

**Location** 1 The Ridgeway London NW11 8TD

**Reference:** 23/1954/FUL Received: 5th May 2023  
Accepted: 5th May 2023

**Ward:** Childs Hill Expiry 30th June 2023

**Case Officer:** Emily Bell

**Applicant:** Opulent Properties Ltd

**Proposal:** Demolition of the existing dwelling and erection of a two storey building with rooms in the roofspace and basement level to provide 9no. self-contained residential units. Associated refuse/recycling/cycle storage, amenity space and off-street parking

## **OFFICER'S RECOMMENDATION**

Approve subject to conditions

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

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

00TTI-A-01-001 REV 3  
00TTI-A-01-002 REV 3  
00TTI-A-02-101 REV 3  
00TTI-A-02-102 REV 3  
00TTI-A-03-101 REV 3  
00TTI-A-03-102 REV 3  
00TTI-A-03-103 REV 3  
00TTI-A-03-104 REV 3  
00TTI-A-03-105 REV 3  
00TTI-A-05-101 REV 3

00TTI-A-05-102 REV 3  
00TTI-A-06-101 REV 3  
00TTI-A-06-102 REV 3  
00TTI-A-06-103 REV 3  
00TTI-A-06-104 REV 3

00TTI-A-01-001  
00TTI-A-01-002  
00TTI-A-02-001  
00TTI-A-02-002  
00TTI-A-03-001  
00TTI-A-03-002  
00TTI-A-03-003  
00TTI-A-03-004  
00TTI-A-05-001  
00TTI-A-05-002  
00TTI-A-06-001  
00TTI-A-06-002  
00TTI-A-06-003  
00TTI-A-06-004

Transport Technical Note July 2022 Ref: P22084 TN/PC  
Arboricultural Impact Assessment Method Statement & Tree Protection Plan dated  
12th June 2022 Ref: TH 3492  
Preliminary Ecological Appraisal Ref: 842 V2 dated 14/4/22

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 Policy D4 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 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 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 Adopted Barnet Development Management Policies DPD (2012).

- 6 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.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of 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.

- 7 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 wholesome 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. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

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), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 8 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 2013 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 SI 2 of the London Plan 2021.

- 9 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 Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

10 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards, in the interests of promoting cycling as a mode of transport and to safeguard the visual amenities of the building and surrounding area, in accordance with Policy T5 and Table 10.2 of The London Plan (2021), Barnet's Local Plan Policies CS NPPF, CS1 and CS9 of Core Strategy (Adopted) September 2012, and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

11 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.

12 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat

c) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM16, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 13 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 14 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevations of either property.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 15 Before the building hereby permitted is first occupied the proposed window(s) at first and second floor level in the flank elevation facing no. 3 The Ridgeway shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, as specified on the hereby approved plans 001TI-A-03-103 REV 3, 001TI-A-03-104 REV 3, 001TI-A-06-104 REV 3 .

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 16 No construction shall take place within 5m of the water main. Prior to the commencement of development, information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved

information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

- 17 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 G5 and G7 of the London Plan 2021.

- 18 No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until the temporary tree protection measures shown on 'Arboricultural Impact Assessment & Tree Protection Plan' Ref: TH 3492 by Trevor Heaps Arboricultural Consultancy Ltd (dated 12th June 2022) approved have been erected around existing trees on site.

The protection specified in 'Arboricultural Impact Assessment & Tree Protection Plan' Ref: TH 3492 by Trevor Heaps Arboricultural Consultancy Ltd (dated 12th June 2022) shall remain in position until after the development works are completed and no material or soil shall be stored within fenced areas and/or construction exclusion zones at any time. The development shall be implemented in accordance with the protection plan and method statement as approved.

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 G7 of the London Plan 2021.

- 19 Prior to occupation of the development the details the specification, location, including height, orientation, of the recommended ecological enhancement features

including 1 x Beaumaris Bat Box, 1 x Ibstock Enclosed Bat Box, 1 x Woodstone Nest Box, and 2 x bee brick (within the newly constructed dwelling), and 1 x hedgehog home shall be submitted and approved by the local planning authority.

All approved biodiversity enhancement features shall be installed on site prior in accordance with the thereafter approved enhancement plan.

Reason: To enhance the biodiversity value of the site beyond its current baseline, in accordance with Section 197 of the Town and Country Planning Act 1990, Policy DM16 of the Barnet Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy G6 of the London Plan 2021.

- 20 No removal of trees, shrubs or vegetation shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To mitigate adverse impacts on birds, in accordance with Section 9 of the Wildlife and Countryside Act 1981 (as amended), Section 197 of the Town and Country Planning Act 1990, Policy DM16 of the Barnet Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy G6 of the London Plan 2021.

- 21 Prior to first occupation of the development hereby approved, details of a Low Impact Lighting Scheme shall be submitted to and approved by the local planning authority. Any artificial lighting scheme designed for development include off street lighting, shall be in accordance with Bats Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series.

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) and the Sustainable Design and Construction SPD (adopted October 2016), and the relevant statutory wildlife protection legislation.

- 22 Prior to commencement of the development, parking layout plan showing the provision of 3 parking spaces and position and dimensions of all existing, redundant and proposed crossovers shall be submitted to and approved in writing by the Local Planning Authority. A s184 licence will need to be obtained by the applicant for all works on the public highway including the proposed upgrade of the existing access and footway at least 5m either side of the access and site frontage. The designated parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development.



Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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

- 23 No works on public highway including creation or modification of a vehicular access as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to enter into with the Highways Authority under Section 278/184 Agreement of the Highways Act, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

All off-site highway works must be completed to the satisfaction of the Local Highway Authority, prior to the first occupation of the development.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest of highway safety 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.

- 24 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 25 Before the building hereby permitted is first occupied the proposed window(s) in the first and second floor flank elevation facing the rear gardens of properties on Hodford Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

## 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. 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 Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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](mailto:cil@barnet.gov.uk).

- 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](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

- 4 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](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto: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.

- 5 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.
- 6 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 licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email [highwayscorrespondence@barnet.gov.uk](mailto:highwayscorrespondence@barnet.gov.uk).
- 7 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.
- 8 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 9 The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular crossover in accordance with Manual for Streets (MfS).
- 10 Tree and shrub species selected for landscaping/replacement planting shall provide long term resilience to pest, diseases and climate change. A 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.

To ensure the replacement trees meet bio-security standards they should be

purchased from a DEFRA accredited supplier that can be found here:  
<https://planthealthy.org.uk/certification>

- 11 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 Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
  - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- 12 During construction, any excavations including holes, pipes and boreholes that need to be left overnight should be covered over or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work-day to prevent animals entering/becoming trapped. Vegetation clearance should be undertaken in a sensitive manner to allow terrestrial mammals to disperse. Any trapped mammals found during the process should be carefully moved to the retained boundary habitats at the end site or adjacent habitats off site.
- 13 Soft landscaping should consist of 70/30 native grass to flowering plants to provide high quality habitat for pollinating insects including bees, butterflies. An example of a potential species rich meadow seeding mix includes Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 and for the amenity lawn Emorsate Seed Strong Lawn Grass Mixture EG22.
- Any proposed tree and shrub planting should incorporate native species rich plantings and consist of native berry producing shrub species such as hawthorn, blackthorn, spindle, field maple, hazel, and hornbeam. A best practice approach would be to apply a '10-20-30' formula to develop a diverse tree/hedge population - no more than 10% of any species, 20% of any genus or 30% of any family. These species will provide ideal foraging and sheltering habitats for a variety of species including nesting birds, invertebrates, and foraging mammals.
- Night scented plants should also be incorporated into a detailed planting schedule where feasible. An extensive list of suitable plant species can be found on the RHS advice page <https://www.rhs.org.uk/advice/pdfs/plants-for-bats.pdf>. The provision of bat friendly planting is in Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan

- 14 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, its important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://thameswater.co.uk/buildingwater).

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application site is located at 1 The Ridgeway, NW11 8TD and currently contains a single family dwelling. This site is located close to the junction of The Ridgeway with The Vale, Hodford Road, and Rodborough Road. The site is irregularly shaped and is large in comparison with those in the immediately surrounding area. The Ridgeway is predominantly characterised by semi-detached dwellings.

The site is located within an area of special archaeological interest. There are no other specific planning restrictions relating to this site.

### **2. Site History**

Reference: 16/4084/FUL

Address: 1 The Ridgeway, London, NW11 8TD

Decision: Refused. Appeal allowed

Decision Date: 12 October 2016

Description: Demolition of existing dwelling and erection of a two storey detached building including rooms in roofspace and basement level comprising of 9no. self-contained flats.

Associated amenity space, landscaping, refuse and cycle storage and basement parking

Appeal Reference: APP/N5090/W/17/3173306

Appeal Decision: ALLOW

Appeal Decision Date: 12/06/18

Reference: 21/2898/CON

Address: 1 The Ridgeway, London, NW11 8TD

Decision: Approved

Decision Date: 9 July 2021

Description: Submission of details of condition 3 (External materials), 6 (Demolition and Construction Management and Logistics Plan), 16 (Levels), 19 (Vehicular ramp gradient), 21 (Traffic signal controls) pursuant to planning ref 16/4084/FUL planning appeal: APP/N5090/W/17/3173306 dated 12/06/18

Reference: 21/3102/CON

Address: 1 The Ridgeway, London, NW11 8TD

Decision: Approved

Decision Date: 10 January 2022

Description: Submission of details of condition 4 (Hard and soft landscaping), 17 (Tree protection plan) pursuant to planning ref 16/4084/FUL planning appeal: APP/N5090/W/17/3173306 dated 18/7/18

Reference: 22/3977/FUL

Address: 1 The Ridgeway, London, NW11 8TD

Decision: Refused, appeal lodged

Decision Date: 16 December 2022

Description: Demolition of the existing dwelling and erection of a two storey building with rooms in the roofspace and basement level to provide 9no. self-contained residential units. Associated refuse/recycling/cycle storage, amenity space and off-street parking

### **3. Proposal**

Demolition of the existing dwelling and erection of a two storey building with rooms in the roofspace and basement level to provide 9no. self-contained residential units. Associated refuse/recycling/cycle storage, amenity space and off-street parking

### **4. Public Consultation**

Consultation letters were sent to 85 neighbouring properties, 58 letters of objection have been received, summarised below:

- o Road already congested
- o Already several dwellings with vacant flats
- o Significant building works will cause disruption
- o Change the character of the nearby streets which are currently single family homes
- o Overlooking into neighbouring gardens and loss of privacy
- o More rubbish and noise from more people in flats
- o Overdevelopment
- o Increase in anti-social behaviour associated with flats
- o Block light coming into Hodford Road
- o High density and overdevelopment
- o Strain on local amenities
- o Proposed development out of character, especially as this site is in a prominent location
- o Flooding from basement development in the area
- o Plans do not provide sufficient off street parking
- o Eaves design is significantly less prominent than the roofs of the general design of houses in the locality

- o Bland frontage
- o Windows are disproportionally narrow compared to neighbourhood
- o Building is brought significantly closer to the road compared to existing house
- o Loss of front garden area
- o Ecological impact of the proposals
- o Vexatious applicant
- o Building would protrude further into rear garden than the existing building
- o Noise disruption from 9 flats using the garden area
- o Planning permission to convert this site to flats was previously rejected for this site in 2016 and 2022
- o Sewage systems not built to support an excess of new habitat
- o Devaluation of surrounding properties
- o Would increase traffic at a dangerous junction
- o Scheme is overbearing and excessive
- o Parking Pressures
- o Has not overcome previous reasons for refusal
- o Inaccuracy in plans in connection with the front building line

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 5th September 2023. 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.

Relevant policies:

D4 - Good Design

D5 - Inclusive Design

D6 - Housing Quality and Standards

D7 - Accessible Housing

D12 - Fire safety



H2 - Small Sites  
H12 - Housing Size mix  
SI 2 Minimising Greenhouse Gas Emissions  
T6.1 - Residential Car Parking

### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5,  
Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM17.

### Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

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

### Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low-density suburban housing with an attractive mixture of terrace, semidetached 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.

- States that privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Principle of Development
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents
- Provision of adequate accommodation for future occupiers
- Highways and Parking
- Refuse and Recycling

## **5.3 Assessment of proposals**

### **Principle of Development**

The site previously gained permission (ref. 16/4084/FUL) for the demolition of the existing dwelling and erection of a two storey detached building including rooms in the roofspace and basement level. The proposal was allowed at appeal with the Inspector stating:

"The end of The Ridgeway where the appeal site is located is characterised predominantly by semi-detached houses. However, the wider area, including neighbouring sites, the rest of The Ridgeway and roads on the approach to the appeal site, contain a mix of houses and flats, including conversions and purpose built blocks of flats...Examples of flatted developments I viewed on my site visit include Hylmary Court and Flamingo Court immediately to the rear of the appeal site, White Lodge on The Vale, 95 and 108 Hodford Road and Nos 5, 36, 46, 67 and 85-87 The Ridgeway."

In this instance no objection was raised to the principle of flatted development on this site. It is acknowledged that The Ridgeway is predominately characterised by single family dwellings, however, given the above and considering the wider area of the site, the principle of flats is considered acceptable. Furthermore, it is considered that the site is well suited to this type of development given its close proximity to the Golders Green Town Centre and transport hubs. Given the history of the site, the principle of flats is considered acceptable.

### **Impact of the proposal on the character and appearance of the area**

The NPPF attaches great importance to the design of the built environment, stating 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" (para.124).

Policy DM01 states, 'development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of

surrounding buildings, spaces and streets'.

The area in the vicinity of the application site is predominately characterised by large, two storey semi-detached dwellings.

As mentioned previously, the site gained approval for the demolition of the existing building and erection of new building to provide 9no self-contained flats at appeal (under planning ref: 16/4084/FUL and appeal ref: APP/N5090/W/17/3173306). With reference to the impact of the proposal on the character of the area, the Inspector stated:

"In respect of the proposed building's size, siting and bulk, the visible scale and mass of the front elevation would not significantly alter from the existing house. Whilst the development would project further into the site than the existing house, the plot is unusually large and wide compared to others in the area meaning greater coverage of the plot would not look out of character. The extent to which this would be perceptible would be limited to private views from adjoining properties and from these properties views are affected significantly by boundary treatments including tree screening and planting which would make the appeal scheme less visible.

The proposed crown roof would be bulky, however, due to the lay of the land and the limited places from where the crown nature of the roof may be fully appreciated, this roof form would not be readily apparent from the surrounding streets of properties.

The depth of the proposed development would be perceptible when travelling along The Ridgeway, particularly in a western direction, but only in glimpses, limiting the extent to which the depth would make the proposal dominant. In any event, the location of the plot toward the end of the street presents more scope for deviation in respect of design, a point which the Council accepts. The unusually large size and width of the plot to my mind means that a greater size and bulk of development is acceptable."

The current plans indicate the outline of the previously approved footprint and the proposed building is smaller in both depth and width, apart from one section adjacent to the rear gardens of 93 Hodford Road.

Further, it is considered that the form of the proposed structure at its principal elevation would not depart from this character significantly. It would be two storeys in height with rooms in the roofspace. Furthermore, the building would incorporate bay windows and the roof form would not be significantly at odds with other buildings in this area.

It is noted that a more recent application was refused in 2022 (ref. 22/3977/FUL). The refused proposal differed from the design of the building previously granted consent by way of introducing an increase in the pitch of the roof and increased size of dormer windows to the front elevation. It was considered that the current design, whilst modern in design, moves back to reflect the more traditional housing style and design within the local vicinity and as such would not appear out of keeping with the character of the surrounding area.

#### Impact on neighbouring amenity

Barnet policy DM01 requires new development to have due regard to the amenity of existing occupiers in neighbouring buildings.

#### Noise and disturbance

In terms of use of the site as flatted development, it is considered unlikely that general

noise and disturbance resulting from 9 additional households would be such that it would disturb adjoining occupiers. It is noted that that the site would be set back from the adjoining dwellings located to the east and west of the application site on account of the large size of the plot.

### Overlooking and loss of privacy

The majority of windows within the side elevations of the proposed building above ground floor level will be obscure glazed in order to avoid potential overlooking and a loss of privacy. The Sustainable Design and Construction SPD states that there should be a minimum distance of 21m between properties with facing habitable room windows and 10.5 metres to a neighbouring garden in order to avoid overlooking. The previous application (22/3977/FUL) was refused due to the proposed window placement and proximity to the neighbouring property at no. 3 The Ridgeway, which was considered to result in overlooking and loss of privacy which would detrimentally impact the amenities of these neighbouring occupiers. The reason for refusal referred to windows within proposed Units 4 and 9 which would face no. 3, be clear glazed and would not meet the required distances. The current application seeks to overcome this reason for refusal. The window within the neighbouring property is a large bay window which appears as a main habitable room window.

Revised plans have been submitted, throughout the lifetime of the application, to include an angled window design to these windows to include part obscure glazed and part clear glazing facing towards no. 3 The Ridgeway. These windows include bedroom 2 of Unit 4 and the bedroom of Unit 9. The angled nature of the windows is such that adequate distances would be maintained from the clear glazed elements to neighbouring windows/gardens. As such, the proposal has overcome the previous reason for refusal and is not considered to result in unacceptable levels of overlooking and a loss of privacy to neighbouring occupiers.

To the rear, the site borders rear gardens of Woodstock Road. A distance of approximately 19 metres would be retained between the rear building line and the gardens of the properties of Woodstock Road. This is in line with the standards contained within the Sustainable Design and Construction SPD and as such would have an acceptable impact with regards to overlooking and loss of privacy to the neighbouring occupants to the rear.

### Daylight, sunlight, Outlook and overshadowing

Rear Gardens of Hodford Road:

With regard to light and overshadowing, the rear gardens serving these properties are north facing and therefore unlikely to be affected thus preserving the living conditions of existing users.

3 The Ridgeway:

The plans provide a comparison of the footprint between the current proposal and the previously approved scheme. The current proposal would be set further away from this common boundary and would not extend as far back as the building previously approved. As such, there are unlikely to be any issues with regards to this neighbouring property relating to loss of light, overbearing appearance or overshadowing.

### Impact on amenity of future occupiers

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. These include requirements to provide high quality indoor and outdoor spaces and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The application will therefore be assessed according to the requirement laid out in the London Plan (2021).

The proposal would provide the following dwellings:

Unit 1: 3 bed, 5 person unit over 2 storeys with GIA of 116sqm  
Unit 2: 3 bed, 5 person unit over 2 storeys with GIA of 110sqm  
Unit 3: 2 bed, 3 person unit over 1 storey with GIA of 63.9sqm  
Unit 4: 2 bed, 3 person unit over 1 storey with GIA of 64sqm  
Unit 5: 1 bed, 2 person unit over 1 storey with GIA of 52sqm  
Unit 6: 2 bed, 3 person unit over 1 storey with GIA of 63sqm  
Unit 7: Studio unit with GIA of 38.5sqm  
Unit 8: 1 bed, 2 person unit over 1 storey with GIA of 50.5sqm  
Unit 9: 1 bed, 2 person unit over 1 storey with GIA of 51sqm

The London Plan sets a minimum Gross Internal Floor Area for flats based on a standard set for the number of bedrooms (b) and persons-bedspaces (p). A 3 bed, 5 person unit over 2 storeys requires 93 sqm, a 2 bed, 3 person unit over 1 storey requires 61sqm, a 1 bed, 2 person unit over 1 storey requires 50sqm and studio requires 39sqm.

Table 3.3: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m<sup>2</sup> and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m<sup>2</sup> and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

The proposed units would meet the minimum internal space standards as per the Sustainable Design and Construction SPD.

All new dwellings are expected to be dual-aspect and benefit from adequate levels of light and outlook.

While slight concerns are raised over light to the basement bedrooms (Flats 1 and 2), as they are south facing and would not serve as the main living area, this is, on balance,

considered acceptable given that it is a similar arrangement to the appeal scheme.

### External amenity space provision

The design, quality and size of the private outdoor amenity space and communal garden are considered to be such that they would provide sufficient external amenity space to meet the requirements of Barnet guidance for the flats proposed. The proposal is therefore considered to be acceptable in this regard.

### Highways and parking

The site lies within a PTAL 5 zone, which means that there is very good public transport accessibility to and from the site. In line with requirements set out in London Plan policy T6.1, the required off-street car parking provision for the proposed development is 4.5 to 6.75 spaces. Therefore, the proposal has an under-provision of 3 off-street car parking spaces.

The applicant has provided a Transport Note which includes the results of an on-street Car Parking Survey carried out on Tuesday the 5th and 7th of July 2022 at 01:45 and 05:00am. The results of the survey demonstrate that there is currently 36.8% off-street car parking stress on streets surrounding the site. With the potential overspill, on-street car parking stress would be just over 40%. This is acceptable on highways grounds.

The applicant is proposing to retain the existing vehicular access, however, this access will need to be extended to 4.2 metres wide in order to ensure safe access and egress to the proposed off-street car parking bays. A further vehicular access is being proposed to accommodate 1x off-street car parking space. This access must be at least 2.4m wide. The applicant will be required to enter into a s184 agreement for the introduction of a new and altering the existing crossovers serving the property.

The proposed refuse store is located within 10m of the public footway at ground floor level and is therefore deemed acceptable on highways grounds. Elevations of the refuse store are requested and this is to be secured by way of a planning condition.

Cycle parking needs to be provided in accordance with the requirement of the London plan cycle parking standards. For the proposed development, a minimum of 18 (16 long stay and 2 short stay) cycle parking spaces are needed. Details of this can be secured by way of a condition.

Overall, the proposal is considered acceptable on highways grounds.

### Trees and Ecology

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. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other

habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

A number of trees are proposed for removal, however, following an assessment by the Council's arboricultural officer none of these trees would merit retention and the loss could be mitigated through replacement planting throughout the site. The proposed design affords adequate room in the rear gardens for a higher quantity of replacement planting, subject to a condition requiring the submission of a landscaping plan. The proposal will require excavations. The applicant has submitted a Tree Protection Plan which will need to be adhered to via a condition.

The previous scheme was refused due to insufficient information being submitted to address impacts on 1no. Barnet owned street tree to the front of the site. The current application seeks to overcome this by the correct plotting of the street tree in relation to the proposed driveways. Following submission of this information, it was deemed that adequate clearance distance to the street tree would be maintained and the proposal is acceptable with regards to trees, subject to conditions.

DM16 states that, when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity.

The previous application was refused due to a lack of ecological baseline information on the habitats present and no preliminary roost appraisal had been undertaken to determine the suitability of the building to support roosting bats. The applicant has submitted Bat Emergence Survey Report (Ant Ecology, August 2023) and Preliminary Ecological Appraisal (PEA) (Ecoassistance, April 2023) to support the application. The Council's ecology officer has reviewed the submitted information and confirmed that no further bat surveys or mitigation will be required as no evidence of roosting bats within the building or apple tree with low suitability to support roosting bats.

It is also noted that the site is located within an area of special archaeological interest. The Greater London Archaeological Advisory Service were consulted on the application and concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and raised no objection.

#### Accessibility and Sustainability

Conditions would be attached to any permission to ensure the integration of water saving and efficiency measures insofar as a maximum of 105 litres of water consumption per person per day to comply with Policy S1.5 of the London Plan (2021) and a reduction of CO2 emissions over Part L of the 2013 Building Regulations in accordance with the requirements of Policy S1.2 of the London Plan (2021) and the 2016 Housing SPG's requirements.

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

- o Road already congested
- o Plans do not provide sufficient off street parking
- o Would increase traffic at a dangerous junction
- o Parking Pressures

Highways officers have reviewed the information submitted and found the proposal

acceptable. More details are contained within the main body of the report.

- o Already several dwellings with vacant flats

This is not a material planning consideration

- o Significant building works will cause disruption

The impacts of construction works are not a material planning consideration.

- o Change the character of the nearby streets which are currently single family homes

This has been addressed within the main body of the report.

- o Overdevelopment
- o Scheme is overbearing and excessive
- o High density and overdevelopment

This has been addressed within the main body of the report.

- o Block light coming into Hodford Road
- o Overlooking into neighbouring gardens and loss of privacy

This has been addressed within the main body of the report.

- o Strain on local amenities

The additional dwellings created are not considered to result in additional pressure that would warrant refusal of the application.

- o Flooding from basement development in the area

The site is located within flood zone one and also within an area of very low risk of surface water flooding.

- o Eaves design is significantly less prominent than the roofs of the general design of houses in the locality
- o Bland frontage
- o Windows are disproportionately narrow compared to neighbourhood
- o Building is brought significantly closer to the road compared to existing house
- o Proposed development out of character, especially as this site is in a prominent location
- o Building would protrude further into rear garden than the existing building

The impacts of the proposal on the character of the area has been discussed within the main body of the report.

- o Loss of front garden area

The proposal is considered to allow adequate space for new planting which will be secured via a landscaping condition.

- o Noise disruption from 9 flats using the garden area



- o Increase in anti-social behaviour associated with flats
- o More rubbish and noise from more people in flats

As discussed within the main body of the report, the principle of flats was deemed acceptable at the site under application ref (16/4084/FUL). Further, in terms of use of the site as flatted development, it is considered unlikely that general noise and disturbance resulting from 9 additional households would be such that it would disturb adjoining occupiers.

- o Planning permission to convert this site to flats was previously rejected for this site in 2016 and 2022
- o Has not overcome previous reasons for refusal

A previous application was refused, however this was subsequently allowed at appeal. Ref. 16/4084/FUL. The current application seeks to overcome the reasons for refusal of the 2022 application.

The main body of the report details the ways in which the proposal differs from the previously refused scheme.

- o Sewage systems not built to support an excess of new habitat

Thames Water have been consulted on the scheme and raised no objections, subject to conditions.

- o Devaluation of surrounding properties

This is not a material planning consideration.

- o Inaccuracy in plans in connection with the front building line

The applicant has confirmed that the plans are accurate and the plans match those previously approved with regards to the placement of the existing house and previously approved scheme.

- o Ecological impact of the proposals

The applicant has submitted Bat Emergence Survey Report (Ant Ecology, August 2023) and Preliminary Ecological Appraisal (PEA) (Ecoassistance, April 2023) to support the application. The Council's ecology officer raised no objection based on this information, subject to conditions.

- o Vexatious applicant

The applicants motives, character or personal circumstances are not a material planning consideration.

## **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, the application is recommended for APPROVAL.



Site Plan  
Scale 1:1250