

DECISIONS OF THE EAST AREA PLANNING SUB-COMMITTEE

5 DECEMBER 2011

COMMITTEE

*Councillor Andreas Tambourides (Chairman)

*Councillor Bridget Perry (Vice-Chairman)

Councillors:

*Alison Cornelius

*Barry Rawlings

*Andrew McNeil

*Alan Schneiderman

*Stephen Sowerby

*Andrew Strongolou

*Joanna Tambourides

*Jim Tierney

*denotes Member present

\$denotes absent on Council business

1. **MINUTES (Item 1):**

RESOLVED – That the decisions of the meeting of the Committee held on 8 November 2011 be approved as a correct record.

2. **ABSENCE OF MEMBERS (Item 2):**

There were none.

3. **DECLARATION OF MEMBERS' INTERESTS (Item 3):**

Member:	Subject:	Interest Declared:
Councillor Stephen Sowerby	B/03681/11 Lavendale Montessori Nursery, Southover, London, N12 7JG Totteridge Ward	Personal and prejudicial as Councillor Sowerby fettered his discretion. Councillor Sowerby withdrew from the meeting and took no part in the discussion or voting on this item.
Councillor Andrew McNeil	F/04240/11 18 Brent Way, London, N3 1AL West Finchley Ward	Personal and non prejudicial as Councillor McNeil knows one of the objectors who is a librarian at Christ College School where is a governor. Councillor McNeil took part in the discussion or voting on this item.

4. **PUBLIC QUESTION TIME (Item 4):**

There were none.

5. **MEMBERS' ITEMS (Item 5):**

There were no Members' items.

6. TOWN AND COUNTRY PLANNING ACT (1990) - B/02471/11 - 1230-1232 High Road, London, N20 0LH - MIL (UK) Ltd - Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works – Totteridge Ward.

The Assistant Director of Planning and Development Management circulated an addendum to the report. The sub-Committee having heard oral representations from Mr H J Norman objecting to the application and the applicant's response resolved to;

APPROVE the application subject to the following conditions;

(1) 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. Affordable Housing (units) £0.00

Provision of 12 affordable housing units on the site, split up into the following types:

i) Affordable Rented Accommodation:

- 2 x 1 bedroom (2 person)
- 3 x 2 bedroom (3 person)
- 1 x 3 bedroom (5 person)

ii) Shared Ownership Accommodation:

- 3 x 1 bedroom (2 person)
- 3 x 2 bedroom (2 person)

4. Education Facilities (excl. libraries) £114,685.00

A contribution towards the provision of Education Facilities in the Borough.

5. Libraries (financial) £5,421.00

A contribution towards Library Facilities and Resources in the borough

6. Health £30,001.00

A contribution towards Health Facilities and Resources in the borough

7. Monitoring of the Agreement £4,503.21

Contribution towards the Council's costs in monitoring the obligations of the agreement.

(2) That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: B/02471/11 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, 101, 102, 103, 200 B, 201 B, 202 C, 203 B, 204 B, 205 B, 206 A, 207 A, 208 A, 209 A, 210 A, 211 A, 212 A, 213 B, 214 A, 215, 216, 217, 218, 219, 222 A, 223 A, 300, 301, Renewable Energy Report MLM (ref: BEB/715627/001R_Appendix B Rev. 02), Code for Sustainable Homes - Design Stage Assessment MLM (ref: BEB/7131613/LI rev. 02), Acoustic Report BL Acoustics (ref: BDL19306 January 2010), Construction Management Plan, Waste Management Plan, Transport Statement June 2011 LW/C64, Planning Statement, Archaeological desk-based assessment October 2008.

2. This development must be begun within three years from the date of this permission.
3. Before the development hereby permitted is occupied car parking should be provided in accordance with the submitted plans and parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development. The parking layout should include provision of disabled parking spaces and electric charging points for all elements of the development.
4. Prior to occupation the approved development shall make provision for cycle parking and storage facilities in accordance with the submitted details and spaces shall be permanently retained thereafter.
5. Before the development hereby permitted commences a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority. The Car Park should include provision of disabled parking spaces and electric charging points for all elements of the development.
6. Before the site is occupied the layout and gradient of the access ramp to the basement car park shall be constructed in accordance with details submitted in drawings 213 Rev B, 200 Rev B and 201 Rev B.
7. The access to the basement car parking shall be controlled by traffic signals and sensors in accordance with submitted details in Appendix 2 of Planning Supporting Statement.
8. All works must be carried out in full in accordance with the submitted Construction Management Plan unless previously agreed in writing by the Local Planning Authority.
9. The building and surrounding land shall be constructed to the levels as shown on the approved plans.
10. Before the development hereby permitted commences, sample details of the materials to be used for the external surfaces of the building and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
11. Details of the boundary treatments surrounding the site and any access gates including details of the height, position and materials shall be submitted to and agreed in writing with the LPA prior to the commencement of the development. The development shall be carried out in accordance with the approved details and maintained thereafter.
12. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.
13. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow that person to observe the excavation and record items of interest and finds.
14. The landscaping of the site and amenity area shall be carried out as per the approved plans.
15. 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.
16. 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.

17. Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

18. The external lighting shall be carried out as shown on the submitted plans and permanently maintained thereafter.

19. Before the development hereby permitted commences details of methods to protect privacy within the development and of neighbouring sites shall be submitted to and agreed in writing with the LPA. Details should include use of privacy screens, obscure glazing and high level windows where appropriate. The development shall be carried out in accordance with the approved details and maintained thereafter.

20. Before the development hereby permitted commences details of the design and appearance of all external windows (including fixed glass panels) and doors shall be submitted to and agreed in writing with the LPA. The development shall be carried out in accordance with these details as approved.

21. No development shall take place within the area indicated until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

22. The ground floor shall be used for offices falling within B1 use and no other purpose (including any other purpose in Class B1 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).

23. Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

24. A noise assessment, by an approved acoustic consultant, shall be carried out in accordance with Planning Policy Guidance Notes 24 on the development that assesses the likely impacts of noise on the development. This report and any measure to be implemented by the developer to address its findings shall be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before any of the units are occupied.

25. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the external roof plant on neighbouring residents and future occupiers of the site. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels. It should 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 contents and recommendations. The approved measures shall be implemented in their entirety before any of the units are occupied.

26. Before development commences other than for investigative work:

- A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant

sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.-

- If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
 - a risk assessment to be undertaken,
 - refinement of the Conceptual Model, and
- a. the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

- b. If the risk assessment and refined Conceptual Model indicate 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.

27. 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.

28. The level of noise emitted from the roof plant and any extract/ ventilation equipment hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

29. The development shall be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from the ground floor B1 use as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

30. 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 should also 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.

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. The approved mitigation scheme shall be implemented in its entirety before any of the (units are occupied / the use commences).

31. Before development commences, an air quality assessment report, written

in accordance with the relevant current guidance, for the biomass boiler shall be submitted to and approved by the Local Planning Authority. It should also 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. 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. The approved mitigation scheme shall be implemented in its entirety before the use commences.

32. Development shall not begin until a scheme for protecting the proposed development from vibration, has been submitted to and approved by the Local Planning Authority. The vibration protection scheme include such combination of land separation, vibration control techniques and other measures, as maybe be approved by the Local Planning Authority, in the light of current guidance on vibration levels. The said scheme shall include such secure provision as will ensure that it endures for so long as the development is available for use and that any and all constituents parts are repaired and maintained and replaced in whole or in part so often as occasion may require. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

33. Prior to the occupation of the development a Maintenance Agreement for the traffic signals should submitted to and agreed in writing with the Local Planning Authority. Details of all equipment associated with the proposed access system should also be submitted and must be installed within the site's boundaries and not encroach on the public highway.

34. Prior to the commencement of the development hereby approved details of any external handrails or balustrading to the ramped areas shall be submitted to and agreed in writing with the LPA. The development shall be carried out in accordance with the approved details and maintained thereafter.

35. The dwellings shall achieve a Code Level 4 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 4 has been achieved and this certificate has been submitted to and approved by the Local Planning Authority.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006):

GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, H5, H16, H17, H18, H21, CS2, CS8, CS13, IMP2, GEMP4, EMP2, EMP3, EMP6, EMP8, M8, M11, M12, M13, M14, EN13, ENV14.

Core Strategy (Publication Stage) 2010:

CS1, CS3, CS4, CS5, CS8, DM01, DM02, DM03, DM08, DM10, DM14, DM17.

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPS4 - Planning for Sustainable Economic Growth

PPS5 - Planning for the Historic Environment

PPG13 - Transport

PPG24 - Planning and Noise

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan: July 2011

2.7, 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 4.2, 4.3, 5.2, 5.3, 5.21, 7.1, 7.2, 7.3, 7.4, 7.7.

ii) The proposal is acceptable for the following reason(s): - The proposed development is considered make efficient use of this previously developed land providing a suitable mix of high quality residential accommodation in a sustainable town centre location which would respond to local need as well as retaining an employment presence on the site. The development would be in keeping with the character and quality of the area and would preserve the amenities of adjoining occupiers. The development is not considered to result in adverse impacts to highway or pedestrian safety or result in significantly higher levels of local congestion. The proposals are in accordance with local, regional and national policies as detailed above.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

2. Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimize damage to trees on or adjacent to the site.

3. If the development is carried out, it will be necessary for the existing vehicular crossover to be modified by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

4. The applicant is advised that High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Environment and Operations should be consulted in this respect.

5. The applicant is also advised that the development is located on a Strategic Road Network (SRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.

6. The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular access.

7. The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access road. The proposed access design details, construction and location will be reviewed part of the application. Any related costs for alterations to the public highway layout that may

become necessary, due to the design of the onsite development, will be borne by the applicant.

8. In complying with the contaminated land condition parts 1 and 2: Reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents;
- 2) Planning Policy Statement 23 (PPS 23) - England (2004);
- 3) BS10175:2001 Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

9. The development of this site is likely to damage historic assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage Guidelines.

10. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

11. The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out – habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint – setting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality;

3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

(3) That if an agreement has not been completed by **21/02/2011**, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application B/02471/11 under delegated powers for the following reason/s:

1. The development would require an element of affordable housing provision and no formal undertaking is given to secure this, contrary to Policy H5 of the London Borough of Barnet Adopted Unitary Development Plan (2006) and Supplementary Planning Document - Affordable Housing (2007).

2. The proposed development does not include a formal undertaking to meet the extra education, health and libraries services costs together with associated monitoring costs arising as a result of the development, contrary to policies CS2, CS8, CS13 and IMP2 of the Adopted Barnet Unitary Development Plan (2006), Supplementary Planning Document - Planning Obligations (2006), Supplementary Planning Document - Contributions to Education (2010), Supplementary Planning Document - Contributions to Libraries (2008) and Supplementary Planning Document - Contributions towards Health Facilities arising from development (2009).

7. APPLICATIONS FOR PLANNING PERMISSIONS AND CONSENTS (Report of the Assistant Director of Planning and Development Management – Agenda Item 6)

RESOLVED – That the Council's decision on the applications listed below be as indicated, and that the Assistant Director of Planning and Development Management be instructed to convey such decisions to the applicants.

COPPETTS WARD

B/02368/11 Sarah Cohen House, Asher Loftus Way, London, N11 3ND
Jewish Care

Erection of a part two, part three storey plus basement building to provide a 48 bedroom care home. Construction of a single storey link building between Lady Sarah Cohen House and Rosetrees. Addition of a conservatory to Rosetrees.

The Assistant Director of Planning and Development Management circulated an addendum to the report. The sub-Committee resolved to;

APPROVE the application subject to the following conditions;

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

108, 2385 050 Rev B, 2385 051 Rev A, 2385 052 Rev A, 2385 053 Rev B, 2385 054 Rev A, 2385 116 Rev D, 2385 117 Rev C, 2385 118 Rev B, 2385 120 Rev E, 2385 121 Rev E, 2385 122 Rev E, 2385 124 Rev B, 2385 125 Rev A, 2385 131 Rev D, 2385 132 Rev D, SKE.112 Issue C, 231/001 rev A, Planning Statement by Savills dated June 2011, Design and Access Statement by M R Partnership and Land Use Consultants dated 1 June 2011, Ecological Appraisal by Land Use Consultants dated December 2010, Bat Survey Brief by Land Use Consultants dated May 2011, Sustainability Report by Blyth+Blyth, Environmental Noise Survey and PPG24 Assessment Report 16788/PPG241.1 dated 23 November 2010, Statement of Community Involvement by Savills, Framework Travel Plan by ADL Traffic Engineering Ltd, Transport Statement by ADL Traffic Engineering Ltd, Lc20373:90:002 Revision A, Lc20373:90:003 Revision B (date received 6-Jun-2011); Bat Survey Report by The Ecology Consultancy (date received 27-Jun-2011); Archaeological Desk Based Assessment dated June 2011 (date received

30-Jun-2011); Proposed maintenance and access strategy for green and brown roofs (date received 8-Aug-2011);
2385 100 Rev K, 2385 111 Rev G, 2385 112 Rev H, 2385 113 Rev H, 2385 114 Rev F, 2385 115 Rev D, SK 111 Rev J, 5027 SKE.115 Issue G, SKE.129 Issue B, SKE.130 Issue D, SK.134 Issue A, SK.135 Issue A, SKE 136, 131 Issue C, Arboricultural Report Report Date: 26th September 2011, 231/002 Rev E, Landscape Response to Planning Office Comments (date received 4-Oct-2011). Flood Risk Assessment by Blyth+Blyth dated 30 November 2011 (date received 30-November-2011).

2. This development must be begun within three years from the date of this permission.
3. Before the development hereby permitted is occupied the parking spaces shown on Plan no 2385 100 Rev K shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.
4. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
5. Before the development commences (excluding works to trees and access road) details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
6. The premises shall be used as a residential care home and no other purpose (including any other purpose in Class C2 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).
7. Before the development commences (excluding works to trees and access road) details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.
8. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.
9. Before the development commences (excluding works to trees and access road) details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.
10. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.
11. 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 building.
12. 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 or as otherwise set out in the Landscape Management Plan shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

13. No works in connection with the development hereby permitted, including any site preparation works, shall commence until a Landscape Management Plan for the site for a period of 20 years including long term design objectives, management responsibilities and maintenance schedules and provisions to safeguard ecological interests in line with the recommendations outlined with the Bat Survey Report by The Ecology Consultancy dated 16/06/2011 have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented, managed and maintained in accordance with the provisions of the Landscape Management Plan.

14. Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

15. No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

16. No siteworks or works on this development shall be commenced before a method statement detailing precautions to minimise damage to trees including areas of hardsurfacing and car parking, any works within 2m of the root protection area's of retained trees as identified on drawing 231/002 Revision E and details of any piling to be undertaken in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* and in line with the details to be submitted as part of the required Construction Method Statement is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

17. No development or other operations shall commence on site in connection with the development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

18. Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

19. The level of noise emitted from the electricity sub station and energy centre hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

20. Before the development commences (excluding works to trees and access road) a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval that assesses the likely noise impacts from the development of the electricity sub station and energy

centre. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should 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 contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

21. The non-residential development is required to meet the following generic environmental standard (BREEAM) and at a level specified at Section 6.11 of the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

22. No work on the development shall commence until a Construction Method Statement has been submitted to and formally approved in writing by the Local Planning Authority. The details required must include likely timescales for the development, contractor parking and material storage and should be in line with the details to be submitted as part of the required method statement detailing precautions to minimise damage to trees.

23. Before works commence on the access and estate roads, the details of the access and estate road(s) shall be submitted to and approved in writing by the Local Highways Authority. Highways Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200. The estate road as approved shall be constructed in accordance with the approved details before the site is occupied.

24. Before the development is occupied a full Travel Plan shall be submitted and to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan co-ordinator. No development shall take place until details of the arrangements to meet the obligation for monitoring the development to ensure the objectives of the Travel Plan are met.

25. No development whatsoever shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

26. No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 7am or after 7pm on any other day.

27. Development shall not begin until a surface water drainage scheme for the site has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme must include the following measures as detailed in the approved FRA (Blyth and Blyth, 30 November 2011)

- Total surface water run-off leaving the site to be restricted to 11 litres per second (l/s);
- Surface water attenuation to be provided on site such that no flooding occurs during the 100 year climate change event. Storage to be provided in an enlarged dry pond of no less than 330 cubic metres, a flood basin of no less than 31 cubic metres, and underground attenuation;
- Drainage system to incorporate permeable paving throughout the car parking areas, a swale for roadside drainage, and green roofs on the new development.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

- i) The proposed development accords with strategic planning guidance and

policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006). In particular the following policies are relevant: Adopted Barnet Unitary Development Plan (2006): GSD, GParking, GBEnv1, GBEnv2, GBEnv3, GBEnv4, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, O13, O17, M2, M3, M11, M12, M13, H12, H16. 3.17, 5.3, 5.11, 5.12, 5.13, 7.4 7.19, 7.20, 7.21 of The Mayor's London Plan July 2011

Core Strategy (Publication Stage) 2010:

CS1 - Barnet's Place Shaping Strategy - The Three Strands Approach

CS5 - Protecting and Enhancing Barnet's character to create high quality places

CS13 - Ensuring the efficient use of natural resources

CS15 - Delivering the Core Strategy

ii) The proposal is acceptable for the following reason(s): -

The proposed development is considered to be an acceptable form of development for this site in this location, resulting in a sustainable building which would provide care to meet an identified need. It is not considered to have a significant adverse impact on the residential and visual amenities of the neighbouring occupiers or on the highway conditions in the locality. It is considered to have a minimal impact on the nature corridor and the Coppetts Wood Local Reserve, protecting local biodiversity. This proposal is considered to accord with the aforementioned policies.

2. Any details submitted in respect of the Construction Method Statement shall indicate how the hours of operation will be controlled, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials, any proposed lighting as part of the construction process and a community liaison contact.

3. The applicant is advised that Colney Hatch Lane (the whole length) is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Environment and Operations Directorate should be consulted in this respect

4. The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular access.

5. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and &

measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

7. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

8. The development of this site is likely to damage historic assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines

9. This grant of consent confirms no rights for any work to be undertaken to trees adjacent to and on the site included in the Tree Preservation Order. If any treatment is proposed, an application would be required in accordance with the Tree Preservation Legislation, and should be accompanied by a BS5837 tree survey.

You are reminded that damaging, or causing or permitting damage to, a protected tree is a criminal offence that may result in liability for a heavy penalty and appropriate precautions should be taken to ensure that no damage is caused during development works.

10. The applicant is advised that if bats are found to be present on the site, a European Protected Species (EPS) mitigation licence issued by Natural England may be required prior to any works taking place.

11. In order to check that the proposed stormwater system meets the Environment Agency's requirements, the following information will be required: a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and other SUDS features. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes;

b) Confirmation of the critical storm duration;

c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365;

d) Where on site attenuation is achieved through attenuation ponds or similar, calculations showing the volume of these are also required;

e) Where an outfall discharge control device is to be used such as a hydrobrake

or twin orifice, this should be shown on the plan with the rate of discharge stated;
f) Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event, with a 30% allowance for climate change in line with Planning Policy Statement 25 (Table B.2). If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

TOTTERIDGE WARD

B/03681/11 Lavendale Montessori Nursery, Southover, London, N12 7JG
Mr Neil Todd

Erection of canopy over play area adjacent to existing nursery building, including enclosed by 900mm high fence

The Assistant Director of Planning and Development Management circulated an addendum to the report. The sub-Committee having heard oral representations from Mrs Susan Gee and Mr Robert Durling objecting to the application and the applicant's response resolved to;

APPROVE the application subject to the following conditions;

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, illustration of proposed fence, existing site plan, proposed site plan (received 30th August 2011) site and block plan (received 23rd September 2011) e-mail from Terry Hadley dated 2nd December 2011 confirming overall height of the canopy structure will be 3m, existing and proposed elevations (received 5th December 2011)
2. This development must be begun within three years from the date of this permission.
3. The canopy and play area the subject of this application shall only be used ancillary to the day nursery/playgroup and for no other purposes and shall not be used other than between the hours of 08.00 to 18.00 Monday to Friday (excluding public holidays).
4. The canopy and fencing hereby permitted shall be finished in green and permanently maintained as such.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): National Planning Policy Guidance/ Statements: Planning Policy Statement 1 (PPS1) - Delivering sustainable development. The Mayor's London Plan: July 2011: Policy 7.4 Local character. Relevant Unitary Development Plan Policies: GBEnv1, D1, D2, D5, CS4, CS5, CS9, 01, 02, 03

Core Strategy (Publication Stage) 2010:CS5

ii) The proposal is acceptable for the following reason(s): -

The proposal is considered to have an acceptable impact on the character and appearance of the application site, on the residential amenities of neighbouring occupiers, and on the visual amenity of the locality. The proposal would not detract from the character and appearance of the Metropolitan Open Land. It is also in accordance with the aforementioned policies.

2. The applicant is reminded to ensure compliance with conditions 4, 6 and 7 of planning permission reference N03211Q/03 dated 19/11/2003.

WEST FINCHLEY WARD

F/04240/11 18 Brent Way, London, N3 1AL

Ms Wixon

Demolition of existing steps and reduction in level of the front garden. Formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.

The sub-Committee having heard oral representations from Ms Maggie Airey and Mr Mike Dawson objecting to the application and the applicant's response resolved to;

REFUSE (this being a reversal of Officers recommendation) the application subject to the following reason;

The proposed development by reason of its design and amount of hardstanding would harm the character of this part of Brent Way contrary to policies GBEv1, D1 and D2 of the Adopted Barnet Unitary Development Plan (2006).

The meeting finished at 8.30pm