

**Location** **Land To The Rear Of 2 Hutton Grove London N12 8DX**

**Reference:** **23/4243/FUL** Receive  
d: 2nd October 2023

Accepted:  
d: 2nd October 2023

Ward: West Finchley Expiry 27th November 2023

**Case Officer:** **Greta Norton**

Applicant: C/O Agent

Proposal: Erection of 3-storey building to provide 9no. self-contained flats with associated amenity space, cycle parking, refuse storage and landscaping

### **OFFICER'S RECOMMENDATION**

Approve subject to s106

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)

### **RECOMMENDATION I:**

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable

to be agreed in writing with the Local Planning Authority;

3. Amendment to Traffic Management Order -

- A contribution of £2,738.94 to ensure that the new occupants are prevented from purchasing CPZ parking permits;

- A contribution of £136.95 to meet the Council's costs of monitoring the planning obligation.

**RECOMMENDATION II:**

That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:

- 1 Site Location Plan P001-S2-P0  
Planning Statement dated September 2023, prepared by Newsteer  
Arboricultural Impact Assessment and method statement, dated 11/09/2023, prepared by ACD Environmental  
Tree Report (Tree Survey and Constraint Advice), dated 11/09/2023, prepared by ACD Environmental  
Tree Protection Plan dated 11/09/2023  
Tree Survey Plan, dated 11/09/2023  
Desktop Study report dated September 2023  
Appendix Four - Envirocheck report: Datasheet, dated 11/09/2023  
Appendix Three - Ordnance Survey Map Records prepared by Envirocheck, dated 11/09/2023  
BGS Flood GF S Data dated 11/09/2023  
Daylight and Sunlight Report 26 September 2023  
Swept Path Analysis 20-100 Rev 01  
Proposed Elevations Sheet 1 P200-S2-P1  
Proposed Elevations Sheet 2 P201-S2-P2  
Proposed Site Block Plan P002-S2-P0  
Proposed Second Floor P102-S2-P1  
Proposed Second Floor P102-S2-P0  
Proposed Roof P103-S2-P1

Proposed Ground Floor P100-S2-P1  
Proposed First Floor P101-S2-P1  
Proposed Cross Section P300-S2-P2  
Existing Ground Floor P400-S2-P1  
Existing Elevation P401-S2-P2  
Design and Access Statement  
Swept-path analysis 20-100 Rev 02

- 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) Prior to the relevant installation, details of the materials to be used for the external surfaces of the building 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 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.

- 5 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 16 long and 2 short cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than 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.

- 6 Notwithstanding the application drawings submitted, a parking layout plan showing 1 disabled parking space shall be submitted to and approved in writing by the Local Planning Authority. Therefore, the 1 space shall be used for no other purpose than the purpose of parking vehicles in connection with the 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

- 7 Prior to commencement of the development details of the refuse collection arrangements and storage shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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.

- 8 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with London Plan 2021 Policy SI1.

- 9 Part 1

The development hereby approved shall be carried out in strict accordance with approved Desk Top Study Report by HESI dated September 2023.

a) If the approved Desk Top Study Report indicated any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

## Part 2

b) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

- 10 Prior to occupancy all details (including specification, location, and orientation) of biodiversity enhancement measures including 2 x Integrated Bat Boxes, 2 x Swift Nest Boxes, 2 x House Sparrow Terrace (or similar alternative), 2 x Hedgehog Home and 2 x Bee Bricks shall be submitted to and approved by the Local Planning Authority.

These features shall be installed in line with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA) as appropriate. Details on the specifications, location, aspect, and position of these species' enhancement measures shall be submitted by the applicant for approval by the Local Planning Authority.

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 11 Prior to the occupancy of works details of a Low Impact Lighting shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for development including 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

- 12 Prior to occupation details of the location of at least 3 x hedgehog highways (13cm x 13cm gaps) at the base of the boundary fencing are to be submitted and approved by the local planning authority.

The approved hedgehog links must be installed in the base of the boundary fencing to ensure continued access for commuting hedgehogs through the garden.

Reason: To ensure the continued habitat connectivity for hedgehogs, common toads, and wildlife in general through residential gardens.

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), Policy G5, G6 & G7 of the London Plan.

- 13 a) Prior to the first occupation of the hereby approved development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and G5 and G6 of the London Plan 2021.

- 15 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.

- 16 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).

- 17 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement in carbon dioxide emissions of a minimum of 10% 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), Policies SI 2 of the London Plan 2021.



- 18 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).

- 19 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 D7 of the London Plan 2021 and the 2016 Mayors Housing SPG.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by Classes A-G of Part 1 or A-C of Part 2 of Schedule 2 of that Order shall be carried out within the curtilage of the dwelling hereby approved.

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

- 21 The flat roof of the building hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted

to or used as a balcony, roof garden or similar amenity or sitting out area.

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

- 22 The approved flats shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and 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.

- 23 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (2016), and Policies GG3 and S11 of the London Plan 2021

### **RECOMMENDATION III:**

- 1 That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:
  
- 1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 07.07.2024, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):
  1. The proposed development does not provide a legal agreement to mitigate the highways impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and highway safety, contrary to Policy T6.1 of the London Plan (2021), Policy CS9 of the Adopted Core Strategy and Policy DM17 of the Adopted Development Management Policies DPD

### **Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written

guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 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 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.

- 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 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.

- 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 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 8 The submitted Construction Method Statement shall include as a minimum detail 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: logbook 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 Confirmation that an asbestos survey has been carried out.
- 10 The proposed has no parking which makes it air quality neutral in terms of transport emission benchmarks. As the units are heated via electricity the units can also be considered building emission neutral. The applicant will just need to confirm if any back up boilers are proposed?
- 11 The LPA advises that the soft landscaping for the amenity lawn consist of species rich seed mix or turf. This mix should consist of a ratio of 70/30 native

grass to flowering plants as such flowering plant species and grasses provide high value to 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.

The proposed green roof is advised to be designed and installed in line with Buglife's Creating Green Roofs for Invertebrates A best practice guide (Gedge et al. 2019). The inclusion of equal ratio of composite flower such as ox-eye daisy (*Leucanthemum vulgare*), hawkbit (*Leontodon* sp.) and yarrow (*Achillea millefolium*) benefit pollinating fly and beetle species while tube shaped flowers such as viper's bugloss (*Echium vulgare*), white dead nettle (*Lamium album*) and birds foot trefoil (*Lotus corniculatus*) would benefit bumblebees, butterflies and moths

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.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The site is situated within the Woodhouse West Finchley and lies on the boundary with the North Finchley Town Centre.

The site currently comprises of a private car park, which is accessible via two alleyways on Dale Grove, and Hutton Grove.

The area is characterised by residential development (both flatted and single-family dwellings) to the west, and a mix of commercial/residential to the east due to the proximity to Ballards Lane.

The site is not situated within a conservation area, flood risk zone, nor is it situated nearby to any listed buildings or protected trees.

## **2. Site History**

There is no relevant planning history related to this site.

## **3. Proposal**

Erection of 3-storey building to provide 9no. self-contained flats with associated amenity space, cycle parking, refuse storage and landscaping.

The block of flats measures a footprint of 250sqm, within a plot of land that measures over 600sqm in surface area (not including the access alleyways).

The block measures a width of 18.80 metres, a depth of 11.50 metres and a height of 10.50 metres.

The ground floor is split into 3no self-contained flats, with 1no 2 bed, 3 person flat and 2no 1 bed, 2 person flats.

The first floor is split into 2no 1 bed, 2 person flats, and 1no 2 bed, 4 person flat.

The second floor is split into 2no 1 bed, 2 person flats, and 1no 2 bed, 3 person flat.

The scheme is a car free development, providing one blue-badge parking space and 16no cycle spaces.

## **4. Consultation**

### Neighbour Notification

Consultation letters were sent to 140 neighbouring properties. 5 responses have been received, comprising of 5 objections.

The objections are summarised as follows:

- There is limited parking on the Hutton Grove already.
- Buildings are too close to each other which is not safe in a fire event.
- Concerns whether water system would allow additional demand as it's already not enough pressure in the area due to great demand.
- Additional disturbance and noise this building work will create to the immediate area that already has another development being built nearby.



- 'right to light' issues concerning the rear of Vivienne House and the front area of Charlesworth House depending on how far back the proposed building extends into the current back garden area of Arkley Mansions.
- The extra cars add to pollution as although it says there will be a bike rack most people still drive a car.
- Too many flats within the area.
- Four of the balconies in the proposed development will face the bedrooms of the block of flats in Dale Grove which causes concerns for privacy issues.
- Potentially a loss of light issue as the result of building so close to Knightswood House.
- An office block is being converted into flats on Ballards Lane which is next to this proposed new block. We are now overlooked by this new block of flats at the rear of our properties.

## **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 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. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

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

### 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, CS6, CS9 and CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM17

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity.

Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy, and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM03 states that development proposals should meet the highest standards of accessible and inclusive design, by demonstrating that they can be used safely, easily and with dignity regardless of disability, age, gender, ethnicity, or economic circumstances. Further to this, development should be convenient and welcoming with no disabling barriers, and be flexible, responsive designs to meet all needs.

Policy DM17 states that residential development may be acceptable with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits.

### Barnet's Local Plan (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)

Sustainable Design and Construction SPD (adopted October 2016)

North Finchley Town Centre SPD (2018)

## **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 site, the street scene, and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the scheme provides an acceptable standard for future occupants;
- Traffic and Parking;
- Cycle Parking;
- Refuse and Recycling;
- Trees and Landscaping;
- Biodiversity

## **5.3 Assessment**

### Principle of development

The site is vacant land which was previously occupied by a private car park and enclosed by two to four storey dwellings/buildings. The land contains no buildings on site and is 100% hardstanding.

Planning officers deem the introduction of residential flats to the site, and subsequent loss of the car park, to be acceptable, as the site is a private plot of land rather than a public car park. Highways have also raised no objection to the loss of the private car park.

The previous and current state of the site is stagnant, and it is believed that the proposed introduction of flats will improve the site's functionality as well as creating visual interest to a previously bleak plot of land, which lies on the border of the North Finchley Town Centre.

The area is already characterised by residential dwellings and blocks of flats, as well as commercial uses. Two storey dwellings are situated to the southwest on Hutton Grove, a 1.5 storey commercial unit (Charlesworth House) to the west, 2.5 storey dwellings and a 3-storey apartment blocks to the north, along Dale Grove, and several 4-storey residential and commercial buildings exist to the east, fronting Ballards Lane. As residential use is already well established within proximity to the car park, there would be no objection to the introduction of residential use to the site. Therefore, considering the above factors, the proposed nature of development would represent an efficient use of the brownfield land within a Town centre location, and contribute towards Barnet's Housing Supply.

Policy H2 of the London Plan (2021) relates to small sites, stating that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan making in order to:

- 1) Significantly increase the contribution of small sites to meet London's housing needs.
- 2) Diversity the sources, locations, type and mix of housing supply.
- 3) Support small and medium sized house builders.
- 4) Support those wishing to bring forward custom, self-build and community led housing.
- 5) Achieve the minimum targets as set out in table 4.2 as a component of the overall housing targets set out in table 4.1 Barnet's 10-year housing target set out in 4.2 of the London Plan is 4,340 new homes on small site, and 23,360 homes in total.

A total of 2,000 new homes were completed in 2021/2022. Whilst this figure reflects the total number of completions, not solely small sites, it indicates that Barnet had a shortfall of completions within the last year. Therefore, 9no. new flats would contribute towards Barnet's much-needed housing delivery in the efforts to meet the London Plan's expectations. Further to this, a range of flat sizes will be provided, from 1 bed 2 person occupancies to 2 bed, 3/4 person occupancies.

The location is ideal for residential development due to the proximity to the Town Centre, where a generous number of shops and other local amenities can be found. The site is also within a 10-minute walking distance to nurseries, schools and health centres as evidenced by the applicant.

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

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.

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context, and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01.

The borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of buildings, the layout, intensity, and relationship with one another and their surroundings.

The proposed building is 3 storeys in height. It is acknowledged that the proposed block of flats would inevitably increase the bulk and massing on site, given that the site currently consists of hardstanding. However, there is presence of three-storey buildings to the north and south of the site, with four-storey buildings to the east, which front Ballards Lane. Due to this, the three-storey massing is not an irregularity within its immediate surroundings and would therefore respect surrounding building heights. The building proposes a flat roof, which mirrors the roof design of the flats to the east and south, maintaining a sense of design coherence.

Soft landscaping is also proposed, to break up the hardscape and massing of the development, and to increase visual interest of the site. In the event of an approval, a condition is to be attached which will ensure a soft landscaping scheme is submitted to the council.

With regard to the character of the wider area, the dwelling will be obscured from the main public highway (Ballards Lane) due to its positioning, accessed via two side passages, and will therefore not largely impact the character of the wider vicinity. Glimpses of the building through the side passages will be visible when pedestrians pass by Hutton Grove and Dave Grove. The redevelopment of the site will generate visual improvement of the vacant car park, with a high-quality design, which has been amended throughout the lifetime of the application in order to increase visual interest.

The building itself is to be built using a grey brick to the ground floor, and a red brick to the first and second floor. The LPA's Urban Design team were consulted, in order to seek advice as to how the development could be altered to represent a more visually interesting and pleasing structure, as the initial design lacked interest despite the contrast in colour of the bricks.

The plans have been amended to incorporate some protruding vertical brickwork patterns into each wall, which helps to avoid large expanses of plain brickwork, as this can come across as visually harsh and monotonous. Full details regarding materials have not been provided at this stage and are to be provided through a condition, for the LPA to assess.

Overall, the proposed character of the site and surrounding area will not be negatively impacted as a result of the proposed development.

Thus, the proposed development is considered to comply with DM01 (Development Management Policies Document), CS5 (Barnet's Core Strategy DPD) and Barnet's Residential Design Guidance SPD.

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

Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy, and outlook for adjoining occupiers.

Any development, particularly in a constrained site, should ensure that the amenities of neighbouring occupiers' area is respected. Barnet's Sustainable Design and Construction SPD (2016) states that in new residential development, there should be a minimum distance of 21m between properties with facing windows to habitable rooms to avoid overlooking.

To the south-west of the proposed building lies Arkley Mansions, which is a block of flats. The closest wall of the development maintains 23.50 metres from adjacent habitable windows at Arkley Mansions, and this wall does not contain any windows. The closest habitable windows within the proposed development maintain a 29.40 metre distance between the habitable windows of Arkley Mansions. The distance maintained is significantly more than the minimum distance set out in Barnet's SPD (2016), and therefore raises no concern in regard to overlooking.

To the west of the proposed development is 1-11 Charlesworth House. It is noted that the eastern flank wall of this building does not contain any windows, furthermore, only high-level windows are proposed on the first to second floor level of the eastern flank wall. Therefore, no overlooking could occur.

Regarding 1-10 Knightswood House, which are flats to the north of the site, a 22-metre distance is maintained between their rear windows and the proposed habitable windows on the northern flank wall of the development. Therefore, this respects the minimum distance as set out by the SPD and no mutual overlooking will be caused.

The design of the block has also taken into consideration the distance between the new-build flats at Rowlandson House, to the east of the building. There is a 19-metre distance between the rear door (west facing) of a flat within Rowlandson House, and the proposed location of a side facing transparent window on the third floor of the proposed development. This distance falls short of the recommended 21 metre distance between habitable windows. However, the door serving the opposite flat is obscure glazed. Considering this, a 19-metre distance would be deemed acceptable.

Regarding no. 1 Dale Grove, there is approximately a 19m distance between the flank walls. The clear glazed window on the north-eastern wall, serving flat 02 at first floor, has been situated in a position that does not directly face the opposing habitable window, to mitigate against overlooking.

Development Management Policies (Adopted 2012), in section 2.7.1 states: "It is important to ensure that developments do not significantly overshadow neighbouring buildings, block sunlight, reduce sunlight or result in significant loss of privacy or outlook."

The proposed development would not have a detrimental impact on the amenities of occupants residing in Arkley Mansions, with regards to overshadowing, light, and outlook. The building, at 3 stories in height, at a 23.5-29-metre distance from its rear wall, is set back significantly to avoid any harmful impact.

The development would not have a detrimental impact upon 1-11 Charlesworth House. As aforementioned, due to the absence of windows within southern and northern flank walls, the proposed development shall not appear as overbearing, nor will it impact their light.

The proposed building would not detrimentally affect the outlook or light of no. 3 Dale Grove. The building would be set off their shared boundary by 1.90 metres and would be situated nearby the rear end of their garden, where an outbuilding exists. Whilst the proposed development would undoubtedly be more visually obtrusive than what exists at the site currently, it would not affect their outlook or light to an extent that would warrant a refusal, given that the building is further to the rear of their garden.

The proposed development at 22m from the rear wall of Knightswood House is considered to avoid any detrimental loss of outlook and light. Like the other properties surrounding the proposed development, the outlook will change however not to an extent that would detrimentally impact their amenity.

Regarding the rear second floor flat at Rowlandson House, the proposed eastern wall of the development will be at 9.6m from their 3 habitable rear windows. However, the building line has been cut back from the rest of the front wall by 1.50 metres, to minimise the expanse of brick wall that'll be directly opposite their windows, in order to avoid overbearingness.

It must also be noted that the applicant submitted a daylight sunlight assessment, which assesses the impact of the proposed development upon neighbouring occupiers. The report summarised that the development follows the BRE guidelines and does not significantly reduce daylight or sunlight to existing surrounding properties.

Overall, the proposed development is not considered to inflict a harmful impact upon neighbouring occupiers.

#### Whether harm would be caused to the living conditions of future occupiers

In terms of amenity for future occupiers, the LPA would expect a high standard of internal design and layout in new residential development, to provide a quality of accommodation that complies with the relevant policies and guidance SPDs. Table 3.1 within Policy D6 (Housing quality and standards) of the London Plan 2021 provides a minimum space standard for new dwellings.

The London Plan (2021) table 3.1 illustrates that a 1 bed, 2 person flat should provide a minimum internal space of 50sqm, a 2 bed, 3 person flat should provide a minimum of 61sqm and a 2 bed 4 person flat should provide a minimum of 70sqm.

At ground floor level, flat 01 (1b 2p) has an internal area of 56.2sqm, flat 02 (1b 2p) measures 57.2sqm, and flat 03 (2b 3p) measures 61sqm.

At first floor, flat 01 (1b 2p) has an internal area of 56.2sqm, flat 02 (1b 2p) measures 57.1sqm, and flat 03 (2b 4p) measures 72.9sqm.

At second floor, flat 01 (1b 2p) has an internal area of 56.2sqm, flat 02 (1b 2p) measures 57.2sqm, and flat 03 (2b 3p) measures 62.6sqm.

Therefore, all of the flats provide at least the minimum internal area as required by the London Plan.

Bedroom sizes:

Table 2.2 - 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 sqm and should be at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 sqm and should be at least 2.75m wide and every other double (or twin) bedroom and at least 2.55m wide.

All bedrooms are an acceptable size.

Ceiling Heights:

Policy D6 of the London Plan 2021, mandates that the minimum floor to ceiling height must be 2.5m for at least 75% of the Gross Internal Area of each dwelling. All ceiling heights exceed 2.5m and are therefore acceptable.

Glazing levels:

Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room, and that bedrooms and living rooms/kitchens should have a reasonable outlook with clear glazed windows.

The proposed ground floor flats are dual aspect. It notes that outlook from the north-western wall is rather poor for ground floor flats 01 and 02, due to the proximity to the neighbouring fence (1.90 metres gap). However, the internal layout of flat 02 has been designed so that the main outlook to the flat is from the north-eastern wall, onto their large rear garden, which provides a high-quality outlook. For flat 01, the kitchen/lounge area will benefit from two transparent windows, one looking out onto the garden and fence along the north-western boundary, and the other onto the open area nearby the entrance



to the building. Whilst the outlook to the north-west is slightly constrained given its proximity to the fence, there is still a distance of 3.20 metres between the window and fence, with a second window to the eastern wall. Therefore, the outlook is acceptable on balance, especially given the nature of a town centre setting where development is more confined.

The outlook of flat 03 at ground floor level is acceptable, as it is dual aspect, providing views into their rear garden and to the south.

Regarding the first and second floor, flat no.'s 03 on both floors provide good quality outlook and will receive an appreciable amount of natural light due to the dual aspect nature of the flats.

Flats 02 on both the first and second floor would also provide decent levels of outlook and light, despite the high-level obscured windows provided on the northern side wall.

The south-western flats (no.'s 01) on the first and second floors are served by one large transparent window with south-eastern views, and 1no. window to the bedrooms, with south-western views. Both rooms are also served by 1no high level obscure glazed window, to let in more natural light. Whilst the amount of outlook provided isn't as generous as the other flats, they are acceptable on balance.

With regards to light, each flat at ground level is served by sufficient amounts of glazing. Flats 03 on the first and second floor are provided with an appreciable amount of glazing. Flats 01 and 02 on first and second floor are served by both larger translucent windows, and smaller high level obscure glazed windows. The high-level windows allow additional amounts of natural light to be received within the flats, and therefore the amount of glazing to these flats are also considered acceptable.

Private and communal outdoor space:

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. Sustainable Design and Construction SPD (adopted 2016) states that, "Outdoor amenity space is highly valued and suitable provision will help to protect and improve the living standards of residents as well as contribute to maintaining and enhancing the wider character of the borough."

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5sqm per habitable room.

At ground floor level, flat 01 is provided with 37sqm of private outdoor amenity space, which is in excess of Barnet's requirements. Part of their amenity space is particularly narrow, which is not ideal, however the scheme still provides an excess amount of outdoor space, as well as communal amenity space that is shared by all flats and is therefore on balance acceptable.

Flat 02 at ground floor level is provided with 78.9sqm of private outdoor amenity space, which is in excess of Barnet's Standard, therefore providing a high-quality living space.

Flat 03 at ground floor level is provided with 54sqm of outdoor amenity space, which is also in excess of the required amount.

The upper floor flats are to be provided with balconies, whereby flats 01 of the first and second floor will be provided with 6sqm of outdoor amenity space, and flats 02 of the first and second floor will be provided with 5sqm of outdoor amenity space. Flats 03 of the first and second floor are provided with 7sqm of outdoor amenity space. As each flat has more than one habitable room, there is a shortfall of outdoor amenity space. Nevertheless, 95sqm of communal amenity space is proposed which counterbalances the shortfall of private amenity space.

### Privacy

The proposed flats are considered to be provided with a suitable amount of privacy. A means of enclosure condition will be attached to the decision in the event of an approval, to ensure details of fencing/planting are provided, in order for the LPA to guarantee that the ground floor flats will be provided with a good level of privacy.

Thus, the proposal is considered to comply with Barnet's Development Management Policies, Residential Design Guidance and Sustainable Design and Construction SPDs, and the London Plan 2021.

### Traffic, parking, cycle parking and refuse/recycling

#### Traffic/parking:

The site is located at the rear of No 2 Hutton Grove. The site is in a CPZ that operates Mon-Sat, 9am - 5pm and it lies in an area with a PTAL rating of 3 (average) which indicates that there is moderate access to public transport. 6 bus routes (125, 460, 82, 221, 184 & 134) can be accessed from stops within 2- 4 minutes walking distance from the site.

For the 6x1bed and 3x2bed units proposed, a maximum of 6 - 11 spaces is required. The scheme is car-free except for the provision of 1 disabled parking bay. This means that up to 10 vehicles could be displaced on-street as a result of the development. Highways would accept the proposed parking provision subject to the applicant agreeing to enter into a s106 agreement with the council to deny occupants of the development the right to purchase CPZ permits.

The applicant proposes to take vehicular access from Hutton Grove by using the existing narrow access road adjacent to No 2 Hutton Grove which will serve the disabled bay outside the proposed block. The applicant is asked to confirm arrangements for

emergency access. Swept path drawings of vehicles entering and leaving the proposed disabled bay are requested and these must be submitted before determination.

The applicant submitted a swept path drawing, which the highways officer has reviewed and deemed acceptable.

Thus, the council's highways team have deemed the proposal acceptable on highways grounds, subject to a Unilateral Undertaking to create an amendment to Traffic Management Order -

- A contribution of £2,738.94 to ensure that the new occupants are prevented from purchasing CPZ parking permits;
- A contribution of £136.95 to meet the Council's costs of monitoring the planning obligation.

Suitable conditions are also to be attached in the event of an approval.

#### Cycle Parking and Storage:

Cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport. For a proposal such as this, 16 long-stay and 2 short-stay spaces will be provided which meets minimum London Plan standards. Long-stay cycle parking should be provided in a secure, lockable, covered, and enclosed compound. Also, the type of stands used must allow both wheels and the frame of the bicycle to be locked. A cycle parking condition is requested.

#### Refuse Collection Arrangements:

Refuse storage is proposed to be at the rear of the building adjacent to a walkway leading to Dale Grove. It is within the 10m distance threshold assuming that refuse will be collected from collections Dale Grove. A minimum clear footway width of 1.2m must be ensured at the pinch point adjacent to the bin store. Officers have measured the footway width between the pinch point of the bin store and the other side of the walkway, and at least 1.2m is left clear.

#### Trees and landscaping

The council's Tree Officer was consulted during the lifetime of the application. The following observations and conclusions were made with regards to trees:

Whilst there are no trees on site, there are a number of trees situated on neighbouring land which will be impacted by the proposal to varying extents:

- o Common law permits the pruning of roots and branches
- o An impact assessment, method statement and protection plan has been submitted which will ensure appropriate levels of protection to these trees during development.

- o The majority are to be situated over proposed garden areas, thereby reducing foreseeable post-development pressure - the trees are currently situated over parking spaces which invites a higher degree of long-term pressure for pruning or removal.
- o These trees provide little to no meaningful public amenity and would not qualify for inclusion in a new TPO.

The proposal incorporates new tree planting in a space previously devoid of vegetation, thereby ensuring contribution to amenity and biodiversity pursuant to local policy:

The design and access statement states "Appropriate species of trees will be used to support the outdoor private and communal amenity areas":

- o A dedicated landscaping plan can be sought by way of condition to ensure an optimal selection of trees and shrubs, pursuant to local policy.

The proposal would not contravene Barnet's Local Plan (Development Management Policies) - Policy DM01: Protecting Barnet's character and amenity or The London Plan (2021) - Policy G7: Trees and woodlands.

A scheme of landscaping is recommended to ensure optimal species selection are incorporated into the proposed site plans.

No objections to the application as the site possess no natural or artificial habitats suitable for protected or notable species and proposed development demonstrates compliance with Barnet Local Development Plan Policy DM16 and London Plan Policy G6.

No ecological surveys will be required in support of the application as the site consists entirely of hard standing with no natural vegetation which could support protected or notable species such as nesting birds, or wild mammals such as hedgehogs or foxes. No buildings or mature trees are present on site which would necessitate a Preliminary Roost Appraisal or ground level tree assessments for roosting bats.

Sufficient demonstration that the proposed development will be compliant with Barnet Local Development Plan Policy DM16 and London Plan Policy G6 through biodiverse planting and seeding has been demonstrated within the Design and Access Statement (Stephen Dary Peter Smith Architects, September 2023)

Appropriate ecological enhancement features in the form of integrated bat roost boxes, nesting bird boxes, swift nest boxes, bee bricks and hedgehog houses will be conditioned subject to planning approval.

The LPA welcomes the Urban Green Factor (UGF) score of the 0.40 which is in line with the Mayoral target of 0.40 in the London Plan 2023 Policy G5. This score is anticipated to be achieved through the provision of intensive green roof (225 m<sup>2</sup>), flower rich perennial

planting (35m<sup>2</sup>), amenity grassland (212 m<sup>2</sup>) hedge (7.2 m<sup>2</sup>) and standard tree planting (47.4 m<sup>2</sup>).

The LPA welcomes the inclusion of 225 m<sup>2</sup> of intensive green roofs to be included as part of the proposed development. The LPA advises that the proposed intensive green roof be designed and installed in line with Buglife's Creating Green Roofs for Invertebrates A best practice guide (Gedge et al. 2019). The inclusion of equal ratio of composite flower such as ox-eye daisy (*Leucanthemum vulgare*), hawkbit (*Leontodon* sp.) and yarrow (*Achillea millefolium*) benefit pollinating fly and beetle species while tube shaped flowers such as viper's bugloss (*Echium vulgare*), white dead nettle (*Lamium album*) and birds foot trefoil (*Lotus corniculatus*) would benefit bumblebees, butterflies, and moths.

The amenity lawns should consist of species rich seed mix or turf. This mix should consist of a ratio of 70/30 native grass to flowering plants as such flowering plant species and grasses provide high value to 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.

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.

It is recommended that the application be approved on ecological grounds subject to appropriate conditions and informative.

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

(There is limited parking on the Hutton Grove already)

- Highways Officers have commented on the proposal and have considered it acceptable. The car park was also privately owned, rather than public.

(Buildings are too close to each other which is not safe in a fire event)

- The applicant has provided a brief fire strategy within the design and access statement. It must also be noted that a full fire strategy is not required, as the development is not considered major. Nevertheless, the building will be compliant with part B of building regulations. Officers consider the building to have sufficient space around and is not situated too closely to any of the buildings.

(Concerns whether water system would allow additional demand as it's already not enough pressure in the area due to great demand)

- This is not a planning matter. Building control deals with queries surrounding water systems.

(Additional disturbance and noise this building work will create to the immediate area that already has another development being built nearby.)

- Noise and disturbance as a result of construction is not a planning consideration.

('right to light' issues concerning the rear of Vivienne House and the front area of Charlesworth House depending on how far back the proposed building extends into the current back garden area of Arkley Mansions)

- The proposed building does not directly back onto Vivienne House. Vivienne House is situated to the south-west of the site and does not immediately border the site in question. Given the significant distance (21.80 metres) between the two buildings, combined with the fact that they do not sit directly opposite one another, the proposed development is not considered to impact the amenities of residents within this building.

- As stated within the impact upon neighbouring amenities section, the proposed development will not impact Charlesworth House.  
(The extra cars add to pollution as although it says there will be a bike rack most people still drive a car)

- There is no parking proposed as part of the development, and future residents will be prohibited from obtaining a parking permit.  
(Too many flats within the area.)

- Whilst there are multiple blocks of flats within the surrounding vicinity, it is a Town Centre location, which is ideal for this type of housing.

(Four of the balconies in the proposed development will face the bedrooms of the block of flats in Dale Grove which causes concerns for privacy issues)

- A 20.60 metre minimum distance is maintained between the rear windows of the flats and the balustrade of the proposed balconies to the first and second floor, on the north-eastern elevation. This is considered an appreciable distance between the habitable windows of Knightswood House. The rear habitable windows maintain a 22m distance, in excess of the 21m guideline, and therefore a shortfall of 0.4m from the edge of the balcony to the neighbouring windows is considered negligible.

(Potentially a loss of light issue as the result of building so close to Knightswood House)

- As assessed within the impact upon neighbouring amenities section, the proposed development will not have a significant impact upon the daylight/sunlight received within the flats at Knightswood House.

(An office block is being converted into flats on Ballards Lane which is next to this proposed new block. We are now overlooked by this new block of flats at the rear of our properties)

- As assessed within the impact upon neighbouring amenities section, the proposed development will not bring about unacceptable levels of overlooking into neighbouring properties.

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## **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 proposed development as amended would have an acceptable impact on the character and appearance of the street scene and locality. The development would not result in an adverse impact to the amenities of neighbouring occupiers and would provide acceptable living standards for future occupiers. The application is therefore recommended for APPROVAL.

**Site Location Plan:**



Site Location Plan