian purposes generated an 'expression of interest', but none has since been forthcoming. It was also determined that an over provision of stable facilities exist in the local area, and this is supported by Sport England. They have been reconsulted as part of this current application and continue to raise no objections on this basis. Moreover, a BEF trade National Survey (2019) demonstrating a growth in demand for horse riding was given limited weight by the Planning Inspector following their decision not to raise objections to the loss of the stables on this application site.

The adopted local plan or any emerging policy does not expressly point to the need to protect existing equestrian facilities.

For all these reasons the Planning Inspector concluded that the existing stables are surplus to requirement and that the proposal does not conflict with Policy S5 of the London Plan and Policy CS10 of Barnet's Core Strategy DPD (2012) and Policy DM13 of Barnet's Development Management Policies Document DPD (2012). Furthermore, the requirements of Paragraph 99 of the Framework have been addressed.

Since the determination of this previous planning application in December 2021, there have been no other material considerations or policy justification for refusing this current planning application on the loss of a community facility in the borough.

The loss is therefore considered by Officers to be acceptable in principle.

- (ii) whether or not the proposal is inappropriate development within the green belt, including the effects of the development on openness

Paragraph 148 of the NPPF (2021) states 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the

Green Belt. The Framework considers the construction of new buildings as 'inappropriate development' in the Green Belt unless they fall under the exceptions criteria set out at paras.149 - 150 of the NPPF.

Policy G2 of the adopted London Plan (2021) and Policy DM15 of the LB Barnet; Local Plan (Development Management Policies) DPD (2012) apply the same green belt policy objectives for the protection of green belt land.

Previously developed land:

Part (g) of the exceptions criteria is relied on by the applicant. It allows for 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.

The boundaries of the application site reflect the extent of the stable complex with development concentrated on the west side of the site but includes land on the east part on which there are several other buildings including a mobile home and areas of hardstanding.

The permanence of these existing structures is consistent with the description of previously developed land in the NPPF Annex 2: Glossary - 'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure'.

The application site falls within the NPPF definition of previously developed land, and this was the view taken by the Planning Inspector in determining the previous application.

Impact on Openness:

Paragraph 137 of the NPPF states that 'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.

Paragraph 138a) and c) seek to check the sprawl of large built up areas and assist in safeguarding the countryside from development.

Paragraph 149(g) requires that 'new development should not have a greater impact on the openness of the Green Belt than the existing development.

Policy G2 of the London Plan 2021 and Policies CS7 and DM15 of the Barnet Local Plan 2012 reflect these fundamental objectives.

In the assessing the impact on openness in the previous application for 4no. dwellings the Inspector identified the key characteristics of the site, and its environs:

'23. The appeal site lies on the northern edge of a large area of Green Belt which extends east from Barnet Way towards High Barnet and includes Totteridge Park and Whittings Hill

open space and agricultural land. This area of Green Belt is characterised by undulating topography, hedgerows and clusters of trees.

24. The site lies below the houses on Hedgerow Lane and Saddlers Close and to the west of Raeburn Gardens. The eastern section of the site is slightly higher than the west. The existing stables are located on the west side of the access road with ancillary buildings and areas of hardstanding and the former mobile home located on the east side. All of the buildings are in a poor state of repair.

25. The site presently benefits from a considerable amount of shrub cover which has grown since the stable's closure and which hides the extent of existing development across the site. For this reason, I accept the appellants point that if the site was fully operational, many of the existing structures would be more visible than at present'.

These characteristics remain unchanged, save for the fact that the buildings are now dilapidated and beyond repair with further shrub cover.

There is no definition for 'openness' in the NPPF, however, Planning Practice Guidance 001 reference ID:64-001-020190722 identifies spatial and volumetric aspects as being determining factors as well as the duration of the development and degree of activity.

The case for the applicant is that this current application 'strikes the right balance' to prevent a greater impact on the openness setting of the Green Belt and this has been achieved through a total reduction in the amount of hard-standing currently on site by 49%, a total reduction in the overall footprint of the site by 14% and a total reduction in the volume of the buildings currently on site by 0.08%. These calculations have been reviewed and accepted by Officers. In addition, and in direct response to the Planning Inspectors reasoning for dismissing the previous application in 2021, the number and height of houses proposed has been reduced and are now confined to the previously developed areas of the site to minimise the incursion and impact to the openness of the Green Belt.

As shown on the submitted 'Proposed site plan' (Drawing No. 1293 - PL4 - 202 Rev D), the 3no. proposed dwellings would be sited in a linear form between the eastern and western boundary of the application site. Both House Type 1 (H1 & H2) and House Type 2 (H3) would have a total depth of 20 metres and a total width of 14.5 metres. The height of both house types is single storey only with a maximum height of 3.67 metres. The footprint of both house types is 246sqm (it is only the internal arrangement that defines the house type). The enhancement of existing landscaping features and additional tree and hedge planting is proposed. Moreover, whilst the footprint for each house is greater than that proposed in the previous scheme the spatial and volumetric calculations undertaken clearly demonstrate an overall reduction in the amount of hard-standing, footprint and volume.

For the above reasons, and as identified in the Landscape and Visual Impact Assessment submitted with this application, views into the site will be protected, particularly those from the top and lower end of Hedgerow Lane, Raeburn Gardens, St.Peters Close, Mays Lane and Barnet Gate cricket club. In more prominent views gained from the east side of the Whitings Hill open space (a contentious issues raised by the planning Inspector in dismissing the previous application) the new homes will be partially visible in the summer months only but in any event will be seen in the context of the adjoining houses in Hedgerow Lane at a much lower level.

As requested by the Landscape Officer a broadleaf hedgerow will be planted along the

southern boundary along with orchard trees to help to soften the views of the development from these vantage points.

Traffic generation and domestic paraphernalia are other aspects of 'openness' as defined by the planning guidance. These matters were fully explored in the previous application with the Inspector concluding that traffic movements would be less than the previous use and that domestic paraphernalia is comparable with the number of jumps and other equipment which are likely to have been found across the site.

In dismissing the previous application at appeal, the planning Inspector considered the impacts on openness between the existing and proposed schemes to be 'finely grained', but due to the visibility of the scheme it was concluded the new development would have a greater impact on openness than that existing. As identified above, this current application addresses this issue.

In the Officers view this current proposal does not constitute 'inappropriate development' in the Green Belt. It seeks the redevelopment of previously developed land and would not have a greater impact on the openness of the Green Belt than the existing development in accordance with Paragraph 138(a), (c) and Paragraph 149(g) of the NPPF, Policy G2 of the London Plan 2021, and Policies CS7 and DM15 of the Barnet Local Plan 2012.

Impact on the character of the area

Paragraph 126 of the National Planning Policy Framework (2021) states:

"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

Paragraph 130 of the National Planning Policy Framework (2021) states:

"Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (46); and where crime and disorder, and the fear of crime, do not undermine the quality of life or community

cohesion and resilience."

The development plan for Barnet comprises the Barnet's Core Strategy DPD (2012) and Barnet's Local Plan (Development Management Policies) Development Plan Document (2012).

Policy CS5 of Barnet's Core Strategy DPD (2012) states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-quality design. Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) states that: "Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets."

Barnet's Local Plan Supplementary Planning Document: Residential Design Guidance (2016) emphasises that development needs to recognise local patterns of development. This includes the perimeter block structure, which is characterised by the fronts of buildings facing onto the street and private spaces located at the rear, providing a clear distinction between public and private space.

The application site is located at the southern end of Hedgerow Lane, a cul de sac off Barnet Road.

The housing typology on Hedgerow Lane is varied.

The three dwellings to the east of Hedgerow Lane (Ridings Lodge, Totteridge View and Stable End) feature half timbering and/or vertical hung tile walls with brickwork or render at ground floor, with the first floor set within dormers or gable ends. The two dwellings to the west of Hedgerow Lane (addressed Moro Lodge and Turnberry Grange) are brick-constructed 1960s/70s housing with limited architectural detailing.

The site is markedly rural in its character. All existing buildings and structures on site are simple in design and appearance. Much of the site has become overgrown, which results in it blending into the landscape beyond.

In dismissing the previous application at appeal for 4no. chalet style dwellings of 1.5 storeys, the Planning Inspector raised no objection to their contemporary design stating that the proposed scheme respects the existing local character of built development.

This proposal involves the demolition of existing buildings and construction of 3no. detached single storey dwellings with associated access, landscaping, amenity space, refuse storage and off-street parking. Floorspace and volume calculations show that the proposals would result in a significant reduction in hardstanding on the site and would also create a reduction in built floorspace and volume. The overall heights of the proposed development would be similar to the existing buildings.

Comparably, the scale, massing and height of development would be modest and sensitively integrated into the rural setting. The topographical quality of the site combined with the location and low-level setting screened by vegetation would alleviate visual perception from adjacent sites and be confined to the previously developed areas on the north end of the site so to avoid any further encroachment of the Green Belt. It would support much needed family housing provision in the Borough and enhance current redundant site conditions.

Chosen materials support a more contemporary approach and involve grey coloured stretcher bond with a subtle contrasting brickwork band along the parapet line with a powder coated metal capping over the parapet for weathering. Slate roofing tiles set at a pitch of 22.5 degrees is proposed to the pitched roof areas. A dark framed crittall style glazing system provides a visually attractive quality and contrast to elevations. The dark coloured rainwater goods are to be a light grey tone as opposed to black or dark grey to minimise the stark appearance and contrast.

Additionally, given the nature of development, a wayfinding lighting measure is proposed to ensure security, quality of life and support natural surveillance. Due to the Green Belt location, a low intensity offering soft, directional lighting or motion sensor so to reduce any ecological impacts is recommended. These measures can be secured by condition.

Overall, Officers are of the view that the development would assimilate appropriately with its surroundings without undue prominence, and it is suitably well-designed for a green belt location. For this reason, the proposal can be considered to accord with the NPPF and local plan design policy objectives insofar as they require well-designed places that are visually attractive and sympathetic to local character.

Impact on the amenities of neighbours

Section 12 of the National Planning Policy Framework (2021) sets out guidance for 'achieving well-designed places'. Paragraph 130 of the Framework states that planning policies and decision should ensure that development "...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." (part f)

Policy D3 of the 2021 London Plan seeks to deliver appropriate outlook, privacy and amenity through a design led approach.

Policy CS5 of the LB Barnet; Local Plan (Core Strategy) DPD (2012) and Policy DM04 of the LB Barnet; Local Plan (Development Management Policies) DPD (2012) seek to protect and enhance Barnet's character and identify the environmental considerations for development. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. Barnet's Residential Design Guidance SPD (2016) and Sustainable Design and Construction SPD (2016) sets out guidance.

Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden.

Appropriate mitigation measures such as boundary treatment can minimise the impact of a proposal, which falls short of the minimum standards.

To the north are the properties located on Hedgerow Lane.

Proposed House 'H3' (type 2) is a single storey dwelling measuring 3.1 metres high to the flat roof. Other features of the building, including pitched roof areas and a chimney breast increase the height marginally by 0.57metres. The dwelling is to be located within the

northern most corner of the site with its side elevation facing Stable End, Hedgerow Lane.

At Stable End, on review of application reference N02306G/01, decision dated 18 March 2002, the windows in the flank elevation facing the application site are angled at an oblique view at ground and first floor level. The house at Stable End is also at a higher level, as shown on the proposed sections. The side elevation facing this property contains three windows, with only one window serving a main habitable room (Kitchen / Dining Area). Due to the single storey height of the proposed dwelling and the existing and proposed boundary treatment being proposed it is not considered that harm would arise to the neighbouring occupiers at Stable End, Hedgerow Lane.

Proposed Houses H1 and H2 (Type 1) are also single storey dwellings measuring 3.1 metres high to the flat roof. Both dwellings are to be located within the southwest corner of the site with their principle frontage facing the rear of Turnberry Grange and Morro Lodge on Hedgerow Lane. In both cases the separation distances exceed the minimum standards required in the SPD.

Furthermore, the properties at Turnberry Grange and Morro Lodge are at a higher level, as shown on the proposed sections and existing hedging is to be retained along their rear boundaries.

Thus, it is not considered that harm would arise to the neighbouring occupiers at Turnberry Grange and Morro Lodge on Hedgerow Lane.

To the east are the properties located on Raeburn Gardens.

As mentioned above, Proposed House 'H3' (type 2) is a single storey dwelling to be located within the northern most corner of the site. Its rear elevation provides a full height window serving a main habitable room, which will face the rear garden of No.16 Raeburn Gardens. Due to the single storey height of the proposed dwelling and the retention and enhancement of the existing boundary treatment, including the retention of mature trees, it is not considered that harm would arise to the neighbouring occupiers at No.16 Raeburn Gardens.

To the south and west of the application site is countryside only.

Overall, the impact of the proposal on the amenity of surrounding residential occupiers is considered by officers to be acceptable and in accordance with design policy.

The amenities of future occupiers

Any proposal for residential development will need to demonstrate that it is providing suitable amenities for its future occupiers. The policy framework for assessing such issues is found in the London space standards of the London Plan (2021), Development plan policies DM01, DM02 (of the Barnet Local Plan) and the guidance contained in the Barnet Supplementary Planning Documents 'Sustainable Design and Construction' and 'Residential Design Guidance'.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states in point e that "development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users."

Policy DM02 of Barnet's Development Management Policies Document DPD (2012) states

that where appropriate, development will be expected to demonstrate compliance with national and Londonwide standards supported by the guidance set out in the council's suite of Supplementary Planning Documents.

Floor Area:

London space standards contained in the London Plan (2021) and Section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum gross internal area (GIA) space requirements for residential units. A bedroom measuring 11.5m² and above is calculated as a two-person room.

Officers are satisfied that the proposed dwellinghouses meet the minimum floor space standards as set out in Table 3.3 of London Plan Policy 3.5 (and reiterated in Table 2.1 of Barnet's Sustainable Design and Construction SPD, 2016).

In addition, Officers are satisfied that the proposed dwelling houses meet the internal layout and design requirements in regard to ceiling heights, bedroom dimensions and floor areas and dual aspect, as set out in Table 2.2 of Barnet's Sustainable Design and Construction SPD (2016). All bedrooms and living rooms would have a reasonable outlook with clear glazed windows and glazing to all habitable rooms being no less than 20% of the internal floor area of the room as required by Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016).

Outdoor amenity space:

Section 2.3 of the Sustainable Design & Construction states that for flats, 5m² of usable amenity space should be provided per habitable room. Any room at 20m² or above is calculated as two habitable rooms. Para. 2.3.1 of the SPD sets out the options for outdoor amenity space -'For flats, options include provision communally around buildings or on roofs or as balconies. Whatever option is chosen it must be usable'. Paragraph 8.2 of the Residential Design Guidance SPD (2016) states that:

'Private amenity space for the exclusive use of building occupants is a highly valued asset. Sufficient, functional amenity space should therefore be provided for all new houses and flats wherever possible'.

Officers are satisfied that outdoor amenity space requirements would be met due to the low density nature of the development.

Privacy:

Impact on privacy between the proposed houses is deemed acceptable and no undue overlooking or loss of privacy would occur between the proposed dwelling houses. The impact on privacy of neighbours is discussed in the relevant section of this report.

In conclusion, it is considered that the proposed dwellings would have an acceptable impact on the amenities and living conditions of future occupiers.

Highway Impacts

Paragraph 111 of the National Planning Policy Framework (2021) states:

"Development should only be prevented or refused on highways grounds if there would be

an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Policy CS9 of Barnet's Core Strategy DPD (2012) sets out the Council's policies in regard to providing safe, effective and efficient travel.

Car Parking:

The site lies within a PTAL 1a zone, which means that there is very poor public transport accessibility to and from the site. The proposed provision of 6no. car parking spaces is in line with requirements set out on Policy DM17 of the Barnet Local Plan and is therefore acceptable on highways grounds.

Vehicular Access:

The applicant is proposing to retain the existing vehicular access which is acceptable on highways grounds.

Refuse:

A swept path analysis was undertaken for refuse vehicles and large cars entering and exiting the Site (provided in Appendix F of the Transport Note) which demonstrates that refuse vehicles should be able to safely access and egress the site.

Cycling:

Cycle parking needs to be provided in accordance with the requirement of the London Plan cycle parking standards. Cycle parking should be provided in a secure, covered, lockable location.

The Council's Highways officer has reviewed the scheme and raises no objection subject to a suite of conditions and informatives.

Arboricultural and Ecological Impact

Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment.

London Plan policy G7 states that Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees.

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area.

Trees:

A supporting arboricultural report and assessment has been provided to support the

application. The submitted report provides an acceptable assessment of the trees on the site. To implement the proposal T1, G2, G3, G5 & G6 located within the site and along the eastern boundary will be removed from site. These trees are considered by the Arboricultural Officer to be of low value and longevity.

Located on the eastern boundary is a mature/veteran oak tree T4 and an Ash tree G4. The Root protection areas have been offset out of site due to a small stream. The depth of the stream is minimal and tree roots may well enter the site. On this basis, Root protection measures must be applied fully to these trees with no RPA offset. This can be controlled by condition.

Landscaping:

Provision of mixed broadleaf hedgerows on the southern boundaries, with standard oak or hornbeam trees to replicate a traditional hedgerow in the area has been requested by the Landscape Officer. Orchard trees at the end of the gardens has also been sought. These additional measures will help to soften the impact of the proposal within its green belt location. Both measures are agreed with the applicant and can be secured by condition.

Ecology:

The Ecological Impact Assessment dated October 2020, has been reviewed and considered acceptable subject to suite of conditions including a requirement to provide an updated ecological survey prior to commencement of works and details of the protective measures to be implemented for the wildlife species protected by law.

Given the mobile nature of Badgers and their ability to rapidly excavate new sets, an updated Badger survey is to be undertaken prior to construction works commencing. In event that an active Badger set is recorded in an area to be impacted, a NE licence will be required to facilitate construction works. Prior to any construction related works commencing, areas of suitable reptile habitat will be subject to a habitat manipulation exercise to encourage reptiles to leave the Application Site of their own accord. This manipulation exercise will be undertaken in accordance with the ecologist recommendations within the report.

Other Material Considerations

Environmental Health

Environmental Health Officers have been consulted and raise no objections subject to conditions and informatives, including a construction management statement to check for asbestos prior to demolition. The application site is considered far enough away from the A411 not to have air or noise issues, and it is highly unlikely to be contaminated as green fields as it was associated with Arkley house before being used for the existing use.

Bin Storage

The bin allocation for each dwelling is acceptable. The access road will not be adopted and as such the residents will need to place their bins on the boundary of Hedgerow lane and New road on the agreed day of collection for each waste stream.

Flood Risk

The site is in Flood Zone 1, and therefore carries a low risk of flooding. In any event, a sustainable drainage strategy is to be secured by condition.

5.4 Response to Public Consultation

The planning objections raised by neighbouring residents have been addressed in the report. Objections raised regarding noise and disturbance, concerns for potential crime, and overdevelopment of the site are not supported by Officers, nor were they considered objectionable reasons for refusing the previous application.

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 conditions this application is recommended for APPROVAL.

Location Plan (overpage)

