

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 26th April 2011

Report of
Assistant Director, Planning &
Environmental Protection

Contact Officer:
Aled Richards Tel: 020 8379 3857
Andy Higham Tel: 020 8379 3848
Mrs J. Tebbutt Tel: 020 8379 3849

Ward:
Cockfosters

Application Number : TP/10/1753

Category: Dwellings

LOCATION: 6, WOOD RIDE, BARNET, EN4 0LL

PROPOSAL: Subdivision of site and erection of detached 2-storey 5- bedroom single family dwelling to rear of site including basement, roof accommodation ,double garage and construction of boundary fencing , landscaping, and new access at side, involving demolition of existing car port.

Applicant Name & Address:

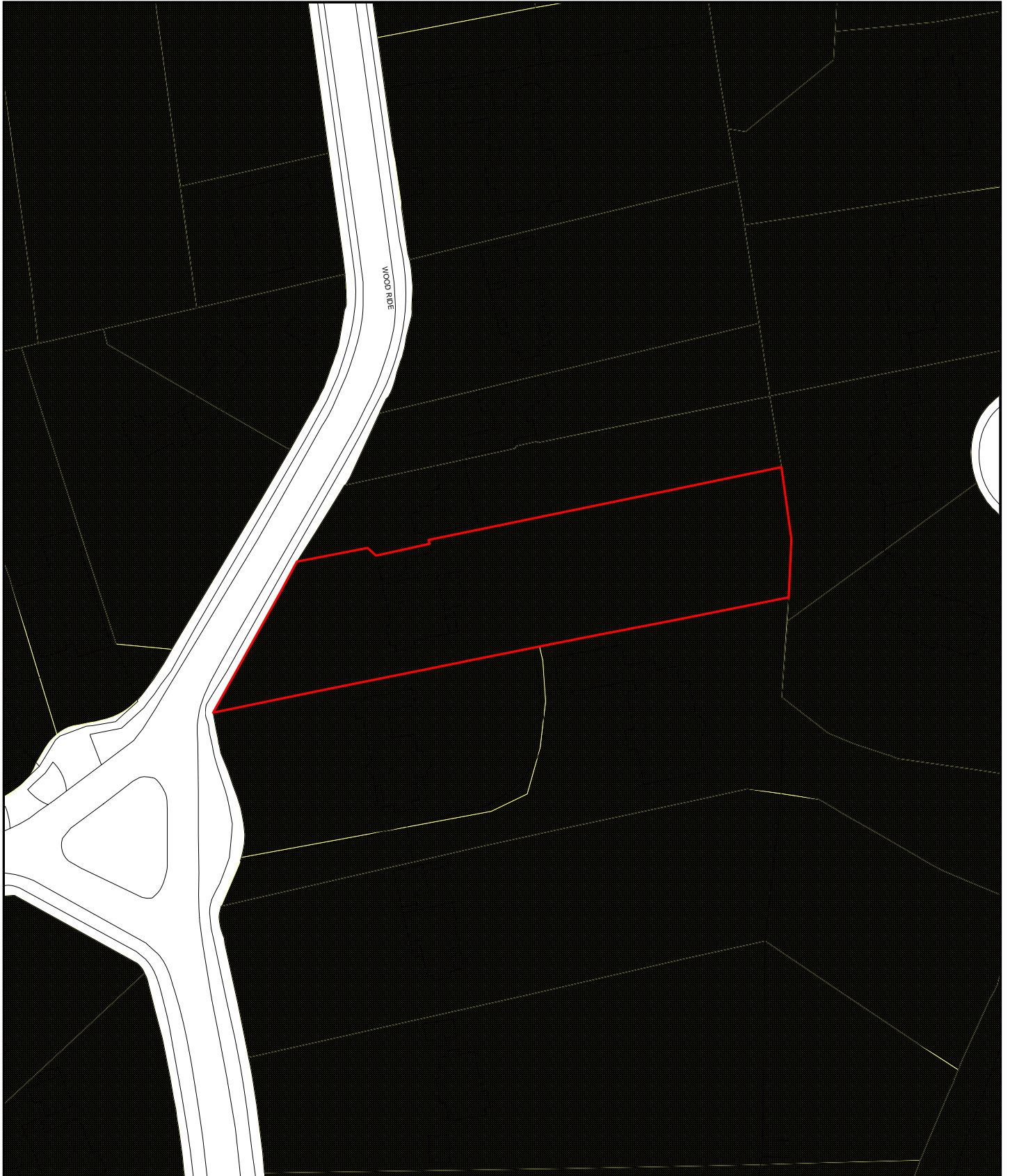
Mohammad Yadallee
6, Wood Ride,
Hertfordshire,
Barnet,
EN4 0LL

Agent Name & Address:

Iain Taylor, Fusion Residential
FUSION RESIDENTIAL
6 Hatters Lane
Croxley Green Business Park
Watford
Hertfordshire
WD18 8YH

RECOMMENDATION: That planning permission be **REFUSED**.

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Development Control



Scale - 1:1001
Time of plot: 16:28

Date of plot: 07/04/2011

1.0 Site and Surroundings

- 1.1 The application site comprises a detached house in substantial grounds on the eastern side of Wood Ride. The existing house is set back and occupies a stepped relationship with its neighbours. The surrounding area is residential comprising in the main of large two storey detached dwellings.
- 1.2 The frontage of the property is currently served by two access points onto Wood Ride.
- 1.3 The site contains a number of trees. None are the subject of a Tree Preservation Order. There is also a significant line of trees along the southern boundary but within the curtilage of 12 Beech Hill

2.0 Proposal

- 2.1 Permission is sought for the subdivision of the site and the construction of a detached two storey house to the rear of the site. There would also be accommodation in the roof served by a single dormer window in the front elevation.
- 2.2 Access to the proposed dwelling would be attained by the creation of a new road between the existing house and the side elevation. The dwelling would be served from this access by a double garage.

3.0 Planning History

Site

- 3.1 There is no planning history relating to this site of relevance.

Surroundings

- 3.2 TP/05/2161 – 12 Beech Hill
An application for the sub-division of site and erection of a detached 6-bed dwelling house with double garage at front, construction of boundary wall and entrance gates and alterations to existing access was refused planning permission in January 2006. An appeal against this decision was allowed with planning permission granted in June 2006.
- 3.3 TP/10/1997 – 93 Camlet Way.
Sub-division of site and erection of a single storey part lower ground single family dwelling with obscured glazed balustrade to roof and integral garage was approved in March 2011..

4.0 Consultations

4.1 Statutory and Non-Statutory Consultees

- 4.1.1 The Arboricultural Officer comments that the most prominent and valuable trees in terms of amenity are located off site in neighbouring properties. In particular, there is a row of mature Cypress trees located along the southern boundary which could be affected by the construction of the access road.

However, the submitted Arboricultural Method Statement and the measures set out for tree protection, specifications for driveway construction mean that the proposals would be unlikely to harm the health and thus the amenity value of these trees.

- 4.1.2 The proposal would involve the loss of several trees in the back garden but these are not worthy of protection and some replacement planting is proposed. However, the development would involve a loss of green amenity space changing the balance between green and built landscape which could have a negative impact on the character of the area

4.2 Public

- 4.2.1 Consultation letters were sent to 8 neighbouring properties. Six letters of objection were received raising all or some of the following comments:

- Overdevelopment
- Contrary to policy which prevents building on back gardens
- Would create an unacceptable precedent
- Size and scale leading to a loss of outlook
- Proximity to boundary leading to a loss of outlook
- overlooking and a loss of privacy to neighbouring properties
- would increase noise and disturbance
- loss of trees / impact on retention of existing

- 4.2.2 In addition, a letter of objection has also been received from the Hadley Wood Association who comment:

- privacy at No 5 Corbar Close will be severely damaged as the development is too close
- proximity of development will give rise to noise disturbance through the use of the garden
- proposal is atypical example of over development
- access road is of insufficient width to accommodate emergency services
- proposal does not conform to Council policy

5.0 **Relevant Policies**

5.1 Core Strategy

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

- SO1 Enabling and focusing change
- SO2 Environmental sustainability
- SO4 New Homes
- SO10 Built environment
- CP2 Housing Supply and Locations for New Homes
- CP3 Affordable housing for sites providing less than ten units
- CP4 Housing Quality
- CP5 Housing Types
- CP20 Sustainable energy use and energy infrastructure

- CP30 Maintaining and improving the quality of the built and open environment
- CP31 Built and landscape heritage
- CP36 Biodiversity

5.2 Unitary Development Plan

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance:

- (II)GD3 Character / Design
- (II)GD6 Traffic implications
- (II)GD8 Access and servicing
- (II)H8 Privacy and overlooking
- (II)H9 Amenity space standards
- (II)T13 Access onto public highway
- (II)T16 Access for pedestrians

5.3 London Plan

- 3A.1 Increasing London's housing supply
- 3A.2 Borough housing targets
- 3A.3 Maximising the potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision
- 3C.23 Parking strategy
- 3D.14 Biodiversity and Nature Conservation
- 4A.3 Sustainable Design and Construction
- 4B.1 Design principles for a compact city
- 4B.5 Creating an Inclusive Environment
- 4B.8 Respect local context and communities

5.4 Other Material Considerations

- PPS1 Delivering Sustainable Communities
- PPS3 Housing
- PPS9 Planning and Biodiversity

London Plan: Interim Housing Supplementary Planning Guidance (April 2010)

6.0 **Analysis**

6.1 Principle of Development

- 6.1.1 The surrounding area is residential in composition and thus, in principle, residential represents an appropriate land use. However, whilst PPS3 "Housing" and the London Plan advocate the effective and sustainable use of land, it also indicates that there will be a need to consider sustainability issues and that some sites will not necessarily be suitable for development or housing. Moreover London Plan SPD identifies that private garden land can be an important element in defining local context (Policy 4B.8) with specific mention to the contribution of gardens to:

- a) local context and character including local social, physical, cultural and historical environment and economic standards
- b) providing safe secure and sustainable environments and play space
- c) supporting biodiversity and mitigating the effects of climate change
- d) enhancing the distinct character of suburban London

6.1.2 Acknowledgement must also be given to recent revisions to PPS3 which confirm that private residential gardens no longer fall within the definition of previously developed land and therefore, there is no longer a presumption in favour of development which could be used to override other considerations if appropriate. It must be recognised however that this revision does not mean there is an objection in principle to such development but places emphasis on the need for development to sympathetically integrate with the character and appearance of the locality and approach consistent with the Mayors Interim Housing SPG.

6.1.3 With this in mind, the main issue to be considered is whether the development proposed would satisfactorily integrate into the character and appearance of the surrounding area, the relationship to neighbouring properties, the impact on trees and the adequacy of access arrangements..

6.2 Character and Appearance

6.2.1 The prevailing character of the surrounding area is one of substantial detached dwellings set within significant residential curtilages with large undeveloped rear gardens resulting in a relatively low density residential environment: features which create the distinct and desirable character of Hadley Wood.

6.2.2 It is acknowledged that contrary to this character, there are examples of development which have occurred in the rear gardens of similar properties within the wider locality. In particular, that adjoining the site at 12 Beech Hill: Oak House, is a large detached two storey dwelling with accommodation in the roof space which was allowed in June 2006 following an appeal against the Council's refusal of planning permission appeal. For Members information, a copy of this Appeal statement is attached to this report.

6.2.3 In arriving at the decision that the development was acceptable, the Inspector concluded that the introduction of a detached two storey dwelling in the back garden would not have any significant harmful effect on the character and appearance of the locality. In so doing, the Inspector noted that the curtilage of 12 Beech Hill is the largest in the locality and that planting on the boundary would help to maintain the spacious character of the area.

6.2.4 As an appeal decision on a similar case, the comments are material to the assessment of this application particularly in the light of the revision to PPS3 which places emphasis on the need for proposals to respect and integrate into the local context and character of the area. The assessment must therefore be carefully considered especially when the proposed dwelling has a total floor area of approx 50% less than that of Oak House with plot width coverage of 60% compared with that of Oak House of 65%

6.2.5 In assessing the merits of this case, it is noted that the existing house occupies virtually the full width of the plot and thus, there would be minimal views of the proposed dwelling from Wood Ride. Nevertheless, it is

considered that the introduction of a two storey detached dwelling in this rear location would impact on the open garden character of the locality exacerbating the harm to the prevailing form and pattern of development which defines the main character and the distinct local context. Moreover, whilst the presence of Oak House cannot be ignored, the addition of a further house would increase the visual impact of back land development to the detriment of the area.

- 6.2.6 In the light of subsequent policy changes, it would also make it difficult to resist further similar development adding to the cumulative impact of such development on the character and appearance of the area especially where the intensity of development would increase to the detrimental of overall environmental quality. Although, the Inspector when considering Oak House did not give weight to the cumulative impact issue, it has received support on earlier appeals and thus, is considered a factor that can be taken into account.
- 6.2.7 Consistency of approach is also important, and a decision at 93 Camlet Way at March Committee is also material. Here, planning permission was granted for the construction of a detached dwelling in the rear garden. This application raised similar issue in terms of the impact of the character of the area given that it involved development in the rear garden albeit accentuated by the fact that the boundary abutted the green belt. Nevertheless, it was the considered opinion of the Committee that the design of the dwelling which was partially submerged into the ground, meant it had minimal presence when viewed from the surroundings and although it did involve an increase in built development, it was this factor that resulted in it being concluded that it did not have an adverse impact on the character and appearance of the area. In considering the current proposal, a distinction has to be identified in order to substantiate the recommendation and it is considered that the two storey form with accommodation in the roof space would result in a materially different effect on the open garden character.
- 6.2.8 Taking the above considerations into account, whilst the presence of the development at 12 Beech Hill and the conclusion that its impact is limited, is acknowledged. The introduction of a further two storey property, albeit of a smaller scale, would result in the introduction of a form of development that would contribute to the erosion of the established character unsympathetic to the local context. Moreover, in the light of the recent revision to PPS3 which confirms that private residential gardens no longer fall within the definition of previously developed land, the need for residential development can no longer be used to outweigh other amenity considerations. Mindful of this, a traditional two storey dwelling is considered unacceptable due to its failure to satisfactorily integrate into the existing pattern and character of the area. Consequently, it is considered the proposed dwelling would not be sympathetic to the site context while its siting to the rear of the existing dwelling would be of detrimental affect to the character of the surrounding area with regards to Core Policy 30 of the Core Strategy, Policy (II)GD3 of the UDP and Policy 4B.8 of the London Plan.

6.3 Relationship to Neighbouring Properties

- 6.3.1 The proposed dwelling at its closest, would be 24.5 metres from the rear of the existing dwelling; the separation increasing to 36.8 metres between the facing two storey elevations. Having regard to the Council's distancing

standard, this relationship is acceptable and would preserve acceptable levels of privacy and residential amenity.

- 6.3.2 With regard to 4 Wood Ride, the proposed dwelling would be 4 metres off the common boundary and the two storey facing distance would be 24 metres. This exceeds the normally applied standard of 22 metres and given the off set relationship which would reduce the direct presence of the proposed dwelling, is considered acceptable. It should also be noted that along the common boundary level with the house are a number of trees which would assist in screening the development from the outlook of the neighbouring property.
- 6.3.3 With regard to 12 Beech Hill, the overall separation between this property and that proposed would be in the region of 50 metres with a distance of at least 25 metres to the common boundary. It is considered that the dwelling therefore would not give rise to any overlooking, loss of light or outlook which would harm levels of residential amenity.
- 6.3.4 Oak House is situated to the rear of 12 Beech Hill. Again, between flank elevations there would be a distance of 12 metres and while the proposed dwelling would project beyond the rear building line of this property, the depth of projection would not exceed the requisite 30 and 45 degree lines. There are also trees located on this boundary and taking these factors into account, it is considered that the relationship of the proposed dwelling to this property is acceptable.
- 6.3.5 5 Corbar Close is to the rear of the proposed dwelling and would be separated by an overall distance 32.5 metres with a distance of approx 13 metres to the common boundary. Whilst the proposed dwelling would represent a significant addition in the outlook from this neighbouring property, it is considered that the distances involved mean that the effect is not sufficient to warrant refusal of the application in terms of loss of outlook and privacy.. Whilst the p
- 6.3.6 It should also be noted that all flank windows above ground level would be fitted in obscure glazing to prevent overlooking and loss of privacy.
- 6.3.7 With reference to the access road, it is noted that the road to serve the new dwelling would be sited along the common boundary with 12 Beech Hill and Oak House. However, it is considered that the creation of a single additional dwelling is unlikely to generate significant vehicle movements and thus, it is not considered to cause significant harm to the residential amenities of the neighbouring properties.

6.4 Traffic, Access and Parking

- 6.4.1 The proposal includes the erection of a double garage with ancillary space for frontage parking which exceeds the London Plan maximum parking standards in 3C.23 and Annex 4. However, having regard to the location of the site and its low PTAL rating, this level of provision is not considered inappropriate with regards to Policy (II)GD6 and (II)GD8 of the UDP and 3C.23 of the London Plan.
- 6.4.2 The existing property would maintain adequate frontage parking and the large driveway has sufficient space for compensatory parking. Thus, the level of

provision for the existing dwelling is considered acceptable with regards to Policies (II)GD6 and (II)GD8 of the UDP and 3C.23 of the London Plan.

- 6.4.3 There is no objection in terms of traffic generation to the creation of an access onto Wood Ride to serve the new dwelling. Concerns have been raised regarding the adequacy of the width to cater for service vehicles and an update will be provided at the report.

6.5 Impact on Trees

- 6.5.1 Although trees would be felled as part of this proposal none of the trees on site have TPOs. The trees to be removed are of limited landscape value or potential and do not include the more significant specimens. The loss of these trees is thus considered acceptable.
- 6.5.2 A tree protection plan has been prepared as part of the Arboricultural report which sets out the measures necessary to secure the effective retention and protection of trees identified as retained within the context of the proposals. The measures include root protection areas which are considered sufficient to protect the retained trees especially along the southern boundary. .

6.6 Impact on Ecology / Biodiversity

- 6.6.1 An ecological assessment has been submitted as part of the application. The report indicates that evidence from detailed survey work shows no reason to suggest that an ecological designation, habitats or nature conservation interest nor any protected species will be significantly harmed by the proposal providing the following recommendations are carried out.

6.7 Sustainable Design and Construction

- 6.7.1 A Code 3 dwelling is considered acceptable. Moreover, as the Council promotes the provision of inclusive design and accessibility in residential development through the application of Lifetime Homes Standards. The proposed dwelling meets the relevant criteria of the standards.

6.8 Amenity Space

- 6.8.1 Policy (II)H9 of the UDP requires that amenity space for new residential development should be of a size equal to 100% of the total GIA or a minimum of 60sqm, whichever is the greater in area. The proposed new dwelling will have a GIA of 539 sq.m and amenity space of 550 sq. in the rear garden alone. This exceeds the policy requirement 9sqm equal to a provision of 162% therefore meeting the requirements of this policy.
- 6.8.2 The amenity space retained for the existing dwelling would also exceed the 100% of its gross internal area. No objection is therefore raised on amenity grounds.

6.9 Affordable Housing

- 6.9.1 Core Policy 3 of the Enfield Plan Core Strategy requires that some form of contribution towards affordable housing will be expected on all new housing sites. For developments of less than ten dwellings, the Council will seek to

achieve a financial contribution to deliver off-site affordable housing based on a borough-wide target of 20% affordable housing.

- 6.9.2 With reference to the specified formula, a sum of £30,751 has been identified and the applicant has agreed to the financial contribution. An agreement will need to be entered into.

7.0 Conclusion

- 7.1 Having regard to the above considerations, it is considered that the proposed sub-division of the site and erection of a two storey 5-bed family dwelling would be detrimental to the character and appearance of the surrounding area. Accordingly the proposal is considered unacceptable

8.0 Recommendation

- 8.1 That planning permission be REFUSED for the following reasons subject to the following conditions:
1. The proposed subdivision and erection of a single storey family dwelling by virtue of its size, siting and design is considered to be detrimental to the character of the surrounding area and out of keeping with the local context contrary to Core Policies 30 and 31 of the Enfield Plan Core Strategy, Policy (II)GD3 of the Unitary Development Plan and Policy 4B.8 of the London Plan.



Appeal Decision

Site visit made on 9 May 2006

by **K Nield** BSc(Econ) DipTP CDipAF MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail enquiries@planning-inspectorate.gov.uk

Date 14 June 2006

Appeal Ref: APP/Q5300/A/06/2007426

12 Beech Hill Avenue, Hadley Wood, Barnet, EN4 0LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Octagon Developments Limited against the decision of the Council of the London Borough of Enfield.
- The application ref: TP/05/2161, dated 29 November 2005, was refused by notice dated 3 January 2006.
- The development proposed is erection of a detached dwelling with garaging.

Summary of Decision: The appeal is allowed subject to conditions set out in the Formal Decision below.

Preliminary Matters

1. The parties refer in their submissions to a previous appeal (Ref APP/Q5300/A/05/1185377) in respect of the same site. I do not have full details of that appeal scheme before me but I note that the Inspector was considering a scheme for the development of two dwellings within the rear garden of 12 Beech Hill Avenue and concluded his decision accordingly. In any event each case falls to be determined on its own particular merits and I will consider the appeal scheme on the information before me.
2. It is indicated by the appellant that entrance gates shown on the submitted plans do not form part of the appeal scheme.

Main Issues

3. I consider that the main issues in this appeal are
 - (i) the effect of the proposed development on the character and appearance of the surrounding area, and
 - (ii) the effect on the living conditions of nearby residents through potential noise, disturbance and overlooking.

Planning Policy

4. The development plan includes the Enfield Unitary Development Plan (UDP) dated 1994, and The London Plan - *Spatial Development Strategy for Greater London* (The London Plan), dated February 2004. UDP policies (I) GD1, (I) GD2 and (II) GD3 all aim to ensure that new developments should have regard to their surroundings and have high standards of aesthetic and functional design. Policy (II) GD3 provides a series of criteria against which to assess new development proposals for compatibility with adjoining properties and the

local area.

5. The London Plan seeks the maximum provision of additional housing and recognises that increased housing capacity can be achieved through redevelopment and by applying higher densities to new development.
6. I have been referred to national planning policy in respect of housing set out in Planning Policy Guidance Note 3: *Housing* (PPG3) which, amongst other matters, seeks to promote more sustainable patterns of development and to make more efficient use of land, by maximising the re-use of previously developed land within urban areas. I will also have regard to government policy contained in Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1) and in Planning Policy Guidance Note 13: *Transport* (PPG13).

Reasons

Effect on character and appearance

7. The locality of the appeal site is characterised mainly by large detached dwellings of a variety of styles and designs. The existing dwelling comprises one of a group of similarly large dwellings within spacious and deep plots lying both adjacent to and south of the junction of Wood Ride with Beech Hill Avenue.
8. The appeal scheme proposes a large detached dwelling and associated buildings positioned centrally within a substantial plot comprising approximately half of the rear garden of 12 Beech Hill Avenue. There is no dispute between the parties that the development would constitute a backland development with the proposed dwelling being broadly in a tandem style relationship with the existing dwelling.
9. The scheme would retain a reasonable distance between the proposed dwelling and the existing dwelling and also to the common boundaries with adjacent properties. Although the proposed dwelling would have a large footprint within the plot and a substantial height and mass it would not be dissimilar in scale or form to nearby dwellings. In my view the appeal scheme would not be out of character with the locality and I do not, therefore, conflict in that respect with relevant development plan policies.
10. 12 Beech Hill Avenue is set back from the road and has substantial garden areas both to its front and rear with several mature trees and shrubs in both areas. The Council accepts that the position of the existing house and tree and shrub cover limit public views into the site. The appeal scheme would require the removal and thinning of several trees and shrubs at the rear of the existing house and between the existing house and 14 Beech Hill Avenue, the neighbouring dwelling to the south, to accommodate the access drive. I note that some new planting is proposed adjacent to the common boundary with 14 Beech Hill Avenue and I consider that this would help to maintain the spacious character of this area.
11. Whilst I note the Inspector's comment in paragraph 8 of his decision on the previous scheme (Ref APP/Q5300/A/05/1185377) that the cumulative effect of similar schemes could cause serious harm to the character and appearance of the area. I do not have details of any other schemes before me and, in any event they would be considered against relevant development plan policies. The curtilage of 12 Beech Hill Avenue is, however, the largest in the locality and I am satisfied that the appeal scheme within its large rear garden would not itself have a significantly harmful effect on the character and appearance of the locality.

12. I conclude on this issue that the proposed development would not be significantly harmful to the character and appearance of the locality or in conflict with UDP policies (I) GD1, (I) GD2 and (II) GD3.

Effect on the living conditions of nearby residents

13. Although no reason for refusal in respect of this matter was advanced by the Council, I have objections from the occupants of dwellings in the locality which I consider to be material to this appeal scheme.
14. I accept that the use of the proposed driveway between 12 and 14 Beech Hill Avenue by vehicles and pedestrians would lead to some noise and disturbance to occupants of 14 Beech Hill Avenue and that this would intrude into a presently quiet area at the rear of the adjacent dwelling. The vehicle generation from a single, albeit large, dwelling would not, in my opinion, be significantly high and the impact would be mitigated by the retained trees and shrubs along the common boundary together with proposed new planting. The harm to the amenities of occupants of 14 Beech Hill Avenue from the use of the access would not be significant in my view and it would not lead me to dismiss this appeal.
15. From my inspection I consider that parts of the proposed dwelling and its roof would be visible from neighbouring properties and gardens in Beech Hill Avenue and also from the rear of 4 and 5 Corbar Close to the east, particularly in the winter. The proposed dwelling would, however, be a considerable distance from nearby dwellings and it would not, in my opinion give rise to overlooking of those properties. Dormers in the second floor to bedrooms would allow an oblique view over neighbouring gardens at a distance but there would not be direct overlooking of windows to habitable rooms of those properties. In addition the existing vegetation and proposed additional landscaping would help to reduce visual impact of the appeal scheme.
16. I conclude on this issue that the proposed development would not have a significantly harmful effect on the living conditions of nearby residents through noise, disturbance and overlooking and would not be in conflict with relevant development plan policies.

Other Matters

17. I acknowledge that the scheme would make a limited contribution to housing supply as required by The London Plan. I also consider that the development of previously developed land without compromising the quality of the environment would meet the aims of paragraphs 57 and 58 of PPG3.
18. A number of examples of backland development in the locality have been brought to my attention together with appeal decisions in respect of proposed development at Parkgate Crescent (Appeal Refs: APP/Q5300/A/03/1119418, APP/Q5300/A/03/1128049 and APP/Q5300/A/03/1128848) and I inspected those sites. I noted in respect of the above appeals sites and the other locations referred to me that the sites are within generally higher density areas than the immediate vicinity of the present appeal site. I do not therefore consider that the examples referred to are directly comparable to the case before me and they do not lead me to a different decision.
19. The appellant refers to an inconsistency of advice from the Council's officers. That is not a matter before me but I note that the appellant company has exercised its right of appeal against the Council's decision.

Conclusion

20. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Conditions

21. The Council has suggested the imposition of a number of conditions in the event of planning permission being granted. The suggested conditions require the approval of materials to be used in the development including hard landscaping and also the provision and maintenance of soft landscaping and the protection of trees and shrubs during construction works together with the provision of wheel washing facilities. These conditions will protect the amenity of the area during the construction of the dwelling and also help to achieve an acceptable visual appearance to the scheme and I will attach them. I consider that a condition to restrict the use of the garage(s) should help to protect the visual and residential amenity of nearby residents.
22. Conditions are suggested to remove specified permitted development rights in respect of the insertion of additional windows and doors and regarding the erection of buildings or extensions. Circular 11/95 *The Use of Conditions in Planning Permissions* indicates that such rights should not be removed other than in exceptional circumstances. I consider that these conditions are necessary in this case, however, to prevent unacceptable overlooking of neighbouring gardens and to protect the spacious character of the locality and I will attach them.

Formal Decision

23. I allow the appeal and grant planning permission for erection of a detached dwelling with garaging at 12 Beech Hill Avenue, Hadley Wood, Barnet, EN4 0LN in accordance with the terms of the application (Ref: TP/05/2161), dated 29 November 2005 and plans submitted therewith subject to the following conditions:
1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission
 2. The development shall not commence until details of the external finishing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
 3. The development shall not commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.
 4. The garage(s) hereby approved shall only be used for the accommodation of private motor vehicles and for purposes incidental to the residential occupation of the property but excluding use for habitable accommodation.
 5. The development shall not commence until details of trees, shrubs and grass to be planted on the site have been submitted to and approved in writing by the Local Planning Authority. The planting scheme shall be carried out in accordance with the approved details in the first planting season after completion or occupation of the development

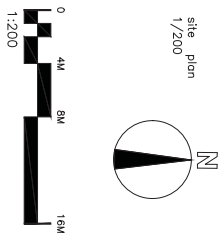
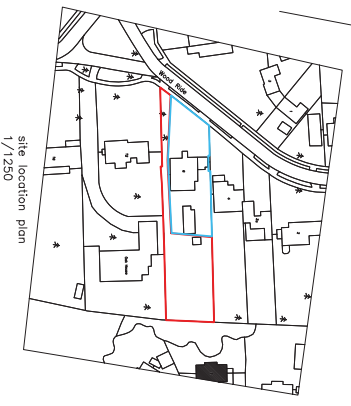
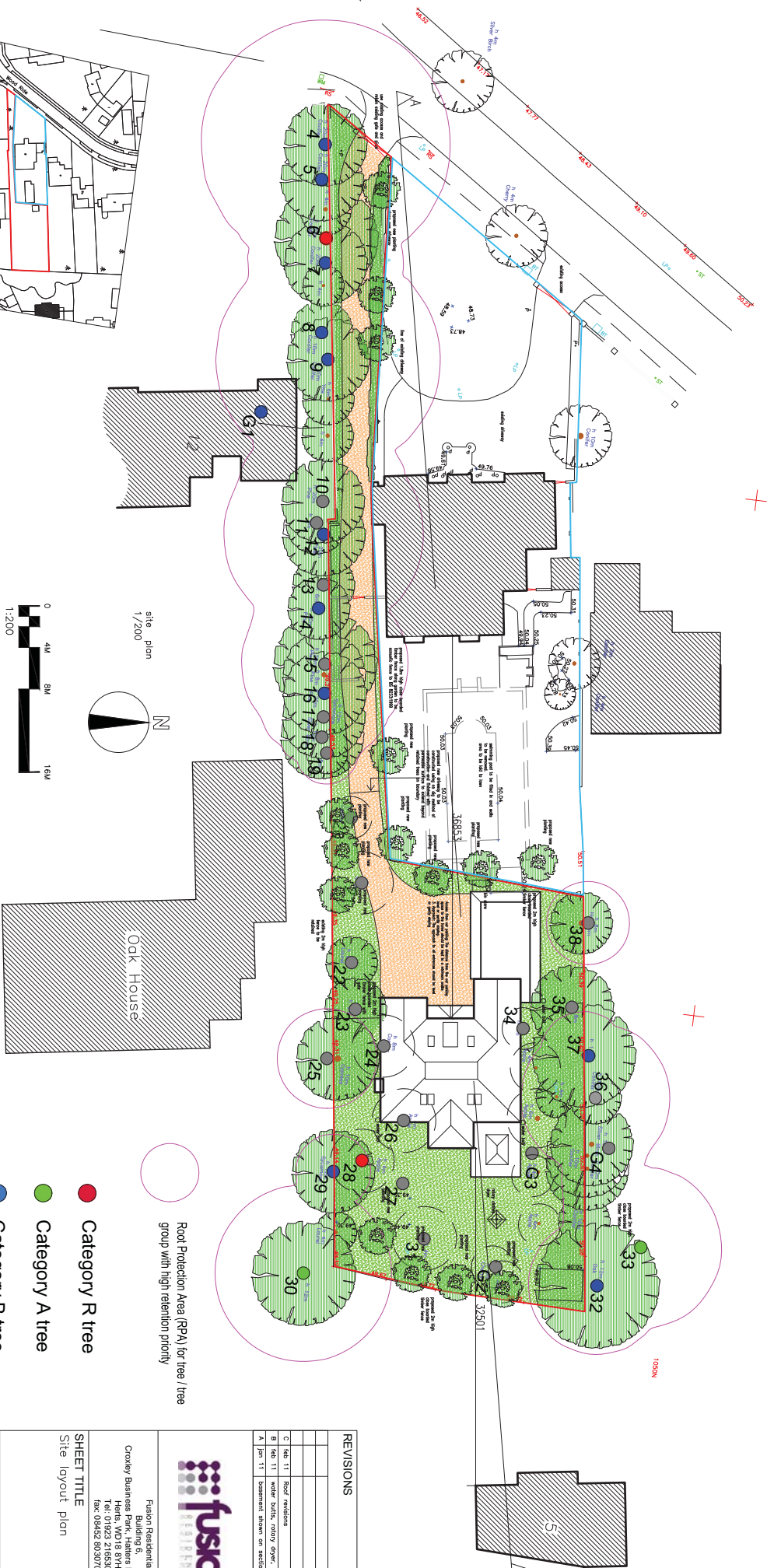
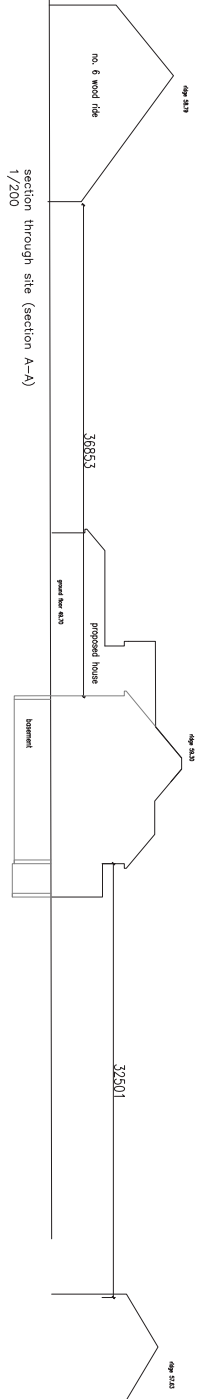
whichever is the sooner. Any planting which dies, becomes severely damaged or diseased within 5 years of planting shall be replaced with new planting in accordance with the approved details.

6. For the duration of the construction period all trees and shrubs shown on the approved plans and application as being retained shall be protected by fencing a minimum height of 1.2 metres at a minimum distance of 2 metres from the existing planting. No building activity shall take place within the protected area. Any tree or shrub which dies or is damaged during the construction period shall be replaced.
7. The development shall not commence until details of facilities and methodology for cleaning the wheels of construction vehicles leaving the site have been submitted to and approved in writing by the Local Planning Authority. The approved facilities and methodology shall be provided prior to the commencement of site works and shall be used and maintained during the construction period.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any amending Order, no buildings or extensions to buildings shall be erected without the prior approval in writing of the Local Planning Authority.

Kevin Baird

INSPECTOR

46392
 section through site (section A-A)
 1/200



- Category R tree
- Category A tree
- Category B tree
- Category C tree

Root Protection Area (RPA) for tree / tree group with high retention priority

REVISIONS	
C	Feb. 11 Roof revisions
B	Feb. 11 window details, exterior doors, door storage screens
A	Jan. 11 basement shown on section



Fusion Residential
 Building 6
 Croxley Business Park, Hatfield Lane, Watford,
 Herts, WD18 8YH
 Tel: 01923 216530
 fax: 09452 803070

SHEET TITLE
 Site layout plan

PROJECT
 Proposed detached house to rear of 6 wood ride, hodley wood

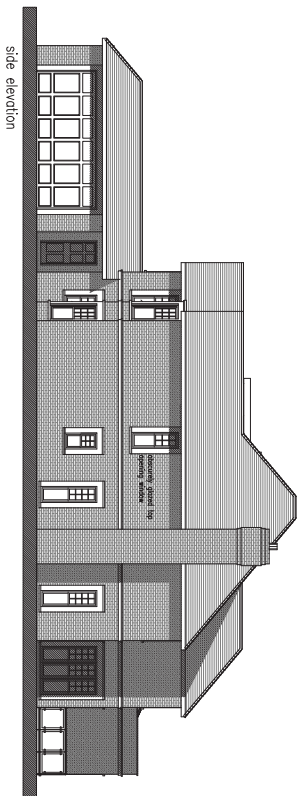
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 december 2010

SCALE
 1/200 @A1

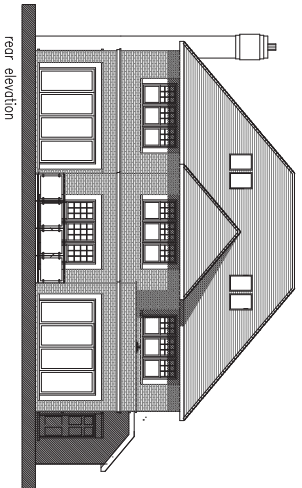
DRAWING NUMBER
 10 0185-1C



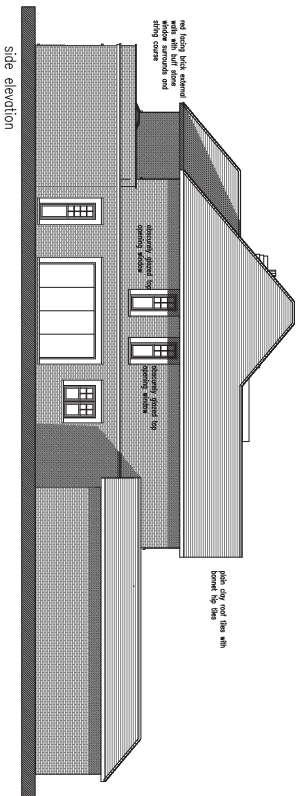
front elevation



side elevation



rear elevation



side elevation



REVISIONS	
1	FEB 11 Red revisions



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 Building 6
 Coxley Business Park, Hales Lane, Watford,
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SHEET TITLE
 Proposed house elevations

PROJECT
 Proposed detached house to
 rear of 6 wood ride, hodley
 wood

DATE 1/100 @A1
 december 2010
REFERENCE DRAWING NUMBER
 10_0185-SA