

Planning and Building Control
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Contact Number: 020 8359 4195

Mr Stuart Lees
Alan Cox Associates Ltd
224A High Street
Barnet
EN5 5SZ

Application Number: **26/0116/FUL**
Registered Date: 13 January 2026

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

TAKE NOTICE that the Barnet London Borough Council, in exercise of its powers as Local Planning Authority under the above Act, hereby:

REFUSES PLANNING PERMISSION for:

Demolition of the existing garage and erection of an new two storey dwelling with rooms in the roofspace. Associated landscaping, off street parking and refuse/recycling storage

At: Land Opposite 15 Sunset View, Barnet, EN5 4LB,

as referred to in your application and shown on the accompanying plan(s):

For the following reason(s):

- 1 The proposed development would result in the unjustified loss and deterioration of protected woodland and a significant number of trees within Woodland TPO 26/TPO/001, causing unacceptable harm to the woodland habitat and to the character and appearance of the Monken Hadley Conservation Area.

The proposal fails to demonstrate that construction, access and essential services can be delivered in accordance with recognised industry guidance, including standards relating to underground service installation near trees. The development would further create substantial post development pressures for the removal and degradation of trees, deadwood, understory and ground flora, leading to the incremental erosion of the woodland's ecological and landscape value.

In addition, the absence of a full Capital Asset Valuation of Amenity Trees (CAVAT) prevents the Local Planning Authority from assessing the scale of harm arising from the loss of protected trees or identifying an appropriate level of compensatory planting.

The proposal therefore fails to demonstrate that the impacts of the development on protected trees and woodland can be properly understood, quantified or mitigated, and is contrary to the National Planning Policy Framework (2024) paragraphs 187 and 193, London Plan Policy G7, and Barnet Local Plan Policies CDH07, CDH08 and ECC06.

- 2 The proposed development would result in the derogation and impact on Lowland Mixed Deciduous Woodland, a Priority Habitat, and would cause unacceptable harm to protected and notable species. The submitted ecological assessments fail to accurately assess the site's baseline conditions, including priority woodland, a veteran tree and species use of the site, resulting in an unreliable Biodiversity Net Gain baseline calculation. The proposal therefore fails to demonstrate that significant harm to biodiversity can be avoided, mitigated or compensated, contrary to the National Planning Policy Framework (2024) paragraphs 187 and 193, London Plan Policies G6 and G7, and Barnet Local Plan Policies CDH07, ECC07 and CDH08.
- 3 The proposed development by reason of its site clearance and loss of vegetation would irrevocably and harmfully alter the woodland character of this part of the Monken Hadley Conservation Area to the detriment of its significance. Furthermore, the siting, scale, size, mass and design of the new dwelling would appear out of character and overly dominant to the detriment and harm of the character and appearance of the Monken Hadley Conservation Area and general locality. The proposals would be contrary to the NPPF; policies D1; D3 and D4 of the London Plan (2021); contrary to Policies CDH01, CDH07 and CDH08 of the Barnet Local Plan 2025.

INFORMATIVE(S):

- 1 In accordance with paragraphs 39-59 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant sought formal pre-application advice which was provided. Unfortunately the submitted scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

- 2 This is a reminder that should an application for appeal be allowed, then the proposed development would be deemed as 'chargeable development', defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Therefore the following information may be of

interest and use to the developer and in relation to any future appeal process:

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 is recorded to the register of Local Land Charges as a legal charge upon a site, payable should development commence. The Mayoral CIL charge is 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.

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

The Community Infrastructure Levy becomes payable upon commencement of development. A 'Notice of Commencement' is required to be submitted to the Council's CIL Team prior to commencing on site; 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 any appeal being allowed, please contact us: cil@barnet.gov.uk.

Relief or Exemption from CIL

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation

published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

Please visit

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil for further details on exemption and relief.

3 The plans accompanying this application are:

509721 - 051 Rev.B - Existing Site & Location Plan
509721 - 052 Rev.B - Existing Site Sections
509721 - 053 Rev.B - Proposed Site Plan with Landscaping Proposal
509721 - 054 Rev.B - Proposed Floor Plans
509721 - 055 Rev.B - Proposed Front & Side Elevation
509721 - 056 Rev.B - Proposed Rear & Side Elevations
509721 - 057 Rev.B - Proposed Site Sections
509721 - 058 Rev.B - Proposed Materials
509721 - 059 Rev.B - Proposed Front Elevation CGI
509721 - 060 Rev.B - Proposed Rear Elevation CGI
Proposed new detached Home set within Woodland (A 02)
Soft Landscaping materials (A 03)
Hard Landscaping materials (A 04)
Habitat Management and Monitoring Plan (A 05)
Habitat Management and Monitoring Plan, Woodland Area (A 06)
Site Location Plan - The Location Plan
Design and Access Statement
Arboricultural Report, prepared by David Clarke Chartered Landscape Architect
Biodiversity Enhancement Plan, prepared by Brown & Co
Biodiversity Metric
BNG Net Gain Assessment, prepared by Brown & Co
Energy Statement, prepared by T16 Design
Heritage Statement
Fire Strategy
Preliminary Ecological Assessment , prepared by Brown & Co

Date of Decision: 10 March 2026

Signed:



Fabien Gaudin
Director of Planning and Building Control

NOTE(S):

1. Your attention is drawn to the attached Schedule which sets out the rights of an applicant who is aggrieved by a decision of the Local Planning Authority.
2. This Notice relates solely to a planning decision and does not purport to convey any approval or consent which may be required under the Building Regulations or any other statutory purpose.

For more information about making a Building Regulations application, please contact the Barnet Council Building Control team by email (building.control@barnet.gov.uk), telephone (0208 359 4500), or see our website at www.barnet.gov.uk/building-control

3. For information on Construction Site Guidelines for Householders and Developers, please visit <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/construction-information.html>
4. For details relating to Street naming and numbering, please visit <https://www.barnet.gov.uk/citizen-home/planning-conservation-and-building-control/building-control/street-naming-and-numbering.html>

APPEAL GUIDANCE:

Should you (an applicant or agent) feel aggrieved by the decision of the Council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Sections 78 and 195 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning with the date of the decision notice (unless an extended period has been agreed in writing with the Council):

- Six months: Full (excluding householder and minor commercial applications), listed building (including Certificate of Lawfulness in relation to a listed building), Section 73 'variation/removal', Section 73 'minor material amendment', extension of time and prior approval applications.
- 12 weeks: Householder planning, householder prior approval and minor commercial applications.
- 8 weeks: Advertisement consent applications
- No timescale: Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued, the appeal period may be significantly reduced, subject to the following criteria:

- Where the development proposed by your application is the same or substantially the same as development that is the subject of an enforcement notice served within the last two years you must appeal within 28 days of the date of the application decision
- Where an enforcement notice is served on or after the decision date on your application relating to the same or substantially the same land and development as in your application and if you want to appeal against the Council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective date stated on the Enforcement Notice.

Appeals should be made online via

<https://appeal-planning-decision.service.gov.uk/appeal/new-saved-appeal>.

If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available. A copy of any appeal should be sent both to PINS and the Council.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at <https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are exceptional special circumstances. The Secretary of State can refuse to consider an appeal if the Council could not have granted planning permission for the proposed development or could not have granted without the conditions it imposed, having regard to the statutory requirements and provision of the Development Order and to any direction given under the Order. In practice it is uncommon for the Secretary of State to refuse to consider appeals solely because the Council based its decision on a direction given by the Secretary of State.

PURCHASE NOTICES:

If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render that land capable of a reasonable beneficial use by carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a Purchase Notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

