

<b><u>MEETING</u></b> <b>PLANNING AND ENVIRONMENT COMMITTEE</b>
<b><u>DATE AND TIME</u></b> <b>WEDNESDAY 8 DECEMBER 2010</b> <b>AT 7.00PM</b>
<b><u>VENUE</u></b> <b>HENDON TOWN HALL, THE BURROUGHS, HENDON NW4 4BG</b>

**TO: MEMBERS OF THE COMMITTEE (Quorum 3)**

Chairman: Councillor Wendy Prentice

Vice Chairman: Councillor John Marshall

**Councillors:**

Maureen Braun	Anita Campbell	Jack Cohen	Alison Cornelius
Claire Farrier	Hugh Rayner	Andreas Tambourides	Jim Tierney

**Substitute Members:**

Sury Khatri	David Longstaff	Andrew McNeil	Graham Old
Monroe Palmer	Barry Rawlings	Agnes Slocombe	Stephen Sowerby
Reuben Thompstone	Darrel Yawitch		

**You are requested to attend the above meeting for which an agenda is attached.  
Aysen Giritli – Acting Democratic Services Manager**

Democratic Services contact: Maria Lugangira 020 8359 2761

Media Relations contact: Chris Palmer 020 8359 7408

To view agenda papers on the website: <http://committeepapers.barnet.gov.uk/democracy>

**CORPORATE GOVERNANCE DIRECTORATE**

## ORDER OF BUSINESS

Item No.	Title of Report	Page Nos.
1.	MINUTES	-
2.	ABSENCE OF MEMBERS	-
3.	DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS	-
4.	PUBLIC QUESTION TIME (if any)	-
5.	MEMBERS' ITEMS (if any)	-
6.	Applications for Planning Permission and Consent under the Advertisements Regulations	1 - 135
7.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	
8.	MOTION TO EXCLUDE THE PRESS AND PUBLIC:- That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act (as amended) shown in respect of each item:	-
9.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	

### FACILITIES FOR PEOPLE WITH DISABILITIES

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PLANNING AND ENVIRONMENT COMMITTEE

8 DECEMBER 2010

ITEM 6

**REPORT OF THE**  
**ASSISTANT DIRECTOR OF PLANNING AND**  
**DEVELOPMENT MANAGEMENT**

**BACKGROUND PAPERS – GENERAL STATEMENT**

The background papers to the reports contained in the agenda items which follow comprise the application and relevant planning history files, which may be identified by their reference numbers, and other documents where they are specified as a background paper in individual reports. These files and documents may be inspected at:

Building 4, North London Business Park  
Oakleigh Road South  
New Southgate  
London N11 1NP

Contact Officer: Mrs V Bell, 020 8359 4672

## **PLANNING AND ENVIRONMENT COMMITTEE**

DATE: 8 December 2010

### **INDEX TO THE REPORT OF THE ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT MANAGEMENT**

**H/03982/10**

1 - 98

Colindale

Land at Station House and part of former Colindale Hospital site, Colindale Avenue

Construction of a part 7, part 18 storey building comprising a 374 bed Aparthotel (Use Class C1) together with a bar-club / restaurant (Use Class A3/A4), gym (Use Class D2) and four commercial units on the ground floor (Use Class A1/A3) along with associated car parking and landscaping.

**Approve Subject to Conditions**

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**B/03800/10**

99 - 114

East Barnet

JCoss, Westbrook Crescent, Barnet, Herts, EN4 9AR

Amendment to planning permission B/02385/09 dated 17/03/10 in respect of retention of caretaker's cottage and variation to landscape works and sports provision.

**Approve Subject to Conditions**

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**H/03145/10**

115 - 135

West Hendon

Former Welsh Harp Sailing Club, West Hendon Estate, Cool Oak Lane, London, NW9 7BG

Temporary (four years) erection of a compound containing single storey buildings for use as marketing suite and site office buildings. Five Car parking spaces for use with the marketing suite and associated landscaping

**Approve Subject to Conditions**

**LOCATION:** Land at Station House and part of former Colindale Hospital site, Colindale Avenue

**REFERENCE:** H/03982/10

**WARD:** Colindale

**APPLICANT:** Semali Investments Ltd

**PROPOSAL:** Construction of a part 7, part 18 storey building comprising a 374 bed Aparthotel (Use Class C1) together with a bar-club / restaurant (Use Class A3/A4), gym (Use Class D2) and four commercial units on the ground floor (Use Class A1/A3) along with associated car parking and landscaping.

**Received:** 04 Oct 2010  
**Accepted:** 04 Oct 2010  
**Expiry:** 03 Jan 2011  
**Final Revisions:**

## BACKGROUND

Planning permission was granted to Fairview New Homes Ltd in November 2009 for the comprehensive redevelopment of the former Colindale Hospital. As part of the overall redevelopment proposals a separate planning permission was granted at the same time for the demolition of Station House and the construction of a new public piazza adjacent to Colindale Tube Station along with a 293 bed, part 6, part 13 storey Aparthotel building with commercial units on the ground floor.

The site of the approved Aparthotel is owned by Semali Investments Ltd who are committed to constructing an Aparthotel. However in order for the development to be viable they are seeking permission to increase the number of rooms in the Aparthotel from 292 to 374.

The revised scheme proposes a number of alterations and improvements to the elevations but otherwise retains the same footprint and general building envelope. The revised proposal will increase the number of storeys within the building from 13 to 18. Using innovative construction techniques the developers are able to accommodate the increase in the number of rooms without substantially increasing the height of the building. These additional floors will be accommodated within the building by reducing the floor to ceiling heights using an efficient method of prefabricated construction. Ceiling heights were previously 3.5m which are in excess of normal standards. The revised scheme reduces this to 2.7m which is still above the 2.3m standard. As a result the revised building will only be 5.5m taller than the approved scheme. These additional two floors will be finished in glass and will be set back from all sides of the building to reduce their visibility and impact.

The Aparthotel will contribute significantly towards the local economy through providing new employment, attracting people to the area on business and leisure trips, generating additional expenditure and supporting local businesses through providing a complementary land use.

The proposed building will utilise sustainable methods of construction and will connect to the Energy Centre currently being constructed on the former Colindale Hospital development which will supply heating and hot water requirements for the Aparthotel.

The proposal will see the development of one of the key sites identified in the Adopted Colindale Area Action Plan and will contribute to the regeneration of the area. The revised design will deliver a high quality building in a prominent location framing the new public piazza and transport interchange at this gateway location in Colindale.

## **RECOMMENDATION: RESOLUTION TO APPROVE SUBJECT TO:**

### **RECOMMENDATION 1:**

The application being one of strategic importance and therefore referred to the Mayor of London and no direction being received to refuse the application or for the Mayor to act as the Local Planning Authority for the purpose of determining the application.

### **RECOMMENDATION 2:**

Subject to recommendation 1 above 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 of seeking to secure the following:

- a. Legal Professional Costs Recovery  
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
- b. Enforceability  
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
- c. Highways Infrastructure  
Payment of a financial contribution of £10,000 index linked to the Council towards the upgrade and signalisation of the junction of the A5 Edgware Road and Colindale Avenue;
- d. Public Transport Improvements  
In accordance with the priority identified in the CAAP the payment of a financial contribution of £50,000 index linked to the Council towards the general improvement of public transport services within the vicinity of the Aparthotel Site including Step Free Access at Colindale Underground Station;
- e. Travel Plan  
The applicant shall enter into a Travel Plan that seeks to reduce reliance on the use of the private car and to ensure the sustainability of the development.
- f. Other Issues  
The applicant shall provide quarterly to the Council an update report on progress of the development for all stages of development, construction and occupation.

### **RECOMMENDATION 3:**

That upon completion of the agreement specified in recommendation 2, the Assistant Director of Planning and Development Management approve the planning application reference H/03982/10 under delegated powers subject to the following conditions:

1. Approved Plans  
This development hereby permitted shall be carried out in accordance with the following approved plans and documents:

A(SO)P001; A(GA)P090 Rev.A; A(GA)P100 Rev.A; A(GA)P110 Rev.A; A(GA)120; Rev A; A(GA)P300; A(GA)P400; A(GA)P401; A(GA)P600

- Transport Technical Note prepared by Scott Wilson (dated September 2010);
- Sustainability Assessment on the former Colindale Hospital & Station House prepared by Richard Hodgkinson Consultancy (dated 28<sup>th</sup> September 2010);
- Energy Statement prepared by Richard Hodgkinson Consultancy (dated 29<sup>th</sup> September 2010);
- Design and Access Statement prepared by Contemporary Design Solutions dated September 2010.

Reason:

For the avoidance of doubt and in the interests of proper planning.

## 2. Time Limit

This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

## 3. Aparthotel - Restriction to Hotel Use

Any hotel room shown on approved plans A(GA)P110 Rev.A and A(GA)P120 Rev A shall only be occupied for the purposes of a hotel within Use Class C1 as defined in the Town and Country Planning (Use Classes) Order 2005, as amended.

Reason:

To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area.

## 4. Aparthotel - Maximum Stay

The maximum stay of any guest or person within the Aparthotel hereby approved shall be 180 consecutive days.

Reason:

To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area.

## 5. Ground Floor Commercial Units - Layout

Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority:

- The change of use of any ground floor unit occupied under Use Class A3 to a use under Use Class A1 as defined in the Use Class Order 2005 (as amended).

Reason:

To ensure that the commercial floorspace approved does not have a detrimental impact on the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area.

**6. Maximum A1 floorspace**

The ground floor commercial units hereby permitted shall provide a maximum of 401sqm of Use Class A1 floorspace as defined by the Use Classes Order 2005 (As Amended).

Reason:

To ensure that the commercial floorspace approved does not have a detrimental impact on the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area.

**7. Ground Floor Commercial Units - Hours of Use**

The A1/A3 units on the ground floor of the building hereby permitted shall not be open to customers before 7am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

**8. Bar-club/Restaurant Use**

The bar-club/restaurant unit on the sixth floor of the building hereby permitted as shown on plan A(GA)P110 Rev A, shall only be used for the purposes within Use Classes A3 and A4 as defined in the Town and Country Planning (Use Classes) Order 2005 as amended and shall not be open to customers before 7am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

**9. Exclusion of Conference or Banqueting facilities**

Notwithstanding the plans hereby approved, the proposed development shall not incorporate any Conference or Banqueting facilities.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

**10. Levels**

Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site 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.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, and the amenities of adjoining occupiers and the health of any trees on the site.

**11. Materials**

Before the commencement of development hereby approved, details and samples of the materials to be used for the external surfaces of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details approved.

Reason:

To ensure the delivery of high quality development and to safeguard the visual amenities of the locality.

**12. Hours of Construction**

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.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

**13. Refuse**

Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and/or other refuse storage containers where applicable, together with a details of a Waste Management Plan which shall include details of a satisfactory point of collection and any collection arrangements 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 building is occupied.

Reason:

To ensure a satisfactory appearance for the development, satisfactory accessibility and to protect the amenities of the area.

**14. Contaminated Land**

The recommendations in chapter five of the report entitled, "Desk Study", reference number, "1032098/GEO/R001" by Mouchel, dated 8<sup>th</sup> September 2010 shall be carried out before development commences. A report that provides verification that these works have

been carried out, shall be submitted to, and approved in writing by the Local Planning Authority.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

**15. Ventilation and Extraction Equipment - Details Required**

Before any of the proposed A1/A3 units hereby approved are occupied, details of any extract and ventilation systems shall be submitted and approved by the Local Authority. Details shall include measures to mitigate noise and vibration, such that the noise levels at the façade of any building are 5dB below the ambient background level. Details of odour abatement shall also be submitted and shall be designed for the type of food to be prepared.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise and odour from such systems

**16. Noise from Site Plant**

The level of noise emitted from the heating, ventilation and air conditioning plant 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 any neighbouring property which existed at the time of this decision notice.

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 any existing neighbouring property at the time of this decision notice.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

**17. Noise Report for site plant**

Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the LPA for approval that assesses the likely noise impacts from the development of the ventilation/extraction plant. 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).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

**18. Landscaping - Details**

Before the development hereby permitted is commenced, a scheme of hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The details of landscaping shall include but not be limited to the following:

- new tree and shrub planting including species, plant sizes and planting densities as well as planting for green roofs including herbaceous / climbers / grasses / ground cover plants;
- means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser;
- areas of hard landscape works including paving, proposed materials and samples and details of special techniques to minimise damage to retained trees, including trees on adjacent land, and provide conditions appropriate for new plantings; and
- trees to be removed;

Reason:

To ensure a satisfactory appearance to the development.

**19. Landscaping - Maintenance**

Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development.

**20. Construction Management Plan**

Prior to commencement of development hereby approved a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details. This statement shall include, but not be limited to, the following information:

- a. details of the routing of construction vehicles to the site and access and egress arrangements within the site;
- b. details of how access will be maintained to the NHS Blood and Transplant site and Birch Court, Willow Court and Elysian House;
- c. site preparation and construction stages of the development;
- d. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;

- e. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- f. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- g. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- h. noise mitigation measures for all plant and processors;
- i. details of contractors compound and car parking arrangements;
- j. Details of interim car parking management arrangements for the duration of construction.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of free flow of traffic.

## **21. Parking Details**

Notwithstanding the plans hereby approved, before development commences, further details of the car parking access, the design of the car stacker parking system, car lifts and the layout of the parking spaces shall submitted to and approved by the Local Planning Authority and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

## **22. Maintenance Agreement for Car Lifts**

Prior to the occupation of the development hereby approved a maintenance agreement for the operation of the two car lifts shown on plan A(GA)P090 Rev A must be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway Safety in accordance with Policy M11, M13 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

## **23. Parking Management Plan**

The development hereby permitted shall not be occupied until a Parking Management Plan detailing the allocation of car parking spaces, on site parking controls, enforcement of unauthorised parking and the maintenance arrangements for the car park stacker systems has been submitted to and approved by the local planning authority. The plan shall be implemented before the building hereby permitted is occupied and maintained thereafter.

Reason:

To ensure the free flow of traffic and in the interest of highway safety and the visual appearance of the development.

**24. Cycle Parking Provision**

The development shall not be occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority and increased in numbers, if needed. All of the spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport.

**25. Drainage Strategy**

The development hereby permitted shall not commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority in consultation with the sewage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason:

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

**26. Piling**

No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority in consultation with the Environment Agency. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a. the method of piling;
- b. the design of any foundations; and
- c. methods for the protection of the aquifer beneath the site.

Reason:

To protect groundwater. The deep principal aquifer is currently protected from pollution at the ground surface by the layer of London Clay beneath the site. Our maps indicate the base of the London Clay is approximately 16 m below ground level. The structure is likely to require substantial foundations and it is not clear whether they will penetrate through the protective London Clay layer. The piling/foundations must pose a low risk of pollution to the deeper Principal Aquifer through their design, construction and lifetime.

**27. Flood Risk Assessment**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 'Colindale Hospital' by Scott

Wilson dated January 2009 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated up to the 1 in 100 year critical storm including an allowance for climate change so that it will not exceed the greenfield run-off rate for the site and not increase the risk of flooding off-site.
2. Provision of Sustainable Drainage Systems (SUDS) to provide attenuation of surface water on-site, including living roofs, permeable paving and cellular storage.

Reason:

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

**28. Environmental Standard: Aparthotel**

The development hereby approved is required to meet the BREEAM Excellent rating for non-residential development. Before the building is first occupied the developer shall submit certification to demonstrate that BREEAM Excellent rating has been achieved.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

**29. Green Roofs**

Before the commencement of development details of the Green and/or Brown Roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details as approved.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

**30. Connection to Decentralised Heating Network**

Prior to the commencement of development hereby approved a strategy setting out how the development will connect to the single Energy Centre provided within the Colindale Hospital site under application H/00342/09 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved and shall not be occupied until the applicant has demonstrated that the development has been connected to the Energy Centre.

Reason:

To ensure that the development is sustainable and complies with the requirements of the London Plan.

**31. London Underground**

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level,

including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- accommodate the location of the existing London Underground structures
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy 3C.4 and 'Land for Transport Functions' Supplementary Planning Guidance.

### **32. Accessibility Management Plan**

The development hereby permitted shall not be occupied until an Accessibility Management Plan has been submitted to and approved by the local planning authority.

Reason:

To ensure the development is accessible to all users in accordance with UDP Policy D8.

### **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 London Plan (consolidated with Alterations since 2004) (published 19 February 2008) and the Adopted Barnet Unitary Development Plan (UDP) (2006). In particular the following policies are relevant:

London Borough of Barnet Adopted Unitary Development Plan 2006:

Policy GSD – Sustainable Development

Policy GL2 - Tourist Facilities

Policy GMixedUse – Mixed Use

Policy GBEnv1 – Character

Policy GBEnv2 – Design

Policy GBEnv3 – Safe Environment

Policy ENV7 – Air Pollution

Policy ENV13 – Minimising Noise Disturbance  
Policy D1 – High Quality Design  
Policy D2 – Character  
Policy D3 – Spaces  
Policy D5 – Outlook  
Policy D9 – Designing Out Crime  
Policy D11 – Landscaping  
Policy L7 – Tourist Facilities – Preferred Locations  
Policy L10 – Hotels – Development Criteria  
Policy M1 – Transport Accessibility  
Policy M2 – Transport Impact Assessments  
Policy M3 – Travel Plans  
Policy M5 – Pedestrians and Cyclists – Improved Facilities  
Policy M6 – Public Transport – Use  
Policy M7 – Public Transport – Improvements  
Policy M10 – Reducing Traffic Impact  
Policy M13 – Safe Access to New Development  
Policy M14 – Parking Standards  
Policy IMP1 – Priorities for Planning Obligations  
Policy IMP2 – Use of Planning Obligations

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

The proposed redevelopment of the site will deliver a high quality building on a key site identified in the adopted Colindale Area Action Plan (March 2010). The proposed Aparthotel will create a landmark building in this gateway location in Colindale and the ground floor commercial units will provide activity within the new public piazza. The application complies with the requirements of the London Borough of Barnet Adopted UDP (2006) and the London Plan (consolidated with Alterations since 2004) and will contribute to meeting the objectives set out in the Adopted Colindale Area Action Plan (2010).

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

2. 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.

3. In order to check that the proposed surface water system complies with condition 25 the following information be provided:
  - a. A clearly labelled drainage layout plan showing pipe networks and any green roofs, attenuation ponds, soakaways and drainage storage tanks. 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. Model results to demonstrate the critical storm duration.
  - c. Where infiltration forms part of the proposed surface water 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 tanks, calculations showing the volume contained within these is also required.
  - e. Confirmation of the agreed discharge rate, with any flow control devices indicated 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, including an allowance for climate change. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and water depths.
  - g. Where green roofs are provided, calculations should be submitted to demonstrate the volume of attenuation provided.
4. 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.
5. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
6. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321.
7. The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access(es). The proposed access design details, construction

and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout will be borne by the applicant. To receive a copy of our Guidelines for Developers and an application form please contact: David M Smith, Clerk of Works, Traffic & Development Section – Environment and Operations Directorate, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP

The existing access point to the parking at the rear of Station House via Colindale Avenue is going to be closed and this will be dealt under S278 Enabling works application.

8. The development is required to have a Travel Plan. LB Barnet is promoting the use of Online Travel Plan Builder. A travel plan is a document produced by you which includes a package of measures designed to help and improve transport facilities and promote more sustainable modes. Every plan is specific to the development hence prior to occupation measures need to be tailored to your site.

Barnet Travel Plan Builder is Online package. It is easy to use and will help you construct your travel plan efficiently. All you have to do is input the information when you are prompted and at the end you will have your site specific travel plan. The travel plan is broken down into manageable chunks and progress is saved in incremental stages.

It can also be reviewed and modified at any stage up until its submitted. Submission can be done on-line or Traffic & Development Section, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP]

9. The applicant is advised that Colindale Avenue is a Traffic Sensitive Roads; 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 Highways Manager should be consulted in this respect.
10. The applicant is advised that any occupiers of the site would not be able to purchase any type of parking permit, voucher or similar issued within a Controlled Parking Zone (CPZ) in the area that a property address might otherwise be eligible for as part of the councils ongoing management of the public highway.
11. The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements required under condition 33, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.

## **2. KEY RELEVANT PLANNING POLICY**

### **2.1 Introduction**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (consolidated with Alterations since 2004) published 19 February 2008 and the adopted London Borough of Barnet Unitary Development Plan (2006). These strategic and local plans are the policy basis for the consideration of this planning application.

### **2.2 Central Government Guidance and Policy Statements**

National guidance is provided by way of Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs).

The PPSs and PPGs of most relevance to the determination of this application are:

- Planning Policy Statement 1: Delivering Sustainable Development (2005)
- Planning and Climate Change: Supplement to PPS1 (2007)
- Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009)
- Planning Policy Guidance 13: Transport (2001)
- Planning Policy Statement 22: Renewable Energy (2004)
- Planning Policy Guidance 24: Planning and Noise (1994)
- Planning Policy Statement 25: Development and Flood Risk (2006)

### **2.3 The London Plan**

The London Plan (consolidated with Alterations since 2004) was published on 19 February 2008 and is part of the development plan under the Planning and Compulsory Purchase Act 2004. It provides the strategic planning guidance and policies for the capital, which promotes sustainable growth and environmentally responsive development.

Colindale is identified in the London Plan on Map 2A.1 as an Opportunity Area. Table 5B.1 sets the target of delivering 10,000 new homes in Colindale and 500 jobs (see below).

London Plan Policy 2A.5 states that frameworks should be produced for Opportunity Areas that achieve the following:

- seek to exceed the minimum guidelines for housing having regard to indicative estimates of employment capacity set out in the subregional tables (see Chapter 5)
- maximise access by public transport
- promote social and economic inclusion and relate development to the surrounding areas, especially any nearby Areas for Regeneration
- take account of the community, environmental and other distinctive local characteristics of each area
- deliver good design, including public realm, open space and, where appropriate, tall buildings
- co-ordinate development that crosses borough boundaries where appropriate

Paragraph 5.43 supporting text to policy 5B.2 highlights the following:

*"Colindale. This area comprises parts of the former RAF East Camp adjacent to the M1, which is currently being redeveloped for housing, the Hendon College site, the existing Grahame Park Estate, which is due to be comprehensively redeveloped, as well as Colindale Tube and the Hospital and library sites to the west of the tube. In total these represent an opportunity significantly to intensify residential development together with a range of leisure and other uses. Appropriate developer contributions will be needed to deliver public transport improvements to support the proposed intensification of residential use."*

The Mayor's Tourism Vision seeks to ensure that London expands as a global tourism destination, develops a broader visitor base and spreads the benefits of tourism throughout the capital. To accommodate potential growth a further 40,000 net hotel bedrooms should be provided in the period up to 2026 in a range of suitable locations throughout London. With the loss of some small scale low quality hotels, this is estimated to total an additional 50,000 gross total bedrooms.

The Central Activities Zone – particularly the West End – is the home of most tourist attractions and hotels. In order to reduce pressures on central London, provide more affordable hotel development capacity, increase London's tourism attractions and contribute to broader regeneration and sustainability objectives, other locations should in future play a much greater role in provision for visitors. Town centres and Opportunity Areas with good public transport access will be especially important, most particularly in east London.

The relevant London Plan policy is 3D.7 Visitors accommodation and facilities which states:

*"The Mayor will work with strategic partners to implement his Tourism Vision and to achieve 40,000 net additional hotel bedrooms by 2026, to improve the quality, variety and distribution of visitor accommodation and facilities and to bring forward a major international convention centre."*

The policy states that Boroughs should (among other things):

- *beyond the CAZ, identify capacity for new visitor facilities in town centres and other locations such as Opportunity Areas, with good public transport access to central London and international and national transport termini*
- *support the provision of a wide range of tourist accommodation, such as aparthotels.*
- *support an increase in the quality and quantity of fully wheelchair accessible accommodation in light of integrated strategic and local assessments*

Other relevant London Plan policies:

Policy 2A.1 Sustainability criteria

Policy 3A.3 Maximising the potential of sites

Policy 3C.1 Integrating transport and development

Policy 3C.3 Sustainable transport in London

Policy 3D.11 Open space provision in DPDs

Policy 4A.1 Tackling climate change

Policy 4A.3 Sustainable design and construction

Policy 4A.4 Energy assessment  
Policy 4A.5 Provision of heating and cooling networks  
Policy 4A.6 Decentralised Energy: Heating, Cooling and Power  
Policy 4A.7 Renewable Energy  
Policy 4A.11 Living Roofs and Walls  
Policy 4A.13 Flood risk management  
Policy 4A.14 Sustainable drainage  
Policy 4A.16 Water supplies and resources  
Policy 4B.1 Design principles for a compact city  
Policy 4B.5 Creating an inclusive environment  
Policy 4B.9 Tall buildings – location

The following Supplementary Planning Documents are also relevant in considering this application:

- Sustainable Design & Construction (Adopted May 2006)
- Accessible London: Achieving an Inclusive Environment (Adopted April 2004)

The Mayor has published a Consultation Draft Replacement London Plan (October 2009). This has subsequently undergone minor alterations (December 2009 and March 2010).

## **2.4 Barnet Unitary Development Plan**

The London Borough of Barnet UDP was adopted in May 2006 and contains local planning policies for Barnet. UDP policies that were agreed to be saved by the Secretary of State in May of this year which are relevant to this application are:

Policy GSD – Sustainable Development  
Policy GL2 - Tourist Facilities  
Policy GMixedUse – Mixed Use  
Policy GBEnv1 – Character  
Policy GBEnv2 – Design  
Policy GBEnv3 – Safe Environment  
Policy ENV7 – Air Pollution  
Policy ENV13 – Minimising Noise Disturbance  
Policy D1 – High Quality Design  
Policy D2 – Character  
Policy D3 – Spaces  
Policy D5 – Outlook  
Policy D9 – Designing Out Crime  
Policy D11 – Landscaping  
Policy L7 – Tourist Facilities – Preferred Locations  
Policy L10 – Hotels – Development Criteria  
Policy M1 – Transport Accessibility  
Policy M2 – Transport Impact Assessments  
Policy M3 – Travel Plans  
Policy M5 – Pedestrians and Cyclists – Improved Facilities  
Policy M6 – Public Transport – Use  
Policy M7 – Public Transport – Improvements  
Policy M10 – Reducing Traffic Impact  
Policy M13 – Safe Access to New Development

Policy M14 – Parking Standards  
Policy IMP1 – Priorities for Planning Obligations  
Policy IMP2 – Use of Planning Obligations

The following Barnet Supplementary Planning Documents are relevant to this application:

- SPD: Planning Obligations (Adopted October 2006)
- SPD: Sustainable Design & Construction (Adopted June 2007)

## **2.5 The Three Strands Approach**

In November 2004 the Council approved its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. A second edition of the document was published in 2008.

The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The third strand 'Growth' responds to Barnet's significant growth potential and sets out how and where sustainable strategic growth, successful regeneration and higher density can take place across the borough.

The Three Strands Approach establishes Colindale as one of three strategic opportunity areas for high quality sustainable growth within Barnet where 10,000 new homes are expected to be delivered. The first phase includes the regeneration of Grahame Park Estate and the redevelopment of RAF East Camp (Beaufort Park).

## **2.6 Colindale Area Action Plan**

The Colindale Area Action Plan (AAP) was adopted in March 2010. This provides a planning policy and design framework to guide and inform the development and regeneration of Colindale up to 2021 in response to the London Plan's designation as an Opportunity Area.

The AAP contains guidance on sustainable development and identifies a number of key infrastructure improvements needed to support the delivery of growth in Colindale. It identifies four character areas, the "Corridors of Change", which identify specific development sites and set specific policy objectives to be achieved from redevelopment. The site for the Aparthotel is within the Colindale Avenue Corridor of Change. The Colindale AAP vision for the Colindale Avenue Corridor of Change is:

*"Colindale Avenue will be the vibrant heart and gateway to the area and become a sustainable, mixed-use neighbourhood centre anchored by a new, high quality public transport interchange with pedestrian piazzas on both sides of the street. A high quality, urban environment will serve a higher density population, well connected to Central London via Colindale Underground Station and good quality local bus services serving its more immediate hinterland."*

The AAP identifies the former Colindale Hospital site, including Station House, as a key development site which is appropriate for residential-led development as well as

commercial and health facilities and a new public transport interchange and public square to deliver the key objectives identified for the Colindale Corridor of Change. The identified priorities for the Corridor of Change are set out in CAAP Policy 4.1. Those relevant to this application include:

- a) Develop a dynamic new public transport interchange and associated pedestrian piazzas on Colindale Hospital/Station House site, British Library site and Peel Centre West site;
- b) Provide a sustainable mix of uses to create a new, vibrant neighbourhood centre for Colindale, with a range of retail and commercial provision, education, health and other community uses;
- c) Provide a sustainable and walkable neighbourhood centre including convenience food store provision of up to 2,500sqm supported by a range of associated shops and services to meet local needs;

The adopted Colindale AAP is form a material consideration, under Section 38(6) of the Planning and Compensation Act 2004, in the determination of any planning applications for sites within the AAP area. The policies relevant to this application are:

- Policy 2.0 – Colindale Opportunity Area
- Policy 3.2 – Walking and Cycling
- Policy 3.4 – Public Transport Interchange
- Policy 3.5 – Parking
- Policy 3.6 - Travel Plans
- Policy 4.1 – Colindale Avenue Corridor of Change
- Policy 5.1 – Urban Design
- Policy 5.3 – Building Heights
- Policy 6.1 – Energy Hierarchy
- Policy 6.2 – CHP and District Heating System
- Policy 6.3 – Creating Sustainable Buildings
- Policy 6.5 – Surface Water Run Off
- Policy 7.4 – Neighbourhood Centre in Colindale
- Policy 7.5 – Working in Colindale
- Policy 8.3 – Funding Infrastructure in Colindale and Section 106 Contributions

### 3. RELEVANT PREVIOUS DECISIONS

<b>Application Ref.</b>	<b>Address</b>	<b>Description of Development</b>	<b>Decision and Date</b>
<b>H/001159/08</b>	Colindale Hospital, Colindale Avenue, London NW9 5HG	Demolition of curtilage buildings to Listed Hospital Administration Block.	APPROVED 02/12/2008
<b>H/00395/09</b>	Colindale Hospital, Colindale Avenue, London NW9 5HG	Enabling works application for the provision of new site access, spine road with footpaths, emergency access to the health protection agency together with associated sub-surface infrastructure.	APPROVED 03/06/2009
<b>H/00342/09</b>	Colindale Hospital, Colindale Avenue, London NW9 5HG	Redevelopment of the former Colindale Hospital to include the erection of 714 residential units including the change of use and conversion of the listed former Administration building to residential, a new primary care trust facility (Use Class D1) of 1,132sqm, commercial units (Use Class A1/A2//A3/B1) and site management office (Use Class D1/B1), together with access roads, car parking and cycle parking, new public and private open space, children's play space and landscaping. Application includes the submission of an Environmental Statement.	APPROVED 20/11/2009 following completion of S106 agreement
<b>H/00343/09</b>	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	The demolition of Station House and construction of a 293 bed, part 6, part 13 storey Aparthotel of up to 8965sqm, together with a 369sqm restaurant (Use Class A3) and three ground floor commercial units (Use Class A1/A2/A3) totaling 780sqm with associated access, car parking and landscaping, retention of and alterations to the Colindale Underground station building and the provision of a new public square and a transport interchange incorporating bus stops, taxi rank and associated landscaping.	APPROVED 20/11/2009 following completion of S106 agreement
<b>H/00344/09</b>	The Administration Building, Colindale Hospital, Colindale Avenue, London, NW9 5HG	Listed Building Consent application for works of repair and internal and external alterations to convert the former Colindale Hospital Administration Building into residential use.	APPROVED 20/11/2009



<p><b>H/00041/10</b></p>	<p>Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG</p>	<p>Section 73 application for amendments to wording of conditions 2 (Restriction to Hotel Use), 4 (Maximum Stay), 5 (A1/A3 Units Layout), 6 (A3 Specified Use), 8 (Details of Piazza), 10 (Materials), 12 (Refuse), 13 (Protection from Vibration), 14 (Land Contamination), 15 (Details of Ventilation and Extraction), 17 (Noise Report), 18 (Sound Insulation), 19 (Tree Protective Fencing), 20 (Services in Relation to Trees), 21 (Trees Method Statement), 23 (Landscaping Details), 26 (Construction Method Statement), 27 (Parking), 28 (Car Park Stacker Maintenance), 29 (Parking Management Plan), 30 (Cycle Parking Provision), 32 (Drainage Strategy), 34 (BREEAM Standard), 35 (Details of Green/Brown Roofs), 36 (Connection to Decentralised Heating Network), 37 (Details of Taxi and Coach Bays), 38 (PPG24 Noise Report) of approved planning consent ref. H/00343/09 and inclusion of new condition in relation to phasing plan.</p>	<p>APPROVED 05/05/2010 following completion of Deed of Variation to S106 agreement</p>
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#### 4. PRE-APPLICATION CONSULTATION

The original Aparthotel application along with the application for the redevelopment of the former Colindale Hospital underwent extensive public consultation and negotiation between the applicant, the Council, the GLA, TfL and other organisations.

A Statement of Community Consultation has been submitted with the application. This outlines how the applicant has undertaken their own focussed consultation with the local community in Colindale. Whilst considered to provide improvements over the previously approved scheme, the applicants decided to send details of the revised proposal to the following neighbouring organisations as well as providing a comparison with the existing consented scheme:

- National Blood Service
- Health Protection Agency
- Elysian House and Birch Court and Willow Court
- British Museum Newspaper Library
- Fairview New Homes Ltd

On the 16th August 2010, letters were issued to the 324 addresses within the Colindale area providing some background information to the revised proposals and inviting them to comment on the scheme. Ward Councillors were also sent information.

## 5. STATUTORY AND NON-STATUTORY CONSULTATION RESPONSES

### 5.1 Consultations and Views Expressed

Over 900 local residents and businesses were consulted by letters on the 6<sup>th</sup> October. The application was advertised in the local press on the 14<sup>th</sup> October and 2 site notices were displayed outside the site along Colindale Avenue. Statutory bodies and adjoining local authorities were also consulted.

This section provides a summary of the representations received from residents, statutory bodies and internal consultees at the time of writing this report. Where appropriate, short responses are given in relation to objections, otherwise the issues are addressed within the planning appraisal section of this report.

### 5.2 Comments from Residents

Neighbours Consulted:	929	Replies:	11
Neighbours Wishing To Speak:	1	In favour:	1
		In objection:	10

A total of 10 replies were received from local residents in response to the application of which one was in support of the proposals. A letter was also received from Lambert Smith Hampton acting on behalf of the NHS Blood and Transplant (NHSBT) who are located to the rear of the Colindale Hospital site.

The comments raised in the letters and e-mails have been summarised below.

#### (i) General

- In favour of any development which improves the quality of the local area.
- The running of the health club / gym / pool should include the option for local residents to use the facilities including the option to pay on a single session basis, to enable the facilities to be used by all as opposed to only higher income families.
- This development would be totally out of keeping with the area. This is basically a residential area.
- Have reservations about the idea of an aparthotel. Aparthotels developed in seaside holiday areas in Spain and other Mediterranean countries. Colindale has never been and will not be a tourist area.
- Colindale has few local attractions and is in zone 4 of the underground so is not near central London.
- The rooms all have kitchens. If there are few normal hotel customers these rooms can be let on a long term basis and will become de facto flats. If this building is going to end up as mainly a block of flats it should be treated as such and criteria for flat planning applications should be applied.

### Response

- *Policy 4.1 of the Adopted Colindale AAP requires developments in the Colindale Avenue Corridor of Change to provide a sustainable mix of uses to create a new, vibrant neighbourhood centre for Colindale, with a range of retail and commercial uses. The proposed development is therefore in line with the objectives for the area.*
- *The location of the Aparthotel adjacent to Colindale Underground Station will provide access to central London for business and leisure visitors.*
- *The Aparthotel falls within Class C1 (Hotels) of the Use Classes Order (2005) as amended and is therefore not de facto residential development. The use as an aparthotel will be secured by condition to ensure that the units are not occupied by guests for more than 180 consecutive days. Any occupation of the rooms contrary to this use class will be deemed a breach of planning regulation.*

### **(ii) Traffic and Transportation**

- Effect on traffic, access and parking (already a problem in the area).
- The numbers of new residents are already causing problems on the roads and trains and with regard to accessing public services - the plans are unsustainable.
- Colindale Avenue is a very narrow street and an hotel of this size will cause major traffic problems.
- It may add up to 750 more commuters to Colindale Avenue. How will the present transport systems and services cope?
- Large-scale works of this kind usually mean that the road has to be blocked for whatever reason, and this creates traffic congestion. I am interested to know how site traffic would be routed to this particular site, which seems to me to be difficult to get at.

### Response

- *A full Transport Assessment was submitted with the original application. A Transport Technical Note has been submitted with this application to update the original TA in relation to the revised proposal. This has been reviewed by the Council's Highways Officers and TfL. This shows that the increase the number of rooms only results in 4 additional car trips an hour.*
- *It is considered that the revised development would not have a significant impact on the surrounding road network. This is set out in more detail in section 7.5 of this report.*
- *There are committed proposals to improve the signalling on the Northern Line by 2011 which will enable frequencies to increase up to 24 trains per hour which is sufficient to cater for the demand from other committed developments in the area together with the Colindale Hospital proposals.*

### **(ii) Design, Townscape and Visual Impact**

- The original proposal, of up to 13 storeys, is too high. The plans are not in keeping with the area or the remaining listed building on the site. The whole area is being degraded by this over development.

- Would like to see a considerable reduction in the size of the hotel / number of units. The building should be considerably reduced from 13 storeys and ideally not more than 4 storeys.
- I object to the 18 storey portion of the building. A building 18 storeys high will block light significantly impacting on many near by houses.
- The height of the block is completely out of proportion with anything in the area. It will tower over every other building within miles of the site in all directions as it will be over ten times higher than anything in the local area.
- The scale and appearance of the building and impact on surrounding area/neighbours;
- loss of privacy;
- The exterior of the amended building looks more attractive in my view than the previous version (particularly less large blocks of uninterrupted glass - corporate office style) and using the terracotta is good, but I would like to know what consideration has been given to the appearance of the building after weathering - particularly the aluminium and cooper?

#### Response

- *A 13 storey building of 46m in height has already been approved on this site.*
- *A full justification for a tall building on this site and assessment against London Plan policy, UDP policy D17 and CABE's 'Guidance on tall buildings' was provided in the July 2009 committee report for the approved scheme (see section 7.3, page 49 of committee report attached at Appendix 1).*
- *The revised scheme will only be 5.5 metres taller than the approved building. The upper two floors will be entirely of glass and will be stepped back from all sides of the building. This increase is therefore not considered to detrimentally impact on the surrounding occupiers.*
- *The revised design of the building is considered to be of high quality and creates a landmark building to underpin this key development at an important gateway site in line with the priorities and objectives set out in the Colindale AAP.*
- *Materials are required under the conditions to be approved by the Council. The quality of materials is key to a building of this nature and therefore careful consideration will be given to making sure that the right materials are selected and that they are durable.*

#### **(ii) Environmental Issues**

- Object to a bar-club on this site. Firstly the noise and disturbance will be intrusive to local residents, secondly people travelling in and out of Colindale on the tube will have to contend with drinkers leaving the bar-club particularly in the evenings and will be exposed to anti-social behaviour escalated by alcohol. A bar-club will not be in keeping or appropriate for a residential area such as Colindale.
- The type of people it will attract.
- The building work on the Colindale Hospital site has decimated the local wild bird population and the tragic and unnecessary removal of established and protected

trees has outraged local residents. We would like to see conservation of existing trees and minimal disturbance to wildlife.

Response

- *Conditions are recommended, including limits on the hours of opening, in order to ensure that the proposals will not give rise to any unacceptable adverse impacts arising from noise.*
- *The site for the Aparthotel does not include any retained trees.*

**National Health Service - Blood and Transplant (NHSBT)**

A letter (dated 4<sup>th</sup> November 2010) was received from Lambert Smith Hampton acting on behalf of the NHS Blood and Transplant (NHSBT) who operate services relating to the wider operation of the National Health and Emergency Services. The NHSBT have raised the following objections to the Aparthotel application:

- The proposal would result in a significant increase (approximately 22%) in the number of bedrooms provided in the Aparthotel. In addition there would be a significant range of uses at basement and ground floor level, all of which have the potential of increasing activity levels on the site and therefore potentially vehicular movements.
- Increased vehicular movements could potentially increase congestion at the junction with Colindale Avenue and therefore hinder movements of NHSBT vehicles.
- The NHSBT expressed considerable concern over the propensity for traffic generated by the proposed redevelopment of the former Colindale Hospital to disrupt the free flow of traffic at this junction. The additional traffic movements generated by this current proposal would serve to exacerbate those conditions.
- The NHSBT object to the proposal on highways grounds. In particular the proposed development would reduce the efficiency of the junction with Colindale Avenue as a result of the increase in vehicular movements, and therefore prejudice the delivery of blood and other products due to congestion at the junction.

Response

- *The Transport Technical Note submitted with the application has estimated that the proposed amendments to the Aparthotel will be expected to result in the addition of 9 vehicle (car and taxi) movements in both the AM and PM Peak Hours.*
- *From a transport perspective, this change in vehicle demand is considered to be extremely minimal and most likely imperceptible. On average, this would equate to one additional vehicle every 6.5 minutes, during the peak hours. Operational assessments of the junction layout using standard industry software and methodologies have identified that latent capacity in the junction is able to cater for the predicted vehicle flows.*
- *Whilst it is noted that the NHSBT have previously raised concerns regarding the efficiency of the junction with Colindale Avenue, these issues are not supported by the modelling of the junction which has been undertaken. As per the original*

*application, it is considered that the proposed junction will provide an improvement, when compared with the existing situation.*

### **5.3 Consultation Responses from Statutory Consultees and Other Bodies**

#### **Environment Agency - no objection**

The Environment Agency (EA) (letter dated 4 November 2010) have confirmed that the proposed development is acceptable subject to the following condition being imposed on any planning permission granted:

‘Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:

To protect groundwater. The deep principal aquifer is currently protected from pollution at the ground surface by the layer of London Clay beneath the site. Our maps indicate the base of the London Clay is approximately 16 m below ground level. The structure is likely to require substantial foundations and it is not clear whether they will penetrate through the protective London Clay layer. The piling/foundations must pose a low risk of pollution to the deeper Principal Aquifer through their design, construction and lifetime.’

#### **Greater London Authority & Transport for London (GLA and TFL)**

The GLA (letter and detailed Stage 1 Planning Report dated 18 November 2010) have confirmed that the Mayor considers that the application complies with the London Plan but ask that account be taken of comments made on access, climate change mitigation and adaptation and transport. Pursuant to Article 5(2) of the Order, the Mayor does not need to be consulted again provided that account is taken of these comments.

The following is a summary of the comments made in the Stage 1 report:

##### **Principle**

The principle of the use of this part of the site as a hotel with commercial/retail uses at ground floor level was established by the extant planning permission on the site. The proposal is in line with London Plan policy 3D.7 and will contribute to the London wide target of an additional 40,000 net hotel bedrooms required in the period up to 2026.

##### **Design**

The revised elevational approach is more successful than the extant permission in terms of its aesthetic value and appearance in long views and as such is supported. The relatively modest increase in height is acceptable in the local context and will not have any additional impact to that of the extant permission.

## **Disability Access**

10% of hotel rooms are wheelchair accessible and this provision is welcomed. Large scale layout plans of these rooms should be provided in order for their accessibility to be assessed. The applicant should commit to the provision of an accessibility management plan by condition.

### Response

- *The applicant has provided amended floorplans (drawing number A(GA)P110 Rev A) which shows the location of the wheelchair accessible rooms. Large scale layouts of the rooms have been provided to the GLA. A condition requiring an Accessibility Management Plan is included in this report.*

## **Energy and Sustainability**

The aparthotel will be BREEAM excellent. Water consumption will be reduced through the use of water efficient fixtures including water efficient taps, showers with reduced flow rates, dual flush toilets, use flow restrictors and water efficient white goods. Rainwater will be harvested by the use of water butts for the irrigation of planted areas. These measures are welcomed.

An area of green roof measuring 348sqm is provided and this provision is welcomed. The applicant should investigate the provision of further areas of green/brown roofs.

The applicant should provide the overall annual carbon dioxide savings, in tonnes and percentage points, relative to a 2010 Building Regulations compliant development.

The applicant has confirmed that it will connect to the planned Colindale energy network. The applicant should provide evidence of correspondence with those developing the Colindale energy network to support their application. A drawing showing the precise location and layout of the energy centre should be provided. The applicant should also confirm that the space heating for the aparthotel rooms will be provided via the communal heat network thereby enabling it to be supplied from an external district heating network in the future.

The applicant has discounted the use of any renewable technologies for the proposed development. It was identified that 310 sq.m. of photovoltaic panels could be installed providing a further 2% reduction in carbon emissions but this was discounted on economic grounds. The applicant is asked to reconsider the use of photovoltaic cells particularly given that feed-in tariffs apply and accordingly commit to a minimum contribution of photovoltaic panels.

### Response:

- *The applicant is addressing the technical points raised and supplementary information has been provided to the GLA in respect of the calculations for carbon dioxide savings.*
- *Fairview New Homes have provided a letter confirming that the Aparthotel will be connected to the Energy Network within the Colindale Hospital development.*
- *The applicant has given a commitment to providing a brown roof on the flat roof area at the top of the building.*

- *The applicant has provided information to demonstrate why photovoltaic cells are not viable.*

### **Transport**

A transport statement has been prepared to assess the relative impact of a number of changes to the permitted scheme, including an additional 81 hotel rooms and some changes to the A I-A3 uses. Given the scale of the changes TfL is satisfied that the increase in trips creates a negligible impact on public transport and highway networks.

TfL had previously stated that the level of car parking for the permitted scheme was high given the proximity to the Underground and local bus services. TfL therefore recommends that no additional car parking is proposed for the development. TfL also requests confirmation that the likelihood of overspill car parking will be managed by parking controls and restrictions on the highway surrounding the development and interchange. In addition, 20% of the 36 spaces proposed should be available for use by electric vehicles with the option of increasing this by a further 20% in the future.

The level of cycle parking should reflect LondonPlan standards, while there is no specific requirement for an apart- hotel, hotels generally require 1 per 10 staff plus some for visitors and residents. The number of cycle spaces currently proposed is 26. The number of staff should be confirmed to enable assessment of the required level of cycle parking.

### Response:

- *The Council consider the level of car parking to be sufficient for the proposed Aparthotel. This is proportionate to the level approved under the last application and a lower level of car parking cannot be supported.*
- *The applicant has confirmed that the maximum number of employees will be 160 which would require 16 cycle parking spaces, although it should be noted that the actually number of staff on site at any one time will be significantly less than this. A total of 26 cycle parking spaces will be provided which is in excess of the required level and will account for visitors/guests.*
- *The new public piazza has been secured under the S106 attached to the Colindale Hospital development. Construction on the piazza is due to start next year following demolition of Station House in January 2011.*

### **London Underground Limited (LUL) – no objection**

London Underground Limited have confirmed (letters dated 2<sup>nd</sup> and 11<sup>th</sup> November 2010) that the developer is in communication with London Underground engineers with regard to the proposed Aparthotel development. They have no objection in principle to the proposal but have advised that there are a number of potential constraints on the redevelopment of a site which is situated close to underground tunnels and infrastructure. Therefore LUL request that any grant of planning permission be subject to the following condition:

*'The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below*



ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- accommodate the location of the existing London Underground structures
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy 3C.4 and 'Land for Transport Functions' Supplementary Planning Guidance.'

LUL also ask that the following informative is added:

'The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.'

**Thames Water** - no objection subject to a Grampian condition

Thames Water have stated that the size of the Aparthotel has increased by circa 70 units. This will therefore increase foul flows generated from the site. Thames Water agreed with the developers in July 2009 that flow rates from the proposed development must not exceed the flows from the existing site. This condition still stands and the developers must attenuate any new flows generated by the additional units. The following 'Grampian Style' condition which was imposed on the previous approval should be imposed on this application:

'Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".'

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.'

#### **Metropolitan Police Service - no objection**

The MET Police have confirmed (letter dated 27 October 2010) that they have no objections in principle to the development. General suggestions are made regarding lighting, perimeter boundary treatments, security standards for doors and windows, access control, cycle storage, refuse bin stores, and natural surveillance in line with Crime Reduction and Community Safety.

#### **London Fire Brigade - no objection**

The London Fire and Emergency Planning Authority were consulted and advised (letter dated 15 October 2010) that they were not satisfied with the proposals because they did not show satisfactory fire fighting access.

The applicants subsequently met with the inspecting Fire Officer and agreed fire fighting access solutions. The ground floor plan has been amended to incorporate these measures. The London Fire and Emergency Planning Authority have confirmed in an updated letter dated 16 November that they are satisfied with the proposals.

#### **Commission for Architecture and the Built Environment (CABE)**

CABE were consulted on the application and have advised (letter dated 25 October 2010) that they are unable to review the scheme since they are consulted on more projects than they have the resources to deal with.

#### **Access in Barnet**

Access in Barnet have been consulted on the application and have no objections in principle to the development. They have made comments in relation to details such as location of toilets within bathrooms, size of wash basins, wheelchair accessible kitchens. The applicant has subsequently provided amended floorplans which shows that 27 of the wheelchair accessible rooms will have right hand transfer toilets and 11 rooms with left hand transfer toilets. The amendments also show that all of the accessible rooms can accommodate large washbasins (500mm wide).

#### **London Borough of Brent - no reply received**

#### **Transco - no reply received**

#### **National Grid - no reply received**

### **5.4 Internal Consultation responses**

#### **Highways Group**

No objections subject to a number of conditions being imposed in relation to the following:

- Car Lift and Car Stacker maintenance
- Car Parking Management Plan

- Cycle Parking
- Construction Management Plan
- Waste Management Plan

A full assessment of traffic and transport related issues is provided in section 7.4 of this report.

### **Environmental Health**

No objections subject to a number of conditions being imposed in relation to the following:

- Contaminated land
- Details of extraction and ventilation equipment
- Noise levels from site plant
- Noise report for site plant

The applicants have provided a detailed site investigation report prepared by Mouchel consultants which sets out measures for remediation of the site. The Environmental Health Officer is satisfied with the measures and has recommended that a condition be included that requires the developer to implement the measures set out in the Mouchel report.

## **6. DESCRIPTION OF SITE, THE DEVELOPMENT, AND SURROUNDING AREA**

### **6.1 Description of Site and Surrounding Area**

The application site comprises a plot of land within part of the former Colindale Hospital site to the rear of Station House. Station House is a purpose built 5 storey office block constructed in 1963 comprises commercial uses on the ground floor including a café and a convenience shop. It also incorporates Colindale Tube Station ticket hall which is accessed from Colindale Avenue and contains a newsagent.

The former Colindale Hospital was demolished in 2009 and is currently under redevelopment by Fairview New Homes who are constructing 719 new homes. Station House is programmed for demolition in January 2010 as part of the approved development to construct the new public piazza.

The site is located on the North side of Colindale Avenue and is accessed off the main spine road through the Colindale Hospital development which continues to provide access to the National Blood Service (NBS), and three buildings, which currently house health care workers and a day-care centre, known as Birch Court, Willow Court and Elysian House, respectively.

The site is bounded to the east by the Northern Line railway lines, to the west by the access road for the Colindale Hospital development and to the south by the existing Station House building which is programmed for demolition in January 2011. To the north of the application site land is reserved for the potential future relocation of Barnet college while the new public piazza will be constructed to the south once Station House has been demolished.

The British Newspaper Library Archive building, and identified development site within the Colindale AAP, and an adjacent area of open grassland is located opposite the site on the south side of Colindale Avenue. Beyond the Northern Line railway tracks to the east is Colindale Underground Station car park and two storey housing estate. A substantial building housing the Health Protection Agency is located to the west along Colindale Avenue.

Significant development is taking place to the north-east of the site at Beaufort Park which consists of apartment blocks ranging from 6 to 14 storeys and the redevelopment of Grahame Park Estate which includes blocks up to 11 storeys. The Peel Centre is located to the east of the site and has three towers rising to 14 and 19 storeys.

## **6.2 Approved Development**

The site already has planning permission for a new part 6, part 13 storey Aparthotel development that was granted in November 2009 as part of the redevelopment of Station House and the former Colindale Hospital site. The consent comprises the demolition of the existing Station House building with the retention of the existing Colindale Underground Station ticket hall and the construction of a new public piazza and transport Interchange (the 'Piazza') along with a part 6 and part 13 storey building at the back of the piazza comprising retail units and restaurant/café units at ground floor level and an aparthotel on the floors above with 293 rooms.

An Aparthotel provides short term self-catered accommodation incorporating a kitchenette which can be purchased at a nightly rate with no deposit against damage being required and falls within Class C1 (Hotels) of the Use Classes Order (2005) as amended. The rooms will be available for overnight or longer periods of stay and they provide guests with limited hotel services.

The consent was one of three applications that were approved in relation to the redevelopment of the former Colindale Hospital site and Station House. The other applications were for residential-led mixed use development of the Colindale Hospital site and a Listed Building Consent application for the restoration and conversion of the listed administration building.

A Section 73 application was subsequently submitted in February 2010 to amend a number of the conditions attached to the Aparthotel planning consent (reference H/00343/09). This application was approved and a new consent issued under reference H/00041/10 in May 2010.

## **6.3 Description of Proposed Development**

The application seeks consent for a revised building of part 7, part 18 storeys with a 374 bed Aparthotel (Use Class C1) together with a bar-club/restaurant (Use Class A4/A3) on the 6<sup>th</sup> floor, a gym (Use Class D2) in the basement and four commercial units on the ground floor (Use Class A1/A3). This includes a stand alone retail kiosk beneath the overhang of the building where it projects into the piazza (Note: the provision of this kiosk was a Section 106 requirement in accordance with the GLA's comments on the original application).

An additional lower basement level has been added which will provide for a total of 44 car parking spaces and all plant necessary for the building. The upper basement will accommodate a gym and swimming pool, kitchen and staff amenities.

Whilst the number of storeys will increase from 13 to 18, the overall building height will only increase by 5.5 metres. This is achieved by using innovative construction techniques. Whilst the consented scheme used ceiling heights of 3.5m, the revised scheme proposes ceiling heights of 2.75m. Instead of a standard construction method of using a concrete and steel frame structure which requires deep floor plates to work as transfer slabs to support weigh above, the developer is proposing to use more environmentally efficient method of pre-fabricated pods. These pods are manufactured off-site from steel frames and will come ready with all internal finishes including fittings and furniture. This efficient method of construction is being used on two large developments in the Boroughs of Brent and Camden. This approach enables the developer to provide more floors within the building and therefore increase the number of rooms within the building from 293 to 374 without substantially increasing the height of the building.

The application proposes revisions to the elevations of the approved scheme but otherwise the revised building will be broadly the same shape, in the same location at the rear of the planned new public piazza with the same footprint as the approved building.

As per the approved scheme, the building is broken down into two distinct forms. The lower component is 7 storeys tall and located adjacent to the estate road serving the former Colindale Hospital development. The upper floors of this part of the building project into the public piazza supported on columns. The taller component will be 18 storeys high along the boundary with the Northern Line railway tracks. A detailed description of the design and materials is provided at section 7.3 of this report.

The main reception/lobby entrance is located in the north west corner of the building access from the new estate road. A separate entrance to the upper basement level gym is also located along this elevation. This provides access for public users without the need to enter through the hotel lobby. Disabled access to the gym is provided via the lifts in the hotel lobby.

The basement car park access is located on the north west elevation via two car lifts. The hotel office administration will overlook this area to provide secure entry for hotel customers arriving by car. There are two car waiting spaces immediately in front of the car lift entrances. Three dedicated disabled parking spaces are provided near the hotel lobby entrance. A total of 26 cycle parking spaces will be provided at street level to serve the building.

### **Comparison with Approved Scheme**

	<b>Approved Scheme</b>	<b>Revised Scheme</b>
<b>No. of rooms</b>	<b>293</b>	<b>374</b>
<b>No. of car parking spaces</b>	<b>36</b>	<b>44</b>

<b>No. cycle spaces</b>	<b>20</b>	<b>26</b>
<b>Height in metres</b>	<b>46m</b>	<b>51.5m</b>
<b>Ground floor commercial floorspace</b>	<b>780sqm</b>	<b>797sqm</b>
<b>Bar/club/restaurant</b>	<b>369sqm (12<sup>th</sup> floor)</b>	<b>310sqm (6<sup>th</sup> floor)</b>
<b>Gym/health club</b>	<b>-</b>	<b>753sqm (basement)</b>

### **Amended Plans**

Following a meeting with the London Fire and Emergency Planning Authority the applicants have submitted a revised ground floor plan (drawing number A(GA)P100 Rev A) to incorporate internal fire fighting access solutions as agreed with the fire officer.

Following comments received from Access in Barnet in relation to the layout of bathrooms within the wheelchair accessible rooms, the applicant has provided amended floorplans (drawing number A(GA)P110 Rev A) which shows that 27 of the wheelchair accessible rooms will have right hand transfer toilets and 11 rooms with left hand transfer toilets. The amendments also show that all of the accessible rooms can accommodate large washbasins (500mm wide).

## **7. PLANNING APPRAISAL**

### **7.1 Environmental Impact Assessment**

The original application for the redevelopment of the Colindale Hospital site was accompanied by an Environmental Statement. This considered the cumulative effects of the Aparthotel development.

A Screening Opinion was issued by the Council on the 30 September 2010 (reference H/03906/10) confirming that it was not necessary to carry out an environmental Impact assessment for the revised Aparthotel application. Instead, it was considered that the main considerations such as scale, height and design of the proposed building, the intensity of the use, the impact upon residential amenity, highway safety and parking provision could be adequately dealt with by the supplementary information submitted with an application. Therefore the application is accompanied by a Planning Statement, a Design and Access Statement which includes visual impact assessment, a Sustainability Statement, and a Transport Technical Note which builds on the original Transport Assessment.

### **7.2 Principle of development**

#### **Aparthotel**

The principle of an Aparthotel use on this site has already been established by the extant planning permission. A full justification for such a use in the context of the GLA Hotel Demand Study (June 2006) and 'Accommodating Growth – A Guide to Hotel Development in London' (July 2007) was provided at the time in the July 2009 committee report (see section 7.2 of committee report attached at Appendix 1).

London Plan Policy 3D.7 requires boroughs beyond the Central Activities Zone (CAZ) to identify capacity for new visitor facilities, including accommodation, in town centres and other locations such as Opportunity Areas with good public transport access to central London and international and national transport termini. It goes on to say that Boroughs should support the provision of a wide range of tourist accommodation, such as aparthotels.

London Plan Policy 5B.1 advises that new visitor facilities proposed beyond the CAZ should be located in town centres and other locations such as “Opportunity Areas”, with good public transport access to Central London and international and national transport termini.

Colindale is designated within the London Plan (Policy 5B.1) as an “Opportunity Area”. The Proposed Development is situated on the Northern Line with direct access into central London and Kings Cross St Pancras International. Colindale is also located close to a mainline rail service at Mill Hill Broadway and the strategic road network including the North Circular, A1, A41 and the M1 with links to the M25. The proposal for an aparthotel in this location is therefore considered to comply with strategic London Plan policy.

In response to the original application, the Health Protection Agency, who have a large research facility within a short walk of the site, supported and welcomed the introduction of an aparthotel in this location as it would aid visitors and staff attending courses at their site.

The proposed use as an aparthotel will be secured by condition to ensure that the units are not occupied by guests for more than 90 consecutive days in accordance with the definition for hotels under the Use Classes Order (2005) as amended.

### **Commercial Uses**

A total of 780sqm of commercial floorspace (Use Class A1, A2, A3) was approved on the ground floor of the consented development. The principle of commercial floorspace has therefore already been established. This is considered an appropriate location for limited commercial activity that would contribute towards creating the new vibrant neighbourhood centre for Colindale in accordance with the policies and objectives of the emerging Colindale AAP.

The revised scheme proposes a minor increase to 797sqm for uses within classes A1 or A3 of the Use Classes Order. This will still be provided on the ground floor of the building in three units plus the additional kiosk unit within the new piazza beneath the projecting part of the building. The increase is a result of the reconfiguration of the ground floor layout plus this additional kiosk. These new commercial units will replace the existing convenience store ('Zara Supermarket') and cafe on the ground floor of Station House which is due to be demolished.

The approved development also incorporated a 369sqm restaurant on the 12<sup>th</sup> floor of the building. The revised proposal includes a 310sqm restaurant/bar-club on the 6<sup>th</sup> floor of the building within the lower 7 storey block. The revised proposal also includes a gym/health club within the basement which includes a swimming pool and changing facilities. This facility will be available for use by hotel residents as well as members of the public in order to be maintained as a commercially viable service. Access to the

health club is provided by a separate stair entered from street level, as well as the hotel lifts and stair for hotel residents.

Part b) of Policy 4.1 of the emerging Colindale AAP states that development will be expected to provide a sustainable mix of uses to create a new, vibrant neighbourhood centre for Colindale, with a range of retail and commercial provision, education, health and other community uses. Part c) requires development to provide a sustainable and walkable neighbourhood centre including a convenience food store of up to 2,500sqm supported by a range of associated shops and services to meet local needs.

The ground floor commercial units within the revised development will create an active frontage onto the new public piazza. These along with the basement level gym will generate activity, vitality and vibrancy in the emerging neighbourhood centre for Colindale. These units would meet the needs of the future residents anticipated from the consented Colindale Hospital redevelopment as well as the existing residents in the surrounding area and those using Colindale Underground Station. The proposal will provide mixed use development and a range of shops/services to support the local neighbourhood centre in accordance with Colindale AAP policy 4.1.

### **7.3 Scale, Design and Appearance**

#### **Tall Buildings**

A full justification for a tall building on this site and assessment against London Plan policy, UDP policy D17 and CABE's '*Guidance on tall buildings*' was provided in the July 2009 committee report for the approved scheme (see section 7.3 of committee report attached at Appendix 1).

The approved building is 46m tall (150ft). The proposed revised building would be 51.5m tall (168). This represents an increase of 5.5 metres. However it should be noted that the top two floors where this increase in height is accommodated are set back from all sides of the building and are clad entirely in glass.

A landmark building is required in this location to define the location of the Transport Interchange and create a gateway for the wider Colindale area. The proposal needs to be considered in light of the future development aspirations for the area as set out in the Colindale AAP in relation to adjacent sites including the Peel Centre West site, British Newspaper Library and Brent Works. As these sites along Colindale Avenue are redeveloped the character of the area and scale of buildings in the vicinity are likely to change. Therefore having regard for the existing setting and future context, an 18 storey, 51.5 metre tall building is considered appropriate in this location.

The application is supported by a demonstration of views from surrounding view points along Colindale Avenue. The increase in height from 46m to 51.5m is not considered to detrimentally impact the townscape of the surrounding area. The revised Aparthotel is considered to continue to meet the requirements of UDP Policy D17, London Plan Policy 4B.8 and 4B.9 and the criteria set by CABE/English Heritage. The building will have a well designed setting by virtue of its position at the rear of the planned public piazza and will act as high quality focal landmark for the transport interchange and new neighbourhood centre for Colindale.



## Detailed Design

The revised scheme is broadly the same proportions as the approved building with similar width, depth and footprint. As per the approved development, the scheme comprises two main elements. The first is the low elongated 7 storey block that runs parallel to the Colindale Hospital estate road. This part of the building projects into the public piazza suspended on columns. The scale and massing of this element remains as per the extant permission and continues to utilise the system of suspended timber slats that form a screen on the south west and south east elevations.

The second element comprises the taller 18 storey block that is sited next to the railway lines. The north east corner of this block is emphasised by a strong vertical form using a series of vertical terracotta batons on a metal frame that wrap the corner from the north east elevation facing the railway lines round to the south east elevation fronting onto the piazza. The terracotta baguettes are spaced at regular intervals and interspersed with a series of vertical glazed strips, which coincide with hotel room windows. The spacing of the terracotta strips will still allow for light going in and views out of the hotel windows which are located behind the terracotta.

On the elevation overlooking the piazza the terracotta batons give way to an area of aluminium cladding strips which wrap the south western corner of the building. These are punctuated by vertical windows on both elevations.

Aluminium and copper plated mesh screens arranged in an irregular pattern are used on the flank elevations (north east and south west) to provide visual interest on these larger areas of the building. The panels are horizontally staggered and vertically decrease in size as they rise up the building. The mesh panels are formed to allow plenty of natural light into the windows behind.

On the south west elevation the aluminium cladding and the mesh panels are separated by a vertical glazed recess that runs to the full height of the building. This helps emphasise the aluminium clad corner as a distinct form.

On the north east elevation an area of glazing is introduced to create a step in the horizontal eave line of the building. This helps to break down the square massing of the block. Large feature projecting oriel windows are positioned within north east and south west elevations to break up the extent of the mesh panels. The building finishes with the top two floors set back from the main elevations and clad in glass panels to create a lightweight effect.

The mass of the building is broken down by the use of different materials, glazing and steps in plan and elevation. This helps to provide articulation when the building is seen from distant vantage points along Colindale Avenue. The use of metal mesh, terracotta slats and zinc cladding system gives the building a more detailed grain and texture when viewed from closer vantage points.

The revised elevational approach is more successful than the extant permission in terms of its aesthetic value and appearance in long views and as such is supported. Overall the revised design is considered to be an improvement compared to the approved scheme. The changes made will deliver a high quality development. The relatively modest

increase in height is acceptable in the local context and is not considered to have any significant additional impact over the extant permission.

### **Daylight and Sunlight**

The Aparthotel building will be located adjacent to the Northern Line railway tracks. Immediately to the east of the tracks is the existing Tube Station car park behind which is an area of thickly planted mature shrubland with mature trees. The bulk of the building would be located opposite this landscaped area and car park. The nearest residential properties are 67 Colindale Avenue (60m away) and Fleming Walk (50m away). These properties have their side (flank) elevations facing the development site with main windows facing south-east and north-west. Given the extensive area of mature trees and the distance away from these properties, the proposed building is not considered to detrimentally impact on the amenities of residential occupiers.

The previous application was supported by a Daylight and Sunlight assessment which demonstrated the acceptability of the building in terms of daylight/sunlight for the surrounding properties. The proposed amendments to the building are not considered to affect these previous conclusions or give rise to any new affects.

## **7.4 Disabled Access**

UDP Policy D8 states that “Development proposals relating to residential development, and buildings open to the public or used for employment or educational purposes, should provide suitable access and facilities for people with disabilities.”

10% of the hotel rooms will be wheelchair accessible. Disability in Barnet have been consulted on the plans and have made comments in relation to the layout of the bathrooms in the disabled access rooms. The plans have been amended to take account of the comments. There are 27 rooms with right hand transfer toilets and 11 rooms with left hand transfer toilets. All disabled rooms can accommodate large washbasins (500mm wide) as shown in the latest plan.

The development includes level, step-free pedestrian approaches to the hotel to ensure that all users of the development can move freely in and around the public and private communal spaces.

The proposals are considered to provide suitable access and facilities for people with disabilities in accordance with UDP Policy D8.

## **7.5 Transport**

The site is situated immediately adjacent to Colindale Underground Station with direct links into Central London and St Pancras International train station. Colindale station is on the Northern Line and currently operates trains at a peak hour frequency of approximately 20 per hour. There are committed proposals to improve the signalling on the Northern Line by 2011 which will enable frequencies to increase up to 24 trains per hour. The line loading assessments carried out for the Colindale Area Action Plan have concluded that this increase in capacity is sufficient to cater for the demand from other committed developments in the area together with the Colindale Hospital proposals.

As part of the Section 106 attached to the consent for the Colindale Hospital development, Fairview New Homes will be constructing the new public piazza and transport interchange adjacent to Colindale Underground Station. The proposals include enhancing the existing bus stops, to improve linkages to Colindale Tube Station with access to underground train services to and from Central London.

The Public Transport Accessibility Level (PTAL) for the site is 4 which is considered as medium accessibility in a range from 1a (low accessibility) to 6B (high accessibility).

The site is located within the Colindale Controlled Parking Zone (Zone P) which operates one hour parking controls from Mon-Fri (2pm-3pm). On Colindale Avenue, a waiting restriction from Monday to Sunday 8:00am-6:30pm is in operation with 'At Any Time' restriction in the vicinity of the Underground Station.

### **Trip Generation**

The applicants have submitted a Transport Technical Note prepared by Scott Wilson consultants. The Technical Note supplements the information and analysis presented in the Transport Assessment (TA) which accompanied the original planning application, and sets out the changes between the original and revised applications, in transport terms.

The Transport Technical Note has estimated that the proposed amendments to the Aparthotel will be expected to lead to minor increases in vehicle trip movements, to and from the site. The revised scheme is predicted to generate an additional 7 vehicle (car) movements in the AM Peak Hour and 6 vehicle (car) movements in the PM Peak Hour, representing the busiest times in terms of traffic demand on the local highway network.

From a transport perspective, this change in vehicle demand is considered to be extremely minimal and most likely imperceptible. On average, this would equate to one additional vehicle every 6.5 minutes, during the peak hours.

Operational assessments of the layout of the junction of the new Colindale Hospital access road with Colindale Avenue, carried out by the transport consultants for the applicant have identified that latent capacity in the junction is able to cater for the predicted vehicle flows.

### **Parking**

The approved development provided a total of 30 parking spaces for the 293 rooms within the Aparthotel. The revised scheme increases the parking provision to 47 spaces (including 3 parking spaces for disabled use) for 374 rooms.

The revised Aparthotel equates to a 27% increase in the number of rooms. Therefore a minimum proportionate increase of 27% in the number of car parking spaces is required. The revised development provides an extra 11 spaces which is an increase of 36%. This is equivalent to 1 space for every 8 rooms.

This is considered to be an appropriate level of parking based on the approved scheme and taking into consideration the accessibility of the site and the proximity of the development to Colindale Tube Station. This level of parking is in line with the parking levels set out in the Colindale Area Action Plan.

The applicant is required to submit and enter into a Travel Plan. This will be secured through the Section 106 agreement. The Travel Plan will be monitored using the contribution of £15,000 which was secured under the Section 106 agreement attached to the former Colindale Hospital development.

The 3 disabled spaces are provided at ground floor level and the remaining 44 spaces are situated within a basement car park and use a Stacker Car Parking System. The basement car park will be accessed via two car lift one designed for entry to the car park and one for exit. The car lifts have been set back to ensure a vehicle waiting for the lift can do so without causing an obstruction to the footway or carriageway.

The proposal also incorporates a gym which is intended not only for the use of the residents of the Aparthotel but the wider community. There is no dedicated parking for the gym, however, this is considered acceptable for a development in this location and the Car Park Management Plan will manage the parking within the site. In addition a review of on-street parking controls in the local area will be carried out using contributions secured through the S106 agreement for the Colindale Hospital development. This will enable further control to be put in place should it be necessary.

### **Cycle Parking**

The consented scheme provided a total of 20 cycle spaces to serve the development. Therefore on the basis that the size of the hotel is increasing by 27%, a total of 26 cycle parking spaces are proposed in the revised scheme. These spaces will be provided directly south west of the hotel, close to the Aparthotel and gym entrances. A further 50 cycle spaces will be provided within the public piazza adjacent to refurbished Tube ticket hall. This level of cycle parking is considered to be appropriate for the use and accords with Transport for London's Parking Policy guidelines and UDP Policy M5.

### **Servicing**

A delivery/service area is provided at the rear of the building. All supporting large scale deliveries for the kitchen or refuse removal etc. will be delivered into/out of the building using the vehicle/goods lift to the rear of the building. A service bay is also provided within the lower basement to access the plant room and this is accessed via one of the proposed car lifts.

A condition is recommended to require a Waste Management Plan to be prepared by the Aparthotel operated in order to facilitate safe refuse collection for the development.

## **7.6 Energy and Sustainability**

The London Plan expects new development to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise omissions of carbon dioxide (Policy 4A.1), as well as meeting the standards of sustainable design and construction (Policy 4A.3 and UDP Policy ENV2). Policies 4A.4, 4A.5, 4A.6 and 4A.7 in the London Plan and UDP Policy ENV1 requires all strategic developments to adopt energy efficiency measures and provide a proportion of energy used from renewable sources.

## **Energy**

London Plan Policy 4.1 sets out the following hierarchy for use when assessing applications:

- using less energy, in particular by adopting sustainable design and construction measures (Policy 4A.3)
- supplying energy efficiently, in particular by prioritising decentralised energy generation (Policy 4A.6), and
- using renewable energy (Policy 4A.7).

An Energy Strategy prepared by Hodkinson Consulting has been submitted with the application. This sets out how the development complies with the above hierarchy. Firstly energy efficiency measures will be applied to the development which will reduce the overall CO<sub>2</sub> emissions by 14% over 2006 Building Regulations. These measures include passive design to reduce the electricity, heating and cooling demand, ensuring air tightness and using efficient electrical equipment.

Secondly the development will be connected to the Energy Centre which is currently being built as part of the Colindale Hospital development. This facility will generate electricity using efficient gas powered turbines in a Combined Heat and Power plant. The heat by-product produced when generating electricity is used to heat hot water and provide heating to properties in the development. The Aparthotel developers have provided a commitment to connecting to this energy centre. This approach will enable a 23% reduction in total CO<sub>2</sub> emissions on top of the 14% delivered from efficiency measures.

This approach will result in a reduction in carbon emissions in excess of London Plan Policy 4A.7.

## **Sustainability**

The Sustainability Statement prepared by Hodkinson Consulting has been submitted with this application which details how the development meets the London Plan and UDP requirements for sustainability. The key measures include:

- Redeveloping a brownfield site with good public transport links;
- The aparthotel will achieve a BREEAM 'Excellent' rating, and benefit from a highly accessible location. A BREEAM pre assessment has been supplied with the application which demonstrates that the scheme would score 70% and this achieve the Excellent rating;
- Hot water and heating to be provided from the Colindale Hospital Energy Centre which will use a low carbon CHP plant;
- Energy efficient structures with building envelope improvements, using materials with a low environmental impact and recycled and reused materials where appropriate;
- A reduction in potable water consumption due to water efficient devices;
- Natural ventilation through the development to reduce the requirement for air conditioning;

- A Sustainable Drainage System (SUDS) to attenuate storm water with an allowance for climate change. This includes green and brown roofs which have been incorporated on the aparthotel which will also contribute to improving insulation and enhancing biodiversity. The types of green/brown roofs proposed are in accordance with BAA landscaping guidelines.

It is considered that the Proposed Development complies with the relevant 'Essential Standards' set out within the Mayor of London's and the Council's SPGs on Sustainable Design and Construction, with the aparthotel achieving a BREEAM 'Excellent' rating. By minimising omissions of carbon dioxide and adopting energy efficiency measures to provide a proportion of energy used from renewable sources, the scheme would be in accordance with relevant London Plan and UDP Policies.

## **7.7 Noise**

The previous application was supported by a PPG24 assessment which demonstrated the appropriateness of the site for the development. The noise assessment concluded that during the development's construction period, the effect of noise and vibration on the surrounding area will be negligible and various measures such as site hoardings could be implemented to mitigate against any impacts that may arise. The noise assessment also concluded the operational impact of the hotel development on the surrounding area (i.e. plant and vehicular movements) will be minimal and can be mitigated through the implementation of appropriate planning conditions. Therefore subject to the imposition of suitable conditions, it is considered that the proposals will not give rise to any unacceptable adverse impacts arising from noise.

## **7.8 Employment and Jobs**

The proposed development will create approximately 100 jobs during the construction phase of development. Once the Aparthotel is operational it will generate between 50 and 150 jobs depending on the final operator. This will be further supplemented by additional jobs provided by the ground floor retail units and gym.

The existing section 106 agreement attached to the Colindale Hospital planning consent contains provisions to ensure jobs are provided for local people. Therefore in accordance with London Plan policy 3B.11 the proposed development will improve employment opportunities for local residents.

## **8. SECTION 106 PLANNING OBLIGATIONS**

The section 106 contributions required to mitigate the impact of the approved Aparthotel were incorporated within the substantial package of contributions and measures secured through the section 106 agreement attached to the Colindale Hospital development. Therefore the impacts of a 293 bed Aparthotel have already been taken account of. However the increase of 81 rooms as proposed under the revised application will need to be addressed.

The key areas of impact are public transport, highways and public parks. Contributions have therefore been calculated for the increase in rooms based on the percentage

attributed to the Aparthotel for these items in the Colindale Hospital section 106 agreement.

### **Public Transport Improvements Including Step Free Access at Colindale Underground Station (£50,000)**

A feasibility study for Step Free Access at Colindale Underground Station is currently being undertaken by TfL using allocated S106 money from the Colindale Hospital development. This study will set out the cost for providing step free access at Colindale Underground Station as well as other station upgrades including additional gates, a new entrance into the Piazza and new ticket booths.

Given the low level of car parking proposed for the Aparthotel and the fact that the majority of guests using the facility are expected to travel by public transport, a contribution of £50,000 is required from the revised Aparthotel application in line with the increase in the number of rooms. This also accords with the section 106 priorities set out the Adopted Colindale AAP.

### **A5/Colindale Avenue Junction Improvement (£10,000)**

A feasibility study/design of options for improvements to the A5/Colindale Avenue junction is currently being undertaken by the Council using section 106 money from the former Colindale Hospital development. This junction is identified as a priority for improvement in the Adopted Colindale AAP and the junction improvements will utilise the land safeguarded on in the development at the former Kidstop site.

In addition to the design work, a contribution of £150,000 was secured from the former Colindale Hospital development towards improving this junction. An additional sum of £10,000 is required from the new Aparthotel application to be pooled towards delivering this junction improvement. This contribution is in line with the increase in the number of rooms and parking spaces proposed.

Therefore the total additional S106 Contributions required to facilitate the increased size of the development is **£60,000**.

The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

## **9. EQUALITY AND DIVERSITY ISSUES**

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

10% of the hotel rooms will be wheelchair accessible. There are 27 rooms with right hand transfer toilets and 11 rooms with left hand transfer toilets. All disabled rooms can accommodate large washbasins (500mm wide) as shown in the latest plan.

The development includes level, step-free pedestrian approaches to the hotel to ensure that all users of the development can move freely in and around the public and private communal spaces.

3 dedicated disabled car parking spaces will be provided close to the entrance to the Aparthotel.

The proposals are considered to be in accordance with national, regional and local policy by establishing a high quality inclusive design, providing an environment which is accessible to all.

## **10. CONCLUSION**

Planning consent has previously been granted for a 293 bed Aparthotel on this site of similar scale and massing to the proposed scheme.

The revised proposal will increase the number of rooms to 374 and increase the number of storeys from 13 to 18. These additional floors will be accommodated within the building by reducing the floor to ceiling heights using an efficient method of prefabricated construction. Ceiling heights were previously 3.5m. The revised scheme reduces this to 2.7m. As a result the revised building will only be 5.5m taller than the approved scheme. These additional top two floors will be finished in glass and will be set back from all sides of the building to reduce their visibility and impact.

The increase in height is considered acceptable and the revised design is considered to be an improvement on the approved building. The application will deliver a high quality building in an accessible location with very good public transport links. The proposed level of car parking, accessible parking and cycle parking complies with UDP and London Plan requirements.

The development will provide direct employment opportunities for approximately 100 people during construction and up to 150 jobs once the Aparthotel is operational. Additional jobs will also be provided in the ground floor commercial units and the gym. The development will therefore contribute positively towards the local economy.

Additional Section 106 contributions towards public transport and highways junction improvements are required to mitigate the extra 81 rooms proposed. This is in line with the contributions secured for the original former Colindale Hospital and Aparthotel applications.

The proposal represents a high quality mixed use development that will contribute to the vitality and activity of the area and support the creation of a local neighbourhood centre for Colindale. The development would assist in the regeneration of the area in accordance with the objectives of the Adopted Colindale AAP and local and regional planning policy.

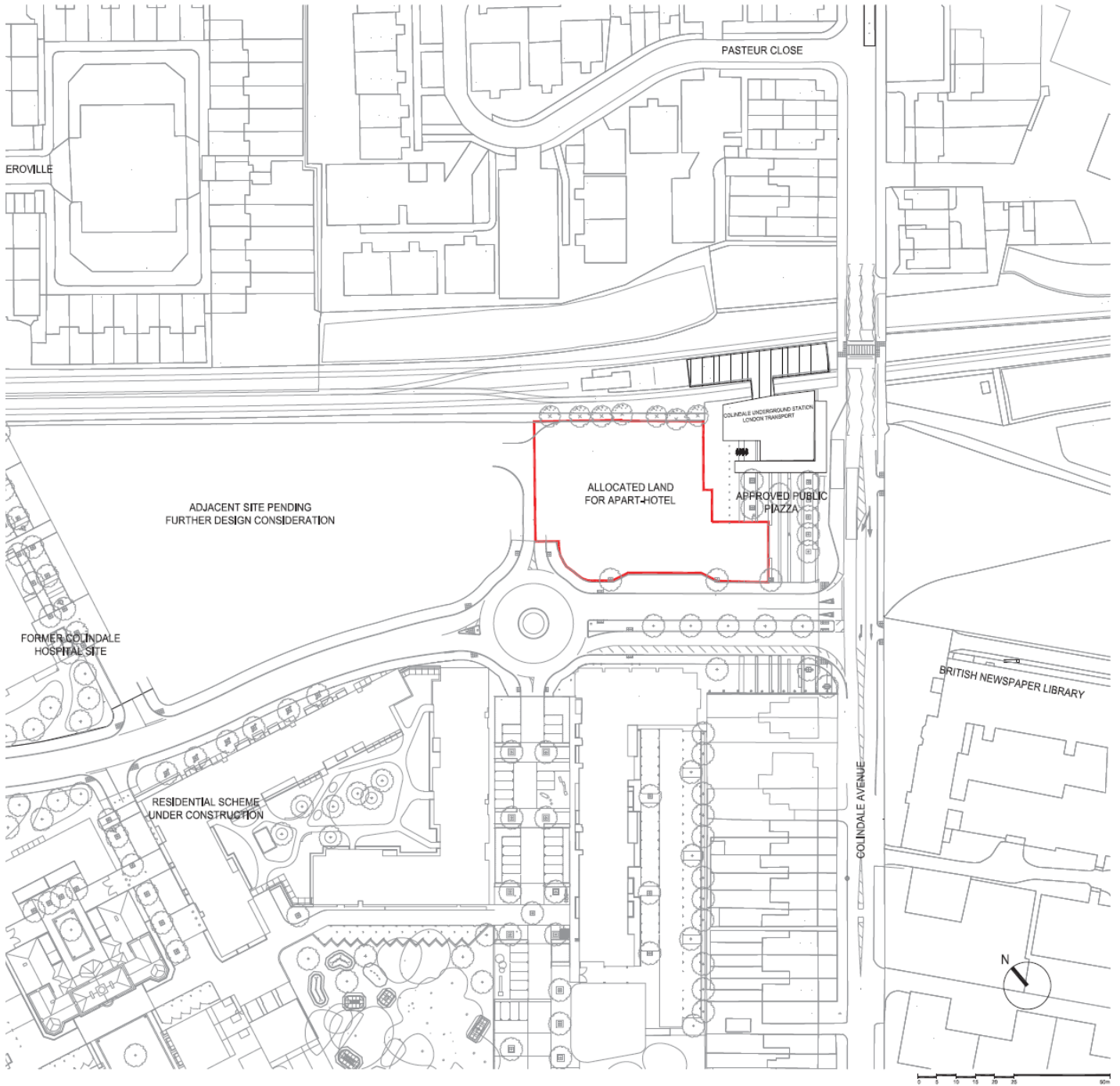
All relevant policies contained within the Adopted UDP, Adopted Colindale AAP, the Mayor's London Plan (consolidated with Alterations since 2004), Planning Policy Statements and Supplementary Planning Documents, have been fully considered and taken into account by the Local Planning Authority. For the reasons set out in this report,



it is considered that the proposal represents an appropriate development of the site and would deliver a number of strategic benefits in Colindale that will act as a catalyst for continued regeneration in the area. Accordingly, subject to the completion of a Section 106 agreement and the conditions detailed in the recommendation, the application is recommended for approval.

**SITE LOCATION PLAN:  
Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9  
5HG**

**REFERENCE: H/03982/10**



**APPENDIX 1:**

**29<sup>th</sup> July 2009 Committee Report for Aparthotel application H/00343/09**

**LOCATION:** Land at Station House and part of former Colindale Hospital site, Colindale Avenue

**REFERENCE:** H/00343/09

**Received:** 30 Jan 2009

**Accepted:** 30 Jan 2009

**WARD:** Colindale

**Expiry:** 1 May 2009

**Final Revisions:**

**APPLICANT:** Fairview New Homes Ltd

**PROPOSAL:** Demolition of Station House and construction of a 293 bed, part 6, part 13 storey Aparthotel of up to 8965sqm, together with a 369sqm restaurant (Use Class A3) and three ground floor commercial units (Use Class A1/A2/A3) totaling 780sqm with associated access, car parking and landscaping. Retention of and alterations to the Colindale underground station building and the provision of a new public square and a transport interchange incorporating bus stops, taxi rank and associated landscaping.

## EXECUTIVE SUMMARY

The application involves the demolition and redevelopment of Station House adjacent to Colindale Tube Station.

The application has been submitted in parallel with an application for the redevelopment of Colindale Hospital which is identified in Barnet's Three Strands Approach and the emerging Colindale Area Action Plan as a key site for development in the regeneration of Colindale.

The redevelopment of Station House and Colindale Hospital would amount to an investment of £150 million in Colindale, including £4 million of investment in on and off site infrastructure. This investment will deliver the following benefits which are identified as key objectives in the emerging Colindale Area Action Plan and will act as a catalyst for the regeneration of the wider Colindale area:

- The regeneration of a redundant and vacant brownfield site and auspicious office block, providing modern, contemporary and considered housing, including a large proportion of family housing.
- The transport interchange will unlock the future regeneration of Colindale, whilst improving connectivity and access to public transport for the benefit of the wider community.
- A new hub of activity focused on the public square, Aparthotel and new shops and restaurants.
- Safeguarded land for the relocation of Barnet College, freeing up land at their existing Grahame Park Way campus for a new primary school.
- A single energy centre that uses CHP plant to deliver a 40% carbon savings across the entire site.
- A new health centre for Barnet Primary Care Trust.
- Local job creation and support.
- Restoration of the Grade II listed Administration building.
- Improved on-site ecological and biodiversity.
- New public open spaces for new and existing residents in Colindale.
- New pedestrian and cycle access into Montrose Park and improvements to the park through a financial contribution as part of the S106 agreement.

## **RECOMMENDATION:**

Resolution to approve subject to:

### **Recommendation 1:**

The application being one of strategic importance and therefore referred to the Mayor of London and no direction being received to refuse the application or for the Mayor to act as the Local Planning Authority for the purpose of determining the application.

### **Recommendation 2:**

Subject to recommendation 1 above the Head of Planning and Development Management approve the planning application reference H/00343/09 under delegated powers subject to the following conditions:

#### **33. Time Limit**

This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

#### **34. Aparthotel - Restriction to Hotel Use**

Within the building hereby approved, the floors including and between the first and eleventh floor shall only be used for the purpose of a Hotel within Use Class C1 as defined in the Town and Country Planning (Use Classes) Order 2005, as amended. The layout of the units hereby permitted shall be implemented in accordance with the plans approved and retained as such thereafter and shall not be occupied for any purpose within Use Class C3 as defined in the Town and Country Planning (Use Classes) Order 2005, as amended.

Reason:

To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area.

#### **35. Aparthotel - Maximum Stay**

The maximum stay of any guest or person within the Aparthotel hereby approved shall be 90 consecutive days.

Reason:

To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area.

**36. A1/A3 Units Layout**

The three A1/A3 units on the ground floor of the building hereby permitted shall be implemented and retained as shown on approved plan 0801-200 rev.01 unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure that the commercial floorspace does not have a detrimental impact on the vitality and viability of the area and to ensure that potential uses do not conflict with strategic policies and policies contained within the Borough's adopted UDP 2006.

**37. A1/A3 unit - Hours of Use**

The three A1/A3 units on the ground floor of the building hereby permitted shall not be open to customers before 7am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

**38. Aparthotel A3 unit**

The A3 unit on the Twelfth floor of the building hereby permitted as shown on plan 0801-204 rev.01 shall only be used for the purposes within Use Class A3 as defined in the Town and Country Planning (Use Classes) Order 2005 as amended and shall not be open to customers before 7am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

**39. Exclusion of Conference or Banqueting facilities**

Notwithstanding the plans hereby approved, the proposed development shall not incorporate any Conference or Banqueting facilities.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

**40. Piazza**

Before the development hereby approved is occupied details of the Piazza shall be submitted to and approved in writing by the Local Planning Authority and constructed in accordance with the approved details.

Reason:

To ensure a safe form of development and to protect the amenities of the area.

#### 41. Levels

Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site 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.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, and the amenities of adjoining occupiers and the health of any trees on the site.

#### 42. Materials

Before the commencement of development hereby approved, details and samples of the materials to be used for the external surfaces of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details approved.

Reason:

To ensure the delivery of high quality development and to safeguard the visual amenities of the locality.

#### 43. Hours of Construction

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.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

#### 44. Refuse

Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and/or other refuse storage containers where applicable, together with a details of the Waste Management Plan, satisfactory point of collection and any collection arrangements 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 building is occupied.

Reason:

To ensure a satisfactory appearance for the development, satisfactory accessibility and to protect the amenities of the area.



#### 45. Vibration from industry and traffic

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 for each phase before any of the units in that phase are occupied.

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail traffic vibration in the immediate surroundings.

#### 46. Contaminated Land

##### Part 1

Before development commences other than for investigative work:

- a) 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.-
- b) 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
  - 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.

- c) 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.

## Part 2

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

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

### **47. Ventilation and Extraction Equipment - Details Required**

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

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

### **48. Noise from Site Plant**

The level of noise emitted from the heating, ventilation and air conditioning plant 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 any neighbouring property which existed at the time of this decision notice.

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 any existing neighbouring property at the time of this decision notice.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

### **49. Noise Report for site plant**

Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the LPA for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. 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).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

**50. Sound Insulation from commercial / industrial**

The development shall be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from A1/A3 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 / the use commences).

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties.

**51. Tree Protective Fencing**

Prior to commencement of development, temporary fencing shall have been erected around existing trees which are to be retained in accordance with details to be submitted agreed in writing by the Local Planning Authority. These details shall include protection to any retained tree outside of the phase boundary that may be affected by construction access and associated works. The details shall conform with BS 5837:2005 Trees in Relation to Construction. This fencing shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

**52. Services in Relation to Trees**

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 by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

**53. Method Statement – Trees**

No siteworks or works on this development shall be commenced before a method statement detailing precautions to minimise damage to trees to be retained in accordance

with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature.

#### 54. Tree Works – Detailed Specification

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: 1989 *Recommendation for Tree Works* (or as amended).

Reason:

To safeguard the health of existing trees which represent an important amenity feature.

#### 55. Landscaping - Details

Before any phase of the development hereby permitted is commenced, a scheme of hard and soft landscaping for that phase, including details of existing trees to be retained shall be submitted to and agreed in writing by the Local Planning Authority. The details of landscaping shall include but not be limited to the following:

- the position of all existing trees to be retained;
- new tree and shrub planting including species, plant sizes and planting densities as well as planting for green roofs including herbaceous / climbers / grasses / ground cover plants;
- means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser;
- existing contours and any proposed alterations such as earth mounding;
- areas of hard landscape works including paving, proposed materials, samples, and details of special techniques to minimise damage to retained trees and provide conditions appropriate for new plantings;
- trees to be removed;
- details of how the proposed landscaping scheme will contribute to wildlife habitat (ranging from ground cover to mature tree canopy), to the satisfaction of the Local Planning Authority.
- timing of planting within each phase

Reason:

To ensure a satisfactory appearance to the development.

**56. Landscaping - Implementation**

All work comprised in each phase of 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 within that phase or completion of the phase, whichever is sooner.

Reason:

To ensure a satisfactory appearance to the development.

**57. Landscaping - Maintenance**

Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development.

**58. Construction Management Plan**

Prior to commencement of development hereby approved a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details. This statement shall include, but not be limited to, the following information:

- a. details of the routing of construction vehicles to the site and access and egress arrangements within the site;
- b. details of how access will be maintained to the NHS Blood and Transplant site and Birch Court, Willow Court and Elysian House;
- c. site preparation and construction stages of the development;
- d. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- e. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- f. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- g. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- h. noise mitigation measures for all plant and processors;
- i. details of contractors compound and car parking arrangements;
- j. Details of interim car parking management arrangements for the duration of construction;

- k. details of precautions to minimise damage to protected species and habitats in particular from site clearance works including soil moving and material storage, vehicle and machinery movements, removal and disposal of excess soil, debris and materials from the site;
- l. details of action to be taken and mitigation measures to be employed should any protected species be found or disturbed on the site.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and that appropriate measures are taken should any protected species be found on the site.

**59. Parking**

Notwithstanding the plans hereby approved, before the development commences, further details of the car parking access, the design of the car stacker parking system and the layout of the parking spaces shall be submitted to and approved by the Local Planning Authority and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

**60. Stacker Parking System Maintenance Agreement**

Prior to the occupation of the development hereby approved a maintenance agreement for the operation of the car park stacker system must be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with Policy M11, M13 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

**61. Parking Management Plan**

The development hereby permitted shall not commence until a parking management plan detailing the allocation of car parking spaces, on site parking controls and the enforcement of unauthorised parking has been submitted to and approved by the local planning authority. The plan shall be implemented before the building hereby permitted is occupied and maintained thereafter.

Reason:

To ensure the free flow of traffic and in the interest of highway safety and the visual appearance of the development.

**62. Cycle Parking Provision**

The development shall not be occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority and increased in numbers, if needed. All of the spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport.

**63. Pedestrian and Vehicular Access Points**

The development hereby approved, including access points (Pedestrian and Vehicular), estate road(s) and footways shall be carried out in accordance with the approved plans.

Reason:

To ensure that the access(es) is satisfactory in terms of highway safety and the free flow of traffic in accordance with Policy M11 and M12 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

Reason:

To ensure that the access(es) is satisfactory in terms of highway safety and the free flow of traffic in accordance with Policy M11 and M12 of the London Borough of Barnet Adopted Unitary Development Plan 2006

**64. Drainage Strategy**

The development hereby permitted shall not commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority in consultation with the sewage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason:

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

**65. Flood Risk Assessment**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 'Colindale Hospital' by Scott Wilson dated January 2009 and the following mitigation measures detailed within the FRA:

3. Limiting the surface water run-off generated up to the 1 in 100 year critical storm including an allowance for climate change so that it will not exceed the greenfield run-off rate for the site and not increase the risk of flooding off-site.
4. Provision of Sustainable Drainage Systems (SUDS) to provide attenuation of surface water on-site, including living roofs, permeable paving and cellular storage.

Reason:

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

**66. Environmental Standard: Aparthotel**

The development hereby approved is required to meet the BREEAM Excellent rating for non-residential development. Before the building is first occupied the developer shall submit certification to demonstrate that BREEAM Excellent rating has been achieved.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

**67. Green Roofs and Green Walls**

Before the commencement of development details of the Green and/or Brown Roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details as approved.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

**68. Connection to Decentralised Heating Network**

Prior to the commencement of development hereby approved a strategy setting out how the development will connect to the single Energy Centre provided within the Colindale Hospital site under application H/00342/09 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved and shall not be occupied until the applicant has demonstrated that the development has been connected to the Energy Centre.

Reason:

To ensure that the development is sustainable and complies with the requirements of the London Plan.



## **INFORMATIVE(S):-**

1. The plans accompanying this application are:-

15429-341 rev.01; 801-200 rev.01; 801-201; 801-202 rev.01; 801-203 rev.01; 801-204 rev.01; 801-205 rev.01; 801-400 rev.01; 801-900; 801-901; 801-902; 801-903; FNH347 LS/07

### Technical Documents:

- Planning Statement (ref:15435/A5/Reports/090130 Aparthotel Planning Statement) dated 30<sup>th</sup> January 2009;
- Regeneration Statement (ref:15435/A5/Reports/090130 Regeneration Statement) dated 30<sup>th</sup> January 2009;
- Planning Strategy Statement (ref:15435/A5/Reports/090130 Planning Strategy Statement) dated 30<sup>th</sup> January 2009;
- Transport Assessment V1.0 prepared by Scott Wilson (ref: D115801/TA/001) dated January 2009;
- Transport Assessment Technical Appendices Volume 1;
- Transport Assessment Technical Appendices Volume 2;
- Flood Risk Assessment prepared by Scott Wilson dated January 2009;
- Telecommunications Assessment dated January 2009;
- Tree Survey & Retention Plan prepared by Forbes-Laird Arboricultural Consultancy dated January 2009;
- GLA Toolkit Assessment dated May 2009;
- Sustainability Statement prepared by Richard Hodgkinson Consultancy dated 27<sup>th</sup> January 2009;
- Energy Statement prepared by Richard Hodgkinson Consultancy dated 21<sup>st</sup> January 2009;
- Landscape Strategy - Planting Schedules and Tree Planting Details prepared by Mark Cooper Associates dated 10<sup>th</sup> June 2009;
- Biodiversity Statement prepared by Mark Cooper Associates dated 7<sup>th</sup> January 2009;
- Utilities Statement prepared by Scott Wilson dated January 2009;
- Statement of Community Consultation prepared by GKA Limited dated January 2009;
- Waste Management Plan (dated January 2009);

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

The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan London Plan (consolidated with Alterations since 2004) (published 19 February 2008) and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

London Borough of Barnet Adopted Unitary Development Plan 2006:

GSD; GMixedUse; GBEnv1; GBEnv2; GBEnv3; ENV7; ENV13; ENV14; D1; D2; D3; D4; D5; D9; D11; D12; D13; D17, L7; M1; M2; M3; M5; M6; M7; M10; M13; M14; CS1; CS10; CS11; EMP7; IMP1; IMP2

#### REASON FOR APPROVAL:

The proposed redevelopment of the former Colindale hospital and Station House will deliver new high quality housing on a key site identified in the Adopted UDP the and Three Strands Approach and the London Plan. The redevelopment of Station House will allow a new public piazza and transport interchange to be delivered in accordance with the objectives set out in the emerging Colindale Area Action Plan. The proposed Aparthotel will create a landmark building in this gateway location in Colindale. The application complies with the requirements of the London Borough of Barnet Adopted UDP (2006) and the London Plan (consolidated with Alterations since 2004).

#### 12. In complying with the contaminated land condition parts 1 and 2:

a) Reference should be made at all stages to appropriate current guidance and codes of practice at January 2006 this would include:

1) The Environment Agency CLR Guidance documents; 2) Planning Policy Statement 23 Planning and Pollution Control; 3) PPS23 Annex 2 Development On Land Affected By Contamination; 4) BS10175:2001 Investigation of potentially contaminated sites – Code of Practice; 5) The Environment Agency (2001) Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination; 6) Guidance for the safe development of housing on land affected by contamination, Environment Agency R&D Publication 66.

b) Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.

c) All raw data should be provided in a form that can be easily audited and assessed by the council. (e.g. trial pit logs and complete laboratory analysis reports)

d) Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made should be included. (e.g. the reasons for the choice of sampling locations and depths).

#### 13. 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.

14. In order to check that the proposed surface water system complies with condition 21 the Environment Agency require that the following information be provided:

a) A clearly labelled drainage layout plan showing pipe networks and any green roofs, attenuation ponds, soakaways and drainage storage tanks. 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) Model results to demonstrate the critical storm duration.

c) Where infiltration forms part of the proposed surface water 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 tanks, calculations showing the volume contained within these is also required.

e) Confirmation of the agreed discharge rate, with any flow control devices indicated 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, including an allowance for climate change. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and water depths.

g) Where green roofs are provided, calculations should be submitted to demonstrate the volume of attenuation provided.

15. 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.

16. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

17. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these

recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321.

18. The applicant is advised that any occupiers of the site would not be able to purchase any type of parking permit, voucher or similar issued within a Controlled Parking Zone (CPZ) in the area that a property address might otherwise be eligible for as part of the councils ongoing management of the public highway.
19. The implementation of the coach/taxi bays will be subject to a statutory consultation period. The Council cannot prejudice the outcome of the consultation process.
20. Taxi ranks are appointed by the Public Carriage Office under Section 4 of the 1850 London Hackney Carriages Act as amended by Schedule 20 of The Greater London Authority Act 1999.
21. The development is required to have a Travel Plan which includes the initiative for provision of the Car Clubs. LB Barnet is promoting the use of Online Travel Plan Builder. A travel plan is a document produced by you which includes a package of measures designed to help and improve transport facilities and promote more sustainable modes. Every plan is specific to the development hence prior to occupation measures need to be tailored to your site.

Barnet Travel Plan Builder is Online package. It is easy to use and will help you construct your travel plan efficiently. All you have to do is input the information when you are prompted and at the end you will have your site specific travel plan. The travel plan is broken down into manageable chunks and progress is saved in incremental stages.

It can also be reviewed and modified at any stage up until its submitted. Submission can be done on-line or Traffic & Development Section, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP]

22. The applicant is advised that Colindale Avenue is a Traffic Sensitive Roads; 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 Highways Manager should be consulted in this respect.

## **1. INTRODUCTION**

This application relates to Station House and is one of three on this agenda being considered by the Committee relating to the former Colindale Hospital and Station House sites on Colindale Avenue. For ease of reference the applications will be referred to as follows:

### **1. Residential Application (H00342/09)**

The main application is reported on page 10 – 124 of the agenda and relates to the redevelopment of the former hospital site to provide 714 residential flats/houses including the conversion of the listed former Administration building to flats, along with a new PCT facility, Safer Neighbourhood Centre and small café and commercial unit with access roads, car parking and cycle parking, new public and private open space, children's play space and landscaping.

### **2. Aparthotel Application (H00343/09)**

This is the application being considered in this report. It relates to the demolition of Station House and the provision of a new public square and transport interchange together with the construction of an aparthotel, with ground floor commercial units and the retention of and alterations to the Colindale Underground station building. The proposals are described in more detail later in this report.

### **3. Listed Building Application (H00344/09)**

The last application is reported on page 183 – 195 of the agenda and seeks listed building consent for the restoration of the listed hospital Administration building. This purely relates to the internal and external works needed in connection with the conversion of the building to flats which is proposed under the residential application.

The Council has determined through a screening opinion that an Environmental Statement is not required to assist in the determination of this application. However the cumulative environmental impacts of this development have been taken into account in the Environmental Statement supporting the residential application (H/00342/09).

## **2. KEY RELEVANT PLANNING POLICY**

### **2.1 Introduction**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (consolidated with Alterations since 2004) published 19 February 2008 and the adopted London Borough of Barnet Unitary Development Plan (2006). These strategic and local plans are the policy basis for the consideration of this planning application.

### **2.2 Central Government Guidance and Policy Statements**

National guidance is provided by way of Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs).

The PPSs and PPGs of most relevance to the determination of this application are:

- Planning Policy Statement 1: Delivering Sustainable Development (2005)
- Planning and Climate Change: Supplement to PPS1 (2007)
- Planning Policy Statement 6: Planning for Town Centres (2005)
- Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)
- Planning Policy Guidance 13: Transport (2001)
- Planning Policy Statement 22: Renewable Energy (2004)
- Planning Policy Statement 23: Planning and Pollution Control (2004)
- Planning Policy Guidance 24: Planning and Noise (1994)
- Planning Policy Statement 25: Development and Flood Risk (2006)

### **2.3 The London Plan**

The London Plan (consolidated with Alterations since 2004) was published on 19 February 2008 and is part of the development plan under the Planning and Compulsory Purchase Act 2004. It provides the strategic planning guidance and policies for the capital, which promotes sustainable growth and environmentally responsive development.

The London Plan provides strategic planning policy for all London Boroughs for the period up to 2025/26. A summary is provided at Appendix 4. The following key policies are relevant:

Colindale is identified in the London Plan on Map 2A.1 as an Opportunity Area. Table 5B.1 sets the target of delivering 10,000 new homes in Colindale and 500 jobs (see below).

London Plan Policy 2A.5 states that frameworks should be produced for Opportunity Areas that achieve the following:

- seek to exceed the minimum guidelines for housing having regard to indicative estimates of employment capacity set out in the subregional tables (see Chapter 5)
- maximise access by public transport
- promote social and economic inclusion and relate development to the surrounding areas, especially any nearby Areas for Regeneration
- take account of the community, environmental and other distinctive local characteristics of each area
- deliver good design, including public realm, open space and, where appropriate, tall buildings
- co-ordinate development that crosses borough boundaries where appropriate

Paragraph 5.43 supporting text to policy 5B.2 highlights the following:

*"Colindale. This area comprises parts of the former RAF East Camp adjacent to the M1, which is currently being redeveloped for housing, the Hendon College site, the existing Grahame Park Estate, which is due to be comprehensively redeveloped, as well as Colindale Tube and the Hospital and library sites to the west of the tube. In total these represent an opportunity significantly to intensify residential development together with a range of leisure and other uses. Appropriate developer contributions will be needed to*

*deliver public transport improvements to support the proposed intensification of residential use."*

The Mayor's Tourism Vision seeks to ensure that London expands as a global tourism destination, develops a broader visitor base and spreads the benefits of tourism throughout the capital. To accommodate potential growth a further 40,000 net hotel bedrooms should be provided in the period up to 2026 in a range of suitable locations throughout London. With the loss of some small scale low quality hotels, this is estimated to total an additional 50,000 gross total bedrooms.

The Central Activities Zone – particularly the West End – is the home of most tourist attractions and hotels. In order to reduce pressures on central London, provide more affordable hotel development capacity, increase London's tourism attractions and contribute to broader regeneration and sustainability objectives, other locations should in future play a much greater role in provision for visitors. Town centres and Opportunity Areas with good public transport access will be especially important, most particularly in east London.

The relevant London Plan policy is 3D.7 Visitors accommodation and facilities which states:

*"The Mayor will work with strategic partners to implement his Tourism Vision and to achieve 40,000 net additional hotel bedrooms by 2026, to improve the quality, variety and distribution of visitor accommodation and facilities and to bring forward a major international convention centre."*

The policy states that Boroughs should (among other things):

- *beyond the CAZ, identify capacity for new visitor facilities in town centres and other locations such as Opportunity Areas, with good public transport access to central London and international and national transport termini*
- *support the provision of a wide range of tourist accommodation, such as aparthotels.*
- *support an increase in the quality and quantity of fully wheelchair accessible accommodation in light of integrated strategic and local assessments*

Other relevant London Plan policies:

- Policy 2A.1 Sustainability criteria
- Policy 3A.3 Maximising the potential of sites
- Policy 3C.1 Integrating transport and development
- Policy 3C.3 Sustainable transport in London
- Policy 3D.11 Open space provision in DPDs
- Policy 4A.1 Tackling climate change
- Policy 4A.3 Sustainable design and construction
- Policy 4A.4 Energy assessment
- Policy 4A.5 Provision of heating and cooling networks
- Policy 4A.6 Decentralised Energy: Heating, Cooling and Power
- Policy 4A.7 Renewable Energy
- Policy 4A.11 Living Roofs and Walls
- Policy 4A.13 Flood risk management

- Policy 4A.14 Sustainable drainage
- Policy 4A.16 Water supplies and resources
- Policy 4B.1 Design principles for a compact city
- Policy 4B.5 Creating an inclusive environment
- Policy 4B.9 Tall buildings – location

The following Supplementary Planning Documents are also relevant in considering this application:

- Sustainable Design & Construction (Adopted May 2006)
- Accessible London: Achieving an Inclusive Environment (Adopted April 2004)

## **2.4 Barnet Unitary Development Plan**

The London Borough of Barnet UDP was adopted in May 2006 and contains local planning policies for Barnet. UDP policies that were agreed to be saved by the Secretary of State in May of this year which are relevant to this application are:

- Policy GSD – Sustainable Development
- Policy GL2 - Tourist Facilities
- Policy GMixedUse – Mixed Use
- Policy GEA – Environmental Impact
- Policy GBEnv1 – Character
- Policy GBEnv2 – Design
- Policy GBEnv3 – Safe Environment
- Policy GCS1 – Community Facilities
- Policy ENV7 – Air Pollution
- Policy ENV13 – Minimising Noise Disturbance
- Policy D1 – High Quality Design
- Policy D2 – Character
- Policy D3 – Spaces
- Policy D4 – Over-development
- Policy D5 – Outlook
- Policy D9 – Designing Out Crime
- Policy D11 – Landscaping
- Policy D12 – Tree Preservation Orders
- Policy D13 – Tree Protection and Enhancement
- Policy L7 – Tourist Facilities – Preferred Locations
- Policy L10 – Hotels – Development Criteria
- Policy M1 – Transport Accessibility
- Policy M2 – Transport Impact Assessments
- Policy M3 – Travel Plans
- Policy M5 – Pedestrians and Cyclists – Improved Facilities
- Policy M6 – Public Transport – Use
- Policy M7 – Public Transport – Improvements
- Policy M10 – Reducing Traffic Impact
- Policy M13 – Safe Access to New Development
- Policy M14 – Parking Standards
- Policy IMP1 – Priorities for Planning Obligations



- Policy IMP2 – Use of Planning Obligations

The following Barnet Supplementary Planning Documents are relevant to this application:

- SPD: Planning Obligations (Adopted October 2006)
- SPD: Sustainable Design & Construction (Adopted June 2007)

## **2.5 The Three Strands Approach**

In November 2004 the Council approved its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. A second edition of the document was published in 2008.

The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The third strand 'Growth' responds to Barnet's significant growth potential and sets out how and where sustainable strategic growth, successful regeneration and higher density can take place across the borough.

The Three Strands Approach establishes Colindale as one of three strategic opportunity areas for high quality sustainable growth within Barnet where 10,000 new homes are expected to be delivered. The first phase includes the regeneration of Grahame Park Estate and the redevelopment of RAF East Camp (Beaufort Park).

## **2.6 Colindale Area Action Plan**

The Council is preparing an Area Action Plan (AAP) for Colindale. This emerging planning document provides a framework to guide and inform the development and regeneration of the area up to 2021 in response to the London Plan designation of Colindale as an Opportunity Area. It contains guidance on sustainable development and will address land use issues to ensure balanced growth through co-ordinating development interests. It will also identify a number of key infrastructure improvements are needed to support the delivery of growth in Colindale.

Following consultation on the Issues and Options in December 2007/January 2008 and the Preferred Options in October/November 2008, the Council has prepared the Colindale AAP Submission Document which contains policies and guidance for the area. The Submission Document was published under Regulation 27 on the 22<sup>nd</sup> June 2009 and will be subject to an Examination in Public by an independent Planning Inspector in the autumn after which it will be adopted as part of Barnet's Local Development Framework.

The Colindale AAP identifies four character areas, known as "Corridors of Change" which each have their own visions and objectives and policies and identify specific development sites. The four Corridors are: Colindale Avenue, Aerodrome Road, Edgware Road, and Grahame Park Way. Station House and the Colindale Hospital site are within the Colindale Avenue Corridor of Change. The Colindale AAP vision for the Colindale Avenue Corridor of Change is:

*"Colindale Avenue will be the vibrant heart and gateway to the area and become a sustainable, mixed-use neighbourhood centre anchored by a new, high quality public transport interchange with pedestrian piazzas on both sides of the street. A high quality,*

*urban environment will serve a higher density population, well connected to Central London via Colindale Underground Station and good quality local bus services serving its more immediate hinterland."*

The AAP identifies the former Colindale Hospital site including Station House as a key development site which is appropriate for residential-led development as well as health facilities and a new public transport interchange and public square to deliver the key objectives identified for the Colindale Corridor of Change.

The identified priorities for the Corridor of Change are:

1. Radically changed public transport interchange and pedestrian piazzas
2. Provide a package of transport improvements to increase connectivity and permeability
3. Provide for improvements to Colindale Avenue, public realm and highway; and
4. Provide for community facilities within the new neighbourhood centre.

The emerging AAP has undergone several stages of extensive consultation and has now been published under Regulation 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. It is therefore considered that significant weight can be given to the Submission Document in determining planning applications in Colindale.

### 3. RELEVANT PREVIOUS DECISIONS

<b>Application Ref.</b>	<b>Address</b>	<b>Description of Development</b>	<b>Decision and Date</b>
<b>H/001159/08</b>	Colindale Hospital, Colindale Avenue, London NW9 5HG	Demolition of curtilage buildings to Listed Hospital Administration Block.	APPROVED 02/12/2008
<b>H/00395/09</b>	Colindale Hospital, Colindale Avenue, London NW9 5HG	Enabling works application for the provision of new site access, spine road with footpaths, emergency access to the health protection agency together with associated sub-surface infrastructure.	APPROVED 03/06/2009
<b>H/00342/09</b>	Colindale Hospital, Colindale Avenue, London, NW9 5HG	Redevelopment of the former Colindale Hospital to include the erection of 714 residential units including the change of use and conversion of the listed former Administration building to residential, a new primary care trust facility (Use Class D1) of 1,132sqm, commercial unit (Use Class A1/A3) of 45sqm and site management office (Use Class D1/B1), together with access roads, car parking and cycle parking, new	CURRENT

		public and private open space, children's play space and landscaping. Application includes the submission of an Environmental Statement.	
<b>H/00344/09</b>	The Administration Building, Colindale Hospital, Colindale Avenue, London, NW9 5HG	Listed Building Consent application for works of repair and internal and external alterations to convert the former Colindale Hospital Administration Building into residential use.	<b>CURRENT</b>

#### **4. PRE-APPLICATION CONSULTATION**

The current application along with the application for the redevelopment of Colindale Hospital has been the subject of extensive consultation and negotiation between the applicant, the Council, the GLA, TfL and other organisations over the past three years with the aim of delivering a high quality sustainable development that responds to key objectives within the emerging CAAP.

The applicants have also held meetings with representatives from the following neighbouring organisations to outline the development proposals and to understand their specific needs:

- National Blood Service
- Health Protection Agency
- Hallmark as owners of Station House
- London Quadrant Housing Association as managers of Elysian and Birch and Willow
- British Museum Library
- National Health Service

A Statement of Community Consultation has been submitted with the application. This outlines how the applicant has undertaken their own widespread consultation with the local community in Colindale. In June 2008 Fairview issued letters to residential and business occupiers of 873 addresses inviting them to attend a public exhibition of the emerging development proposals. This event was organised and run by Fairview at the RAF Museum in Colindale over three days on Friday Saturday and Sunday, 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> July 2008. The invitation was also issued to the 80 people who had attended the Council's consultation event at the Issues and Options stage of the Colindale Area Action Plan.

A press release and press advert were submitted by Fairview to the local press in order that the proposals could be publicised to the wider community to ensure that as many people as possible knew about the exhibitions.

A meeting was also held with the Aeroville Residents Association earlier this year and adjoining owners and local residents were advised of the submission of the planning application.

Members of the Cabinet, Ward Councillors and Members of the Planning and Environment Committee have also been briefed on the development proposals.

## **5. STATUTORY AND NON-STATUTORY CONSULTATION RESPONSES**

### **5.1 Consultations and Views Expressed**

Over 1600 local residents and businesses were consulted by letters on the 9<sup>th</sup> February 2009. The application was advertised in the press on the 12<sup>th</sup> February 2009 and 6 site notices were displayed around the site along Colindale Avenue and through Montrose Park. Statutory bodies and adjoining local authorities were also consulted.

This section provides a summary of the representations received from residents, statutory bodies and internal consultees at the time of writing this report. The issues raised are addressed within the planning appraisal section of this report.

### **5.2 Comments from Residents**

#### **Letters/E-mails**

A total of 7 replies were received from local residents relating to this application comprising 6 individual letters of objection and 1 letter of objection with multiple signatures (15 names).

The comments raised in the letters and e-mails have been summarised below.

#### **(i) Traffic and Transportation**

- Development of this scale will greatly increase the volume of traffic on Colindale Avenue which is already often overloaded and slow and will affect local residents
- Surrounding roads will be impacted
- Chaos from extra cars, taxis, delivery vans, fire engines, ambulances, motor bikes and cycles
- Will tube line be able to cope?

#### **Response**

- *A full Transport Assessment has been submitted with the application and reviewed by the Council's Highways Officers and TfL. It is considered that the development would not have an unacceptable impact on the surrounding road network for the reasons set out in section 8.5 of this report.*
- *There are committed proposals to improve the signalling on the Northern Line by 2011 which will enable frequencies to increase up to 24 trains per hour which is sufficient to cater for the demand from other committed developments in the area together with the Colindale Hospital proposals.*

#### **(ii) Density, Design, Townscape and Visual Impact**

- Object to the 13 storey 'tower block' aparthotel
-

- Development of this height would be out of scale to the surrounding two storey houses and will affect the appearance of the residential area surrounding the Aparthotel
- The planned development will cause loss of privacy to the rear of the property
- Any building should be restricted to the present 5 storey as a maximum height
- Aparthotel should be built along Edgware Road not Colindale Avenue

### **Response**

- *It is considered that the proposed scale, height and massing would not be as great as on neighbouring sites at the Metropolitan Police Training Centre and Beaufort Park as explained in section 8.2 and are necessary to deliver the scale of housing identified in the London Plan for Colindale and the Three Strands report for the site.*
- *As explained in section 8.2 of this report the Aparthotel (13 storeys) would be the central focus of the proposed development defining the location of the Transport Interchange and creating a gateway both to the proposed masterplan for Colindale Hospital and the wider Colindale area.*
- *Section 8.2 also sets out how the proposed 13 storey building meets the criteria set by English Heritage and CABE on tall buildings.*
- *For the reasons set out in section 8.2. of this report it is considered that the development would not impact on the privacy of existing adjoining residents.*

### **(ii) Environmental Issues**

- Increased noise and disturbance during day and evening hours
- There will be an increase in people in the area
- No trees should be felled on the Colindale Hospital site
- Consider the over-building in Colindale Avenue a tragedy not an enhancement
- Disregard for long term residents

### **Response**

- *Subject to the imposition of suitable conditions officers consider that the proposals will not give rise to any unacceptable adverse impacts arising from noise.*
- *The tree officer's comments can be found below in section 5.8. The balance between retaining trees and delivering housing and the other associated community benefits that this development will bring has been considered carefully.*

### **Petition**

A petition with 170 signatures objecting to the application was received. The petition contained 143 signatures. The objections stated on the petition can be summarised as follows:

- Local infrastructure including roads, resources and public transport cannot sustain this increase in population including hotel residents who wish to use local transport and resources
- The proposal will reduce light and invade privacy of residents and probably cause additional problems such as a wind tunnel around the station area
- The scale and style of the development is not in keeping with the local area
- Particularly concerned about the excessive height of the building as it will completely change the landscape, overshadowing adjoining areas and obliterating the skyline

- The impact of the building will be devastating to local wildlife

### **Response**

- *As explained in section 8.2 of this report the balance between retaining trees and delivering housing and the other associated community benefits that this development will bring has been considered carefully.*
- *subject to the imposition of suitable conditions it is considered that the proposals will not give rise to any unacceptable adverse impacts arising from noise.*
- *For the reasons set out in section 8.2 of this report it is considered that the development would not impact on the light and privacy of existing adjoining residents.*
- *The height of the Aparthotel is fully justified in section 8 of this report.*

### **5.3 Residents' Comments on Amended Plans**

Amended plans were submitted by the applicants on the 16<sup>th</sup> June and residents were reconsulted. A further 3 letters were received, one containing 12 signatures. The objections raised can be summarised as follows:

- the hotel is far too high and will give future developments the opportunity to build high rise buildings as it will set a precedent
- the design of the hotel is ugly and not in keeping with the area - can't imagine why grey metal cladding or metal screen mesh is considered aesthetically pleasing or why it is necessary
- the flats are far too high, particularly the ones along the tube line side of the site
- the flats next to the tube line are far too close to the boundary
- the volume of the development is far too great and the impact on the local area and resources has not been adequately taken into account
- the design of the flats is unattractive and not in keeping with the area
- the introduction of colours to the buildings adds to the cheap look of the development giving it a 'toy town' feel
- too many existing trees are missing from the plans - residents were given clear assurances from the start that the trees along the tube line would remain but this is not reflected in the plans
- continue to object for all the reasons stated in original submission with the petition
- strong disagreement in connection with the overdevelopment of the area, the height of buildings the density of the site, the knock on effect to the area in traffic and the loss of a valued site. Also the heritage of the site.
- Disappointed that Fairview has not reduced the high number of units be at least half and reduced the maximum height of buildings to 4 storeys
- Do not want a 13 storey aparthotel on the Station House site and amended plans are just a cosmetic exercise to camouflage the proposed building
- No consideration has been made for the quality of life for all residents concerned

## **Response**

*The design of the hotel has been revised significantly. The design is considered to be of high quality and utilises quality materials and creates a landmark building to underpin this key development at an important gateway site in line with the priorities and objectives set out in the Colindale AAP. The development is not considered to result in any adverse impact on the amenities of nearby residents.*

### **5.4 National Health Service - Blood and Transplant (NHSBT)**

A letter (dated 16<sup>th</sup> April 2009) was received from Lambert Smith Hampton on behalf of the NHS Blood and Transplant (NHSBT) who operate services relating to the wider operation of the National Health and Emergency Services. The NHSBT have raised the following concerns in relation to both the residential application and the aparthotel application:

- Concerned about the design of the new junction with Colindale Avenue and its inability to efficiently deal with the volume of traffic that will result from the residential development and other uses. The NHSBT consider that potential congestion will hinder their operations in delivering blood.
- Concerned about ensuring two way access is maintained to the NHSBT site where the proposed two-way spine road meets the existing access road which currently forms part of the one-way loop road system. The proposal would see a two way road meet a narrow road with a width which is insufficient for two NHSBT vehicles to pass.
- The proposed access would be the only way into and out of the NHSBT building. The NHSBT require two points of access should something happen on the road.
- There is no indication in the application how parking will be controlled on the site during construction.
- It is essential that services (water, gas and sewage) to the NHSBT remain at all times and that there is no disruption to the supply due to the nature of the work carried out on the NHSBT site. There is insufficient information in the planning applications for NHSBT to make an informed view and be satisfied that disruption will not occur.
- The NHSBT building is equipped with specialist air filters which help maintain a sterile environment within certain parts of the building. There is a concern that dust and pollution from construction would prove too onerous for the filter system to operate effectively which could have operational implications.

In their letter, the NHSBT set out a list of possible solutions to the above points which, if addressed, would satisfy their concerns.

A second letter was submitted on the 1<sup>st</sup> July 2009 by Lambert Smith Hampton on behalf of the NHSBT in response to the amended plans. The letter concludes that the NHSBT consider that little regard has been paid to their concerns and therefore feel it necessary to continue to object to the planning applications as it is still considered that the development during construction and when completed would detrimentally affect the ability of the NHSBT to operate unhindered.

## **5.5 Barnet College**

The Principal of Barnet College has written to support of both the residential application and the aparthotel application (letter dated 25<sup>th</sup> March 2009) making the following comments:

Barnet College, as a major stakeholder in the development of the former hospital site, enthusiastically welcomes and endorses these planning applications.

They confirm that the reserved area shown on the masterplan appears to be in keeping with the College's requirements for the development of a new College campus in which vocational skills will be especially emphasised.

The College's relocation represents the final phase of an accommodation strategy which the College has been implementing since 2003. The new campus is vital to the development of the College's western provision in that it will be fit for purpose and well serviced by public transport. It will replace curriculum activity at the existing 40-year-old Grahame Park campus in NW9 (and the smaller, 100-year-old Montagu Road campus in NW4), which is becoming dilapidated, is increasingly unfit for the purposes of a modern curriculum and is very poorly located for public transport.

The College's design team has worked on its relocation project in close partnership with Fairview and its design team.

It is particularly pleasing that intended by-products of our relocation will be the development in due course of housing units and a primary school on our existing Grahame Park campus.

## **5.6 Health Protection Agency**

The Health Protection Agency (HPA) is located adjacent to the hospital site. The HPA has submitted the following comments on the Aparthotel application:

- Have no objection to the principle of the redevelopment
- Welcome the construction of a hotel close to the Agency as it would assist them, staff and visitors when attending courses etc.
- However they concerned about traffic. Colindale Avenue often becomes traffic bound during the day - what provisions are being made or included to relieve or lessen the traffic congestion?

## **5.7 Consultation Responses from Statutory Consultees and Other Bodies**

### **Environment Agency - no objection**

The Environment Agency (EA) (letter dated 3<sup>rd</sup> March 2009) state the proposed development will only be acceptable if the measures detailed in the Flood Risk Assessment 'Colindale Hospital' by Scott Wilson dated January 2009 submitted with this application, are implemented and secured by way of a planning condition on any planning permission.



## **Natural England - no objection**

Natural England (letter dated 17<sup>th</sup> February 2009) have no objections to the development subject to a condition requiring a Ecological Mitigation and Management Plan (EMMP) to be produced and implemented by the applicant to ensure that the proposed mitigation and enhancement measures set out in the Environmental Statement are delivered, monitored, managed and funded in the future.

In their comments Natural England state that the ecological surveys undertaken appear thorough. They also state that they would like to see innovative designs put forward for both the green and brown roofs in order to maximise their value for biodiversity.

## **Greater London Authority & Transport for London (GLA and TFL)**

The GLA (letter and detailed Stage 1 Planning Report dated 18 March 2009) have made the following comments in support of both the residential application and the aparthotel application. Those relevant to the aparthotel are as follows:

- The provision of an aparthotel is broadly welcomed in accordance with policy 3D.7.

However the GLA's Stage 1 response concluded that the application complies with some of the London Plan policies but not with others, and on balance, the application does not comply with the London Plan for the following reasons:

- The principle of two separate planning applications and the problems this creates in terms of assessing the applications in a stand-alone scenario, in terms of the energy strategy and seemingly complicated arrangements for the S.106 agreement are not understood, particularly in light of policies 3C.2, 4A.1 and 4B.1.
- The design and layout is not in accordance with policy 4B.1, 4B.3 and 4B.10, although the provision of the public square and improved public realm are welcomed.
- The proposal does not accord with the policy 4B.5 as the principles of inclusive design have not been fully addressed.
- The proposal is not in compliance with climate change policies in chapter 4A, in particularly 4A.1, 4A.3, 4A.4, 4A.5 and 4A.7.
- From a transport perspective, the proposal has not adequately demonstrated compliance with policies 3C.1, 3C.2, 3C.4, 3C.23, 3C.22, 3C.21 and 3C.20.
- Further assessment by the Greater London Authority is required to confirm compliance with policy 4A.19 relating to air quality.
- The loss of trees is regrettable and further information is sought in accordance with policy 3D.15.
- The proposal should better outline the rationale of the incorporation of living roofs and other sustainable measures to ensure compliance with policies 4A.11, 4A.12 and 4A.14.

In their Stage 1 report the GLA also identify the following changes which might remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan. The applicants and Planning Officers have been liaising

with the GLA and TfL to address and resolve the each of the issues raised. The GLA suggested changes and the responses/information submitted are set out below.

- (i) The justification and full explanation of the two separate application approach and the arrangements for the S.106 agreements should be provided. Transport for London should be recognised as a signatory to the S.106. Site wide energy systems should be put in place.

**Response:**

*Fairview have provided a rationale and explanation for the two application approach. The Council considers this to be the best way to secure the delivery of the new piazza and interchange without compromise from third party signatories. Fairview have revised the scheme to incorporate a single energy centre which will be powered by a biomass fuelled Combined Heat and Power (CHP) boiler serving a district heating system. This will provide all of the heating and power requirements for the residential and non-residential uses within the development and will provide a 40% carbon saving.*

- (ii) Further justification regarding market interest in the aparthotel should be provided.

**Response:**

*A letter was submitted by Ascott International who are an aparthotel operator and are in discussions with the Station House owners. Additional information about Ascott International, the type of aparthotel product that they provide and examples of other aparthotels in London and Europe was provided.*

- (iii) The car parking levels for the aparthotel should be reduced.

**Response:**

*Barnet Highways Officers require this level of parking for a use such as this. The level of parking is the minimum that would be considered appropriate. Refer to the Transport section of this report at 8.5 for more detail.*

- (iv) Further discussion and information on the S.106 agreement is required, particularly in relation to the public transport improvements.

**Response:**

*A copy of the draft S106 schedule was provided to the GLA. The S106 agreement will secure the delivery of the new piazza and interchange. A significant contribution of £500,000 is also proposed for public transport improvements. Refer to section 8.8 for more detailed information.*

- (v) The sustainable design measures need to be improved and/or secured through planning conditions or the S.106 agreement. This should include sustainable urban drainage systems and rainwater harvesting.

**Response:**

*The Council can consider conditioning the details of the SUDS for the development.*

- (vi) If possible, more of the existing trees should be preserved.

**Response:**

*The masterplan retains across the site where possible. Importantly a group of trees in the south west corner are retained in a parkland setting to provide the maximum amenity benefit. The balance between retaining trees and delivering housing and the other associated community benefits that this development will bring has been considered carefully.*

- (vii) The amount of living roofs should be justified within the sustainability statement and if possible more should be provided.

**Response:**

*The number of green and brown roofs has been increased to include a green roof on part of the Aparthotel. In total 8 green/brown roofs are proposed.*

- (viii) The proposal should better outline the rationale of the incorporation of living roofs and other sustainable measures to ensure compliance with policies 4A.11, 4A.12 and 4A.14.

**Response:**

*This has been provided*

**Sport England** - no objection

The proposed development does not impact upon existing playing pitches within the statutory definition of Statutory Instrument 1817 therefore Sport England responded in a non-statutory capacity and made the following comments:

No objection to the proposed development however advise the council to provide significant emphasis on assessing the cumulative impact of the hotel development along with the proposed adjacent residential development.

**Thames Water** - no objection subject to a Grampian condition

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed:

*"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".*

*Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.*

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. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel.

#### **Metropolitan Police Service - no objection**

The MET Police have confirmed (e-mail dated 12 March 2009) that they have been involved in the development since the design stage and have no objections in principle to both the residential and aparthotel applications.

General suggestions are made regarding lighting, perimeter boundary treatments, security standards for doors and windows, access control, cycle storage, refuse bin stores, and natural surveillance in line with Crime Reduction and Community Safety.

#### **London Fire Brigade - no objection**

The London Fire Brigade (letter dated 10<sup>th</sup> March 2009) are satisfied with the proposals with regard to access for Brigade vehicles and have raised no objections to the application.

#### **Commission for Architecture and the Built Environment (CABE)**

CABE have reviewed both the residential and aparthotel applications and have a number of concerns relating to the principles of the overall masterplan and the layout of the site. They are unable to support the planning application at this stage. They list the following points:

##### *Site Layout*

- Whilst recognising the wider benefits of redeveloping the site they considered it important that the best possible solution is found.
- It is important that the layout of the site creates a sense of place and character that is appropriate to that of Barnet. The lack of hierarchy in the road layout, buildings and spaces proposed creates a development that lacks character.
- Please to see a landscape strategy for the new piazza. It is important that the strategy is delivered and maintained so the square does not become a large area of hardstanding in the streetscene.
- Do not think the planted mounds adjacent to the access road or the courtyard spaces have been designed with the users in mind.
- Seating around car park vents is unpleasant and arbitrarily shaped lawns do not relate form to function.

- Understand the requirement to have a roundabout to accommodate turning buses, nevertheless the size in this location is out of scale with the character of the site and is an unnecessarily highways dominant solution.
- Concerned that the masterplan creates an area behind block H that lacks definition and could become an unwelcoming part of the site.
- Concerned that the area behind block A will become a large area of hardstanding cluttered with cars.

**Response**

*The masterplan has also been informed by the need to deliver key CAAP objectives – significant housing, safeguarding land for Barnet College and the transport interchange which influences the disposition of development. The rationale behind the Masterplan and the location and hierarchy of spaces within has been carefully considered. The location and hierarchy of spaces responds to the context of the site, the requirements to accommodate a plot for Barnet College, the need to retain and respect the Listed Building and the scale of proposed blocks. It creates a clear and legible environment.*

**Car Parking**

- Car parking should be designed into the scheme and ensure that the fronts of properties relate to the street and are not dominated by cars.
- It is important that the Local Authority puts appropriate measures in place to ensure that the landscape strategy is implemented and maintained to avoid large areas of hardstanding becoming car parks.

**Response**

*The applicants have revised their plans to include Homezones which are designed to provide shared surface areas that provide for residents/pedestrian needs as well as vehicular. Landscaping details are conditioned.*

**Tall Buildings**

- Remain unconvinced that the tall buildings proposed are appropriate in the locations shown. Further information is required to show how these buildings relate to the changing topography and streetscape of the surrounding area.

**Response**

*A building of some physical presence is considered both appropriate and necessary in order to create a landmark feature to underpin and establish this key development at an important gateway into Colindale.*

**Wider Regeneration Proposals.**

- The correlation between the services and facilities on this site and those proposed as part of the wider regeneration programme remains unclear. It is essential that this development meets the terms of the regeneration programme so that it benefits Barnet as a whole.

**Response**

*The development proposals have evolved in the context of the London Plan and the emerging Colindale AAP. The application is considered to meet key objectives and policies of the Colindale AAP.*

**London Borough of Brent** - no reply received

## **5.8 Internal Consultation responses**

### **Highways Group**

The Highways Officer has commented on the application and has no objections subject to a number of conditions being imposed. They have the following general comments:

- The proposed parking provision of 30 parking spaces is considered a reasonable level (i.e. 1 parking space per 10 rooms) with an additional 6 parking spaces provided for operational use.
- There is currently an existing one hour Colindale CPZ operating in the vicinity of the Colindale Station which is sufficient to deter commuter parking in the area. The hours of operation and extent of the Colindale CPZ will need to be reviewed and enhanced following a review of the controls. A contribution of £45,000 should be secured through the S106 agreement which is attached to the residential application (H/00342/09) towards the review and revision of the existing Colindale CPZ.
- A Workplace Travel Plan for the Aparthotel is required and should include co-ordination of the soft initiatives is expected with the other nearby sites.
- 20 cycle spaces are proposed purely for the Aparthotel. An initiative is recommended to adjust this provision as part of a Travel Plan for the development if an additional demand is established. A further 50 spaces are provided within the proposed public piazza.
- A Waste Management Plan should be placed on the permission in order to facilitate safe collection for this development.

### **Trees and landscaping**

The Tree Officer has reviewed both the residential and aparthotel applications and has provided the following joint comments in relation to both.

Trees at the site are included within The London Borough of Barnet Colindale Hospital and Adjacent, Colindale Avenue, London NW9 Tree Preservation Order 2004 (internal reference TRE/HE/78).

The trees to be retained are mainly to the south and west of the site, some along the periphery of the site; the others in an area of parkland towards the south-west corner, where a new play space is also proposed. The use of appropriate techniques to minimise the risk of damage to trees shown for retention have been discussed. Conditions are needed to require details of protective fencing, method statements, treeworks specification, levels, and services to minimise the risk of damage to trees shown for retention.

Given the extensive loss of trees across the site, new tree planting as part of proposed landscaping and the feasibility of such mitigation is considered essential. Some of the new planting is proposed in soft landscaped areas (in the parkland to complement

existing retained trees and around the periphery of the site); some is in paved areas; some in the courtyards and the podium decks; and most in roadways and between parking bays. The landscape strategy has been developed through extensive consultation with the Council's Tree Officer to ensure that the proposals for new trees will be appropriate for the context and will survive, particularly in the hard landscaped areas and homezones.

It is proposed to plant 209 new trees. Proposed new tree planting will include semi-mature trees (with a girth of 20 - 25cm and a height approximately 5 - 5.5m at time of planting) and heavy standard trees (with a girth of 12 - 14cm and a height approximately 3.5 - 4m at time of planting) - although clearly heights would vary with species. The trees have been selected to provide a range of forms; seasons of interest; wildlife value as well as suitability for planting location, they include ornamental cultivars and native species.

Native hedgerow species are proposed for site boundaries, and a range of shrubs and groundcover species selected to provide a range of vegetation diversity, flowering and habitat to help to promote and enhance the schemes' biodiversity.

Landscape design, implementation, and maintenance conditions should be imposed requiring fuller details of the proposed Landscape Strategy.

Whilst the redevelopment will result in the loss of trees across the site, some efforts have been made to retain trees where possible and replacement planting will take place as part of the landscape strategy. On balance, you may consider that the regeneration benefits for the wider Colindale AAP area arising from the development, including the provision of the new public piazza and transport interchange, safeguarded site for the relocation of Barnet College, improved public realm, are considered to justify the loss of trees.

### **Environmental Health**

The Environmental Health Officer has commented on the application and has no objections subject to a number of conditions being imposed. They have the following comments:

Most likely impacts on the development:

- Noise and vibration from the underground railway system

Most likely impacts of the development:

- Environmental impact of biomass boiler
- Potential noise from ventilation extract equipment (air conditioning)
- Potential odour and noise from extract ventilation systems to the proposed restaurants.
- Noise and dust generated during demolition and construction.

Conditions relating to the following have been requested:

- Impact of Noise PPG24
- Noise Report for site plant
- Noise Report for site plant

- Extract Ventilation Systems to proposed restaurants.
- Noise and Dust from Demolition and Construction

## **6. DESCRIPTION OF DEVELOPMENT, THE SITE, AND SURROUNDING AREA**

### **6.1 Description of Development**

The application proposes the demolition of the existing Station House building while retaining the existing Colindale Underground Station ticket hall. In place of Station House a new public piazza and transport Interchange would be created to provide a new public realm. A part 5 and part 13 storey building will be constructed at the back of the piazza comprising retail units and restaurant/café units at ground floor level and an Aparthotel on the floors above with 293 rooms.

#### *Aparthotel (Class C1)*

An Aparthotel provides short term self-catered accommodation incorporating a kitchenette which can be purchased at a nightly rate with no deposit against damage being required and falls within Class C1 (Hotels) of the Use Classes Order (2005) as amended. The proposed Aparthotel will provide 293 self-contained rooms, each with an en-suite and kitchenette. There will be a restaurant on the top floor and 3 retail/café units on the ground floor fronting onto the public square. Aparthotels are a relatively new concept to London, but are widely provided throughout continental Europe. The rooms will be available for overnight or longer periods of stay and they provide guests with limited hotel services, in comparison to regular hotels (i.e. pool, gym, valet, etc).

The Aparthotel along with the retained and re-clad Tube Station ticket building would frame the new public piazza. Both buildings have been designed as landmark features as a focal point and public gateway for the wider Colindale area. The aparthotel would be set at the rear of the piazza behind the Tube Station and would be 13 storeys high along its boundary with the Northern Line rail tracks. The building reduces in height to 5 storeys where it runs parallel to the proposed new spine road that provides access to the Aparthotel and runs through the proposed Colindale Hospital development. There is a link between the two parts of the building, which is created by glazed bridges above the central internal courtyard. The new building will be set back approximately 35m from Colindale Avenue. The 5 storey element of the building projects out into the Public Piazza on columns, enclosing the new urban space. The building would be of a modern design, with the facades of the building clad in light and dark grey metal panels with glazed balconies. The 5 storey element facing the new spine will be finished with timber slatted panels that float off the façade of the building while the upper floors will be clad using a panelled metal mesh system and glazing.

A total of 30 car parking spaces are to be provided for the aparthotel of which 2 are disabled spaces. The remaining 28 of these spaces will be provided via an automated system. An additional 6 spaces have been provided for the four A1/A2/A3 units, 2 of which will be for mobility impaired users and the remaining 4 will be designated one per unit for operational uses.



### *Commercial Uses – Class A1 / A2 / A3*

The application proposes 780sqm, of Use Class A1, A2 and A3 floorspace broken down into three units to be located within the ground floor of the Aparthotel. A further 369sqm of Use Class A3 floorspace is proposed for a new restaurant on the twelfth floor of the Aparthotel.

### *Colindale Underground Station*

Following the demolition of Station House, the existing Underground Station access, ticket hall, kiosk and plant room are to be retained and the external envelope refurbished. A freestanding metal frame structure is intended to fold around the two public facades of the station building to create a distinctive building to give the station presence and to offer an element of protection from the elements.

## **6.2 Amended Plans**

The original plans have been amended to incorporate the following main changes to the application and to respond to issues raised during the formal consultation process:

- A revised architectural treatment utilising higher quality and more varied materials, the introduction of glazing to the north east elevation and the creation of a winter garden/terrace at the upper floors.
- Revisions to the cladding treatment to Colindale Tube Station having regard for London Underground's 'Good Practice Guide for World Class Stations' to produce a more corporate London Underground appearance.

## **6.3 Description of Site and Surrounding Area**

The Application site comprises of Station House and part of the Colindale Hospital site. Station House is a purpose built office block constructed in 1963 located on the North side of Colindale Avenue. The building comprises commercial uses on the ground floor including a café and a convenience shop. It also incorporates Colindale Tube Station ticket hall which is accessed from Colindale Avenue and contains a newsagent. There are 20 private car parking spaces to the rear of Station House that are accessed from a junction immediately to the east of the former Colindale Hospital access. The area around these car parking spaces is encompassed by land within the grounds of the former Colindale Hospital site and includes a number of existing trees, which are subject to a blanket Tree Preservation Order.

The main (south east) façade of Station House fronts onto Colindale Avenue. Colindale Park, a small area of open space containing a children's play area, and an area of open grassland is located opposite the site on the south side of Colindale Avenue. To the south of the site and facing on to Colindale Avenue is the British Library Newspaper Archive. The Northern Line railway tracks abut the north-eastern boundary of the site, beyond which is the station car park and a low-rise housing estate comprised of terraced and semi detached dwellings. To the south west immediately adjacent to Station House is the existing vehicular access into the former Colindale Hospital site which continues to provide access to the National Blood Service (NBS), and three buildings, which currently house health care workers and a day-care centre, known as Birch Court, Willow Court and Elysian House, respectively. Beyond the access road, Colindale Avenue is fronted by semi-detached and terraced houses.

Significant development is taking place to the north-east of the site at Beaufort Park and the redevelopment of Grahame Park Estate is also consented.

## **7. PLANNING APPRAISAL**

Whilst submitted as a stand alone planning application, the proposals for the redevelopment of Station House should be considered in the context of the wider masterplan proposals for the redevelopment of the Colindale Hospital site as proposed under application H/00342/09 which is also reported on this agenda.

### **7.1 Environmental Impact Assessment**

The Council has determined through a Screening Opinion that it will not be necessary to undertake an environmental Impact assessment to support this application. However the cumulative impacts of these proposals are assessed in the environmental statement supporting the residential application.

### **7.2 The Principle of Development**

The principle of regeneration in Colindale and specifically on the hospital and Station House sites is clearly defined in strategic policy. Colindale is identified in the London Plan as an Opportunity Area.

Policy 5B.2 of the London Plan specifically refers to Opportunity Areas in North London and highlights, in paragraph 5.43, that the Colindale area includes: "Colindale Tube and the Hospital and Library sites to the West of the tube. In total these represent an opportunity significantly to intensify residential development together with a range of leisure and other uses."

#### **Aparthotel**

The application includes the provision of a 9,290sqm aparthotel, providing 293 self-catered rooms. An aparthotel is a use which falls within the hotel use class and would serve the tourist and business market. There is a clear need for additional hotel accommodation in London generally and in Barnet specifically.

There are several relevant tourism related studies prepared by various bodies, which demonstrate this and they are summarised below.

#### GLA Hotel Demand Study (June 2006)

The Hotel Demand Study was prepared by Grant Thornton and The Leisure & Tourism Organisation in June 2006. It was commissioned by the GLA to update the findings of a previous report prepared by PricewaterhouseCoopers in 2002 which informed the relevant policies behind the 2004 version of the London Plan.

Throughout London it is estimated that 2,000 net additional rooms will be required each year from 2007 to 2026, equating to a total of 40,000 extra rooms over that period. Taking into account the estimated loss of existing stock, of approximately 500 hotel rooms per year, a total of around 2,500 new rooms will be required per annum across London.

### Accommodating Growth – A Guide to Hotel Development in London

This document was prepared by Visit London in July 2007, and provides a snapshot of trends, facts and analysis relating to the opportunities London provides. It acknowledges the popularity of London as both a domestic and international commercial and leisure destination. When the Guide was created, London hotels were performing well, with average hotel room occupancies running above 82%, considered to be the highest for a decade. The report sets out preferred areas for hotel development, and includes Colindale as one such area within the North London area.

These studies have informed the London Plan which at Policy 3D.7 states:

*“The Mayor will work with strategic partners to implement his Tourism Vision and to achieve 40,000 net additional hotel bedrooms by 2026, to improve the quality, variety and distribution of visitor accommodation and facilities and to bring forward a major international convention centre.”*

Policy 3D.7 also requires boroughs beyond the Central Activities Zone (CAZ) to identify capacity for new visitor facilities, including accommodation, in town centres and other locations such as Opportunity Areas with good public transport access to central London and international and national transport termini. It goes on to say that Boroughs should support the provision of a wide range of tourist accommodation, such as apart-hotels, bed and breakfast accommodation, self-catering facilities, youth hostels, and resist the loss of strategically important hotel capacity.

This is further reinforced by the strategic priorities for North London in London Plan Policy 5B.1 which advises that new visitor facilities proposed beyond the CAZ should be located in town centres and other locations such as “Opportunity Areas”, with good public transport access to Central London and international and national transport termini. The strategic policy therefore clearly indicates that there is a continuing need for additional accommodation including aparthotels.

Colindale is designated within the London Plan (Policy 5B.1) as an “Opportunity Area”. The Proposed Development is situated on the Northern Line with direct access into central London and the defined CAZ. Colindale is also located close to a mainline rail service at Mill Hill Broadway and the strategic road network including the North Circular, A1, A41 and the M1 with links to the M25. The proposal for an aparthotel in this location is therefore considered to comply with strategic London Plan policy.

The Health Protection Agency which is a significant facility and employment within a short walk of the site, support and welcome the introduction of an aparthotel in this location as it would aid visitors and staff attending courses at their site.

The proposed use as an aparthotel will be secured by condition to ensure that the units are not occupied by guests for more than 90 consecutive days in accordance with the definition for hotels under the Use Classes Order (2005) as amended.

### **Ground Floor Commercial Uses**

The emerging Colindale Area Action Plan sets the following vision for the Colindale Avenue Corridor of Change:

*"Colindale Avenue will be the vibrant heart and gateway to the area and become a sustainable, mixed-use neighbourhood centre anchored by a new, high quality public transport interchange with pedestrian piazzas on both sides of the street. A high quality, urban environment will serve a higher density population, well connected to Central London via Colindale Underground Station and good quality local bus services serving it's more immediate hinterland."*

Part b) of Policy 4.1 of the emerging Colindale AAP states that development will be expected to provide a sustainable mix of uses to create a new, vibrant neighbourhood centre for Colindale, with a range of retail and commercial provision, education, health and other community uses. Part c) requires development to provide a sustainable and walkable neighbourhood centre including a convenience food store of up to 2,500sqm supported by a range of associated shops and services to meet local needs.

London Plan Policy 3D.3 relates to maintaining and improving retail facilities. It states that Boroughs should work with retailers and others to prevent the loss of retail facilities that provide essential convenience and specialist shopping and to encourage mixed use development.

UDP Policy EMP7 states that the development of offices for non-employment uses will be granted planning permission only where there is no realistic prospect of their re-use or redevelopment for office purposes. Where this is the case, the priority for re-use would be as a mixed use development.

The proposed Aparthotel would replace the existing Station House building, which currently contains a convenience store ('Zara Supermarket') and cafe on the ground floor. The proposed retail and café provision would replace the existing uses, satisfying the requirements of London Plan Policy 3D.3 and prevent a loss. The proposed commercial units would create an active frontage onto the new public square and will generate activity, vitality and vibrancy. These units would meet the needs of the future residents anticipated from the Masterplan proposals as well as the existing residents in the surrounding area and those using the Transport Interchange. The proposal will provide mixed use development and a range of shops/services to support the local neighbourhood centre in accordance with Colindale AAP policies 4.1 b) and 4.1 c). The mixed use development proposed in the form of the Aparthotel and three commercial units represents appropriate mixed use with associated job creation in accordance with policy EMP7.

It is therefore considered that the proposed uses would be in accordance with the relevant policies of the London Plan and UDP. This is considered an appropriate location for limited commercial activity that would contribute towards creating the new vibrant neighbourhood centre for Colindale in accordance with the policies and objectives of the emerging Colindale AAP.

### **New Public Piazza**

Part a) of Policy 4.1 of the emerging Colindale AAP states that to achieve the vision for the Colindale Avenue Corridor of Change, development will be expected to develop a dynamic new public transport interchange and associated pedestrian piazzas on Colindale Hospital/Station House site, British Library site and Peel Centre West site.

The public square proposed in this application would be a central feature underpinning the new heart for Colindale. It would and also act as the outward facing gateway into the proposed development forming the beginning of the spatial hierarchy across the masterplan for the Colindale Hospital development. The square would facilitate the movement people entering and leaving the development, as well as those using the Aparthotel, new Primary Care Trust facility, shops and Underground Station. It is intended to be a lively space that will accommodate activity into the evening.

The Square would be finished in high quality hard landscaping with tree planting along the Colindale Avenue frontage and along the access road into the site and will also incorporate feature trees and lighting columns, bench seating and areas for outdoor seating for the café/restaurant users. There is also potential for a small florist or kiosk in the square. Cycle parking will be provided adjacent to the Tube Station and in the south west corner of the square close to the PCT facility.

The application site is a key transportation focal point for local residents and key employment sites in and around the Colindale area. The design of the square retains existing bus stops on either side of Colindale Avenue and introduces a taxi rank and a 'kiss and ride' facility for dropping off passengers along the new spine road. All of these facilities located around the Tube Station combine to create the transport interchange.

## **7.3 Scheme Design**

### **Architectural Design**

The proposed Aparthotel will comprise a 5 storey element fronting onto the new spine road for the Colindale Hospital development before stepping up to 13 storeys. The facades of the building are clad in light and dark grey metal panels, with glazed balconies. On the east and west elevations a second facade is set some 0.5 metres away and acts as a almost transparent 'veil' formed in a grey painted steel framework with either metal framed timber slat infills (to the 5 storey wing), a grid of aluminium mesh panels (to the west facing facade of the 13 storey block) or larger grid of light, mid and dark grey aluminium panels (to the east facing facade).

Station House is to be carefully demolished to create space for the new public square, while the single-storey ticket office remains in use. The ticket hall will then be re-roofed and overclad in metal-faced panels and glazing. To create a stronger presence to Colindale avenue and the new Station Square, a two-sided, double-height folded plane structure is placed around the re-clad ticket hall and this provides a framework for the underground signage and in red painted metal, announces the station to the neighbourhood. The applicants have had regard to London Underground's 'Good Practice Guide for World Class Stations'.

### **Tall Buildings**

The proposed building is read in the context of existing taller buildings at the Police Training College (14 storeys) and those approved at Beaufort Park (up to 15 storeys).

The Aparthotel (13 storeys) would be the central focus of the proposed development. It would become a landmark feature, defining the location of the Transport Interchange and

creating a gateway, both to the Masterplan proposals and the wider Colindale area. The Aparthotel delivers a step-change in townscape quality and massing and scale will successfully strike a balance between Colindale Avenue as it is today, but at the same time recognising that the area is likely to change in the future in response to the objectives of the Opportunity Area and emerging Colindale Area Action Plan.

Tall buildings help to maximize the potential development of sites as required by policy 4B.3 of the London Plan. Policy 4b.8 advises that the Mayor will promote the development of tall buildings where they create attractive landmarks enhancing London's character and 4B.9 sets out a series of criteria against which development of large buildings should be assessed which include context, views, sustainability, impact, transport capacity and where appropriate, contain a mix of uses with public access, such as ground floor retail or cafes. In addition, the proposed development complies with the London Plan design principles identified in Policy 4B.1, by maximizing the development potential of the site, creating a high quality inclusive public realm, respecting the local context, providing a safe, secure and sustainable environment and being of a design quality that is aesthetically pleasing.

The aparthotel would be 48m high. Policy D18 lists those locations where high buildings would not be acceptable if they adversely affect their character and appearance. One location included in the list is sites containing Listed Buildings and their setting. The listed Administration building is contained with the Colindale Hospital site. The distance between the Aparthotel and the retained listed Administration building is sufficient to ensure that it would not impact on the setting of the latter.

Policy D17 advises that development proposals for high buildings will only be permitted where they:

- Are carefully related to their surroundings in terms of their design;
- Have a well-designed setting with hard and soft landscaping;
- Are of the highest design and architectural quality;
- Do not mar the skyline nor intrude to the detriment of important views and sight lines;
- Contribute positively to any relevant point of civic or visual significance;
- Have taken account of the impact on wind turbulence, overshadowing, light/noise reflection, telecommunication channels and other functional considerations;
- Are accompanied by a design statement including analysis of the urban design context; and
- Minimise energy consumption.

The proposed Aparthotel is considered to meet the requirements of Policy D17. The building will have a well designed setting by virtue of it framing the proposed public piazza and will act as a focal landmark for the transport interchange and as the gateway to Colindale.

A daylight and sunlight assessment has been carried out by the applicant in assessing the cumulative effects of the proposed Aparthotel in conjunction with the Colindale Hospital development. The proposed Aparthotel building will be located adjacent to the Northern Line railway tracks. Immediately to the east of the tracks is the existing Tube Station car park behind which is an area of thickly planted mature shrubland with mature trees. The bulk of the building would be located opposite this landscaped area and car

park. The nearest residential properties are 67 Colindale Avenue (60m away) and Fleming Walk (50m away). These properties have their side (flank) elevations facing the development site with main windows facing south-east and north-west. Given the extensive area of mature trees and the distance away from these properties, the proposed building is not considered to detrimentally impact on the amenities of residential occupiers.

*Guidance on tall buildings by CABI & English Heritage*

In July 2007 English Heritage and CABI updated the Tall Building Guidance which included eleven criteria against which tall buildings should be assessed. These criteria have been addressed as follows:

Criterion (i): Relationship to context - The site is situated on low lying land and the scale, height and urban grain of the scheme relates closely to the form of built development which surrounds the site. The building is read in the context of existing taller buildings at the Police Training College (14 storeys) and those approved at Beaufort Park (up to ? storeys) By virtue of the location of existing and proposed tall buildings, the character of the local area within the local area would not be adversely affected.

Criterion (ii): Effect on the historic context - The only heritage interest affected by the proposal is the listed Administration building, which is to be retained. It is located within the centre of the former Hospital site some distance away from the proposed aparthotel building, and it is considered that the scale of the proposed surrounding buildings have been designed as to not affect the Listed Building's setting and would respect its scale and character.

Criterion (iii): The effect on World Heritage Sites - There are no World Heritage Sites within the locality.

Criterion (iv): The relationship to transport infrastructure - The site is well located to public transport provision with Colindale Tube Station and bus services.

Criterion (v): Architectural quality of the building - The architectural quality of the building and Station Square has been referred to above.

Criterion (vi): The sustainable design and Construction - The proposed building would achieve BREEAM excellent rating.

Criterion (vii): The credibility of the design - It is considered that the proposed height of the building has been carefully designed to respect the context of the surrounding buildings and proposed built form of the scheme, while at the same time providing the landmark building that it is required for this site.

Criterion (viii): The contribution to public space and facilities - The proposed new public square will make a significant and important contribution to public open space in the Colindale area and provide key transport facilities and improvements that will benefit the wider area and contribute to the regeneration of Colindale.

Criterion (ix): The effect on the local environment – It is considered that the quality of the building and the public piazza would enhance the local environment. Daylight and Sunlight issues are addressed later in this report.

Criterion (x): The contribution made to permeability - The overall masterplan for Colindale Hospital is highly permeable with substantial connections to the wider area, in particular providing linkage from Colindale Avenue through the site to Montrose Park. The new public square will improve pedestrian access to the Tube Station.

Criterion (xi): The provision of a well designed environment - The proposed building has been specifically designed for its allocated purpose. For example commercial space is provided at ground floor level to complement Station Square and the Transport Interchange within a well designed, high quality environment.

The above assessment demonstrates that the proposed 13 storey building, meets the criteria set by English Heritage and CABE.

The Colindale AAP is clear that a landmark building is expected to front the transport interchange. The Aparthotel would be located opposite a park and open grassland and will be set at the back of a new public square which will provide it with an appropriate setting.

The proposal should also be considered in light of the future development aspirations for the area as set out in the Colindale AAP in relation to adjacent sites including the British Newspaper Library, Brent Works and the terrace of houses. As these sites along Colindale Avenue are redeveloped the character of the area and scale of buildings in the vicinity are likely to change in the future. Therefore having regard for the existing setting and future context, a 13 storey building is considered appropriate in this location.

### **Public Realm and Landscaping Strategy**

As part of the overall masterplan for Colindale Hospital and Station House, the new public square would provide 0.19 hectares of public open space. The provision of this new public space is in line with the Mayor's aspirations, set out in his 100 Public Spaces Programme, to create and enhance public spaces and improve connectivity and legibility across the broader area of Colindale.

The existing legibility and movement patterns in and around Station House, have informed the siting and layout of the Proposed Development ensuring that the development optimises commuter movement, whilst creating a safe and secure environment that is accessible to all in accordance with UDP Policies GBEnv3, GBEnv5 and D8 and London Plan policy 4B.3: enhancing the public realm and 4B.5: Creating and inclusive environment.

The Proposed Development has been designed to maximise natural surveillance of public areas, which are overlooked by buildings and ensure that entrances are visible from the street. The streets and paths would be well lit, meeting the requirements of Policy D9 which seek to design out crime by designing safety and security in to the environment and reduce opportunities for crime.



This application includes a hard and soft landscape scheme. The landscaping proposals have been designed to be an integral part of the development and to complement its built form. This space has been robustly designed so it is capable of hosting a wide range of public activities and social interactions. The area will be landscaped with a row of trees running parallel to Colindale Avenue in order to define the space and provide a degree of visual separation from the main road. The main central area is expected to accommodate the majority of the pedestrian activity and will be simply paved in high quality materials. The only furniture within this space is a series of informal seating benches.

The terrace, immediately outside the commercial units will provide opportunity for café tables to spill from the adjacent retail units and populate the edge to provide activity.

It is intended that Station Square will function as a lively space through to the evening and by doing so create a new attraction enhancing the vitality of the area for the benefit of the existing and future community. This aspiration will be reinforced by the lighting design within the space, details of which will be secured through condition.

This public space would therefore make a positive contribution to the local townscape and landscape and assist in providing an attractive, accessible and practical public open space linked as part of the masterplan proposals for Colindale Hospital. The final space will be adopted by the Council and final detailed design will be submitted through condition.

#### **7.4 Noise**

The Proposed Development has been assessed in terms of PPG24. Measures have been identified that would ensure acceptable internal noise levels within habitable rooms.

The Environmental Health Officer has been consulted on the details and requested a condition requiring buildings to be constructed to meet the necessary sound insulation levels so that residents will not be adversely impacted by noise. Therefore subject to the imposition of suitable conditions officers consider that the proposals will not give rise to any unacceptable adverse impacts arising from noise.

#### **7.5 Transport**

The site is situated immediately adjacent to Colindale Underground Station with direct links into Central London. Colindale station is on the Northern Line and currently operates trains at a peak hour frequency of approximately 20 per hour. There are committed proposals to improve the signaling on the Northern Line by 2011 which will enable frequencies to increase up to 24 trains per hour. The line loading assessment has concluded that this increase in capacity is sufficient to cater for the demand from other committed developments in the area together with the Colindale Hospital proposals.

The methodology used to measure the accessibility of a site by public transport is based on Public Transport Accessibility Level (PTAL). The PTAL ranges from 1a representing Low accessibility, to High accessibility at 6B. The PTAL Score for the site is 4 which is considered as medium accessibility.

Parking restrictions - The site is located within the Colindale Controlled Parking Zone (Zone P) which operates one hour parking controls from Mon-Fri (2pm-3pm). On Colindale Avenue, a waiting restriction from Monday to Sunday 8:00am-6:30pm is in operation with 'At Any Time' restriction in the vicinity of the Underground Station. Part of Booth Road, Annesley Avenue and Ajax Avenue are within the Colindale Controlled Parking Zone.

There are 2 bus routes that run adjacent to the development site, the 204 and the 303. Route 204 is a high frequency double deck service that operates between Edgware Bus Station and Sudbury Town Station. There are no capacity related problems predicted on this bus service with the addition of the development trips. Similarly, there are no predicted capacity issues on route 303 which is a single deck service that runs between Edgware Bus Station and Colindale Asda.

A detailed Transport Assessment has been submitted in support of the application to assess the impact of the proposed development on the road network. It concludes that residents and visitors could be accommodated by the highway and public transport network at no detriment to the current level of amenity enjoyed by existing residents and businesses in the area.

### **Public Transport**

Crucially the proposal would provide a transport interchange for Colindale which is one of the key objectives of the Colindale AAP. The proposals include enhancing the existing bus stops, to improve linkages to Colindale Tube Station with access to underground train services to and from Central London. The provision of public space will enhance the character of the area and improve ease of movement around the Underground station. This would assist in meeting the objectives of UDP Policy M5, M6 and M7 which seeks to exploit the existing network of public transport options for all. The Transport Interchange would be located in front of the Aparthotel building, connecting commercial and transport uses that generate a continuous stream of activity for the site.

The following public transport improvements are proposed under the Aparthotel Application as part of the new Transport Interchange:

- A new transitional space for commuters to move between Underground services and connecting transport routes into the wider area;
- Enhancement of the Station building, with ground floor interaction provided by the commercial units within the Aparthotel;
- Enhancement of existing bus lay-by areas, to accommodate two buses travelling in an eastbound direction immediately outside the Station, with real-time bus information;
- An allocated bus/coach stop within the application site to serve the requirements anticipated by the future Barnet College campus. This bus stop will allow the existing bus service that currently serves the College's Grahame Park Way campus to stop within the site. Importantly this allows the bus to load and unload without disrupting the flow of traffic and other bus services on Colindale Avenue. The layby also provides the flexibility to provide a formal bus stand in the future subject to TfL's requirements;
- Drop off/kiss-and-ride facility; and
- Taxi rank.

The accessibility to a range of transport options would encourage the use of more sustainable modes of transport complying with London Plan Policy 3C.1 and 3C.3 and would encourage measure to reduce the traffic impact in accordance with UDP Policy

### **Vehicular Access**

The masterplan for the Colindale Hospital and Aparthotel sites comprises a central boulevard leading from the proposed junction with Colindale Avenue. Due to the site only having one point of access for vehicles, the first stretch of the access road is designed as a dual carriageway with a central median island from the junction with Colindale Avenue. This leads to a roundabout off which access to the Aparthotel is provided. This also provides access for servicing for the Aparthotel and commercial units on the ground floor.

### **Parking**

A total of 30 car parking spaces are proposed for the Aparthotel which would be situated along the northern and eastern perimeter of the aparthotel at ground level. The spaces would be provided in the form of stackers capable of independent use. Non residential parking standards are set out in the London Plan, however there are no defined standards for hotels/aparthotels where car parking should generally be assessed on an individual basis using a transport assessment taking into account the accessibility of the site by public transport.

The analysis within the Transport Assessment demonstrates that a minimum of 28 car parking spaces would be required to meet the projected demand. This has been based on vehicular trip generation considered for the development throughout the day. The application proposes two spaces in excess of this figure which will be designed for the mobility impaired, and are to be located on the northern side of the Aparthotel.

The four proposed A1/A2/A3 units will be provided with an additional 6 car parking spaces. 2 of these are also for mobility impaired users and the remaining 4 will be designated one per unit for operational/staff uses.

The London Plan policies of particular relevance are 3C.23 (parking strategy), 3C.17 (tackling congestion) and 3C.3 (sustainable transport). In their consultation response TfL conclude that based on the analysis that car parking for this site should be zero. However, officers consider on balance that the proposed provision of 30 spaces (1 space per 10 rooms) is the minimum that is acceptable and should not be reduced further. Therefore the proposed parking provision of 36 spaces is considered to be acceptable taking into consideration the accessibility of the site and the proximity to Colindale Tube Station.

### **Controlled Parking Zone:**

There is currently an existing one hour Colindale CPZ operating in the vicinity of the Colindale Station which is sufficient to deter commuter parking in the area. The hours of operation and extent of the Colindale CPZ will need to be reviewed and enhanced following a review of the controls.

The applicant in conjunction with the residential development has agreed to provide £45,000 in Section 106 contributions towards the review and revision of the existing

Colindale CPZ. This will be secured through the Section 106 agreement attached to the residential application (H/00342/09).

### **Cycle Parking Strategy**

A total of 20 cycle parking spaces will be provided for the development close to the Aparthotel entrance. A further 50 cycle spaces will be provided within the public piazza adjacent to refurbished Tube ticket hall. This level of cycle parking is considered to be appropriate for the use and accords with Transport for London's Parking Policy guidelines and UDP Policy M5.

## **7.6 Energy and Sustainability**

The London Plan expects new development to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise omissions of carbon dioxide (Policy 4A.1), as well as meeting the standards of sustainable design and construction (Policy 4A.3 and UDP Policy ENV2). Furthermore, policies 4A.4, 4A.5, 4A.6 and 4A.7 in the London Plan and UDP Policy ENV1 requires all strategic developments to adopt energy efficiency measures and provide a proportion of energy used from renewable sources.

### **Energy**

The Energy Statement accompanying this application provides a full assessment of the existing and proposed energy calculations in accordance with London Plan Policy 4A.4. Consideration has been given to the feasibility of providing a range of renewable energy and decentralised energy technologies for heating, cooling and power, within the proposed scheme in accordance with London Plan Policy 4A.6 and UDP Policy GEnergy.

This Energy Statement verifies that the proposal meets the requirements of Regional and Local planning policy, by delivering a reduction in carbon dioxide emissions through building fabric improvements, which result in carbon dioxide emissions being reduced by over 3% as equivalent to a Building Regulations compliant, gas heated scheme. In addition the single Energy Centre proposed under application H/00343/09 provides the opportunity for linkage and further energy efficiency. Connection to the Energy Centre would provide heating and power. A condition is recommended to require details of a strategy for connection to be submitted to the Council.

In summary, the combination of proposed energy efficiency measures, building envelope improvements and renewable energy systems would produce carbon dioxide emissions savings of at least 22% over a Building Regulations compliant, gas heated baseline.

### **Sustainability**

In order to mitigate and adapt to climate change and minimise emissions of carbon dioxide, London Plan Policies 4A.1 and 4A.3 will assess the use of sustainable design and construction measures which will require less energy, supplying energy efficiency by prioritising decentralised energy generation and use renewable energy technologies.

The Sustainability Statement accompanying this application, details the proposals in relation to sustainable development, which include:

- The aparthotel would achieve a BREEAM 'Excellent' rating, and benefit from a highly accessible location;
- Hot water and heating to be provided from an energy centre within the Masterplan area, housing a biomass and gas boiler;
- Energy efficient structures with building envelope improvements, using materials with a low environmental impact and recycled and reused materials where appropriate;
- A reduction in potable water consumption due to water efficient devices,
- A Sustainable Drainage System (SuDS) to attenuate storm water with an allowance for climate change; and
- Each individual hotel room will be provided with refuse and recycling facilities to meet BREEAM guidelines. A refuse and recycling store including space provision for a compactor are provided at ground floor for use by the hotel and retail units.

It is considered that the Proposed Development complies with the relevant 'Essential Standards' set out within the Mayor of London's and the Council's SPGs on Sustainable Design and Construction, with the aparthotel achieving a BREEAM 'Excellent' rating. By minimising omissions of carbon dioxide and adopting energy efficiency measures to provide a proportion of energy used from renewable sources, the scheme would be in accordance with relevant London Plan and UDP Policies

## **7.7 Biodiversity**

The application is accompanied by a Biodiversity Statement which provides details of the assessment of the site. The site for the proposed Aparthotel is currently occupied by Station House, a car park, the existing access road and roundabout and the site of two pairs of demolished semi-detached houses. The statement confirms that the development would not adversely affect the habitat of protected or priority species. In fact, given the context of the Aparthotel in relation to the Masterplan proposals, it concludes that through the provision of green walls, green and brown roofs, together with additional habitats (i.e. bird/bat boxes) throughout the masterplan site, there will be an enhancement to biodiversity when compared to existing habitats.

## **7.8 Delivery of the Public Piazza and Transport Interchange**

The construction of the new piazza and interchange requires the demolition of Station House which is currently in third party ownership. Fairview have an existing Purchase Agreement with the owner of Station House (excluding the Underground Station) under which Station House and its associated land will be transferred Fairview subject to i) planning permission being granted for the Aparthotel application, and ii) Fairview providing the existing Station House owner with a cleared and serviced site for the Aparthotel to be built on. Therefore once these two criteria have been met the land will be transferred and Fairview will own Station House and be able to demolish the existing building and construct the new piazza. The land for the Aparthotel building is separate from the piazza and Station House and therefore the construction of the piazza can take place separately from the construction of the Aparthotel i.e. the delivery of the piazza is not dependant on the construction of the Aparthotel.

The provision of the new Public Piazza and Transport Interchange are key benefits identified in the Colindale Area Action Plan which will act as a catalyst for the continued regeneration of the wider Colindale area. These benefits can only be delivered off the back of this residential application i.e. they are funded directly from the values of the private sale residential properties. The delivery of the piazza and interchange will therefore be secured through a Section 106 agreement attached to this residential application and not the Aparthotel application (ref H/00343/09). This is to ensure that the Section 106 agreement is not prejudiced by the involvement of the third party owner of Station House. This approach is accepted by the Council.

Should the Aparthotel be refused, the land swap would not take place and Fairview would not be able to demolish Station House therefore the new piazza and interchange would not be delivered. A fall back scenario is therefore proposed to be included within the Section 106 agreement whereby in the event that the Aparthotel is refused, Fairview would transfer the plot of land allocated within the Hospital site for the new Aparthotel to the Council. This will enable the Council to pursue negotiations with the owner of Station House or dispose of the land and fund other public transport improvements.

## **8. EQUALITY AND DIVERSITY ISSUES**

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

The proposals are considered to be in accordance with national, regional and local policy by establishing a high quality inclusive design, providing an environment which is accessible to all and which can be maintained over the lifetime of the development.

## **9. CONCLUSION**

The Application site currently comprises a run down office block, an Underground station entrance and some commercial uses. In accordance with the Council's aspirations for the site the proposals would create a new mixed-use centre for the community that would assist in the regeneration of the area in accordance with local and regional planning policy and emerging Colindale AAP objectives.

All relevant policies contained within the Adopted UDP, the Mayor's London Plan (consolidated with Alterations since 2004), Planning Policy Statements and Supplementary Planning Documents, have been fully considered and taken into account by the Local Planning Authority. For the reasons set out in this report, it is considered that the proposal represents an appropriate development of the site and would deliver a number of strategic benefits in Colindale that will act as a catalyst for continued regeneration in the area. Accordingly, subject the conditions detailed in the recommendation, the application is recommended for approval.

**LOCATION:** JCoSS, Westbrook Crescent, Barnet, Herts, EN4 9AR

**REFERENCE:** B/03800/10

**Received:** 21 September 2010

**Accepted:** 21 September 2010

**WARD(S):** East Barnet

**Expiry:** 16 November 2010

**Final Revisions:**

**APPLICANT:** JCoSS Trust

**PROPOSAL:** Amendment to planning permission B/02385/09 dated 17/03/10 in respect of retention of caretaker's cottage and variation to landscape works and sports provision.

**Please note that due to the objection from Sport England the application is referable to the Government Office for London for consideration by the Secretary of State.**

**The recommendations are worded to reflect this.**

**RECOMMENDATION I:**

That a deed of variation for the unilateral undertaking attached to B/02385/09 be submitted by the applicant and any other person having a requisite interest in the land to require that the requirements of the original undertaking dated 3.12.08 are linked to this application.

**RECOMMENDATION II:**

That upon submission of such a variation, and subject to direction from the Government Office for London, the Director of Planning, Housing and Regeneration be instructed to approve planning application ref: B/03800/10 under delegated powers subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 10682 a 00 100 rev B, 10682 a 99 010 rev A, 3237/P03 rev C, CSK 006 rev P1 and photo.

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. Within 1 month of the date of this decision notice a phasing plan for the whole development shall be submitted to and approved in writing by the local planning authority. It shall include an undertaking that access to Livingstone School will be maintained throughout the development period and contain a schedule for the discharge of conditions. Conditions shall then be submitted and discharged in accordance with the approved details.

Reason:

To safeguard the amenities of the adjoining residential properties and in the interests of pedestrian and highway safety and the free flow of traffic.

3. Within 1 calendar month of the date of this decision notice a scheme for the laying out of the parking spaces and cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The parking shall be laid out in accordance with the approved scheme and thereafter shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

4. The car parking hereby approved shall be managed in accordance with the Car Parking Management strategy approved under ref: B/00594/09 dated 5.3.09.

Reason:

To ensure that the parking is provided and managed in line with the council's standards in the interest of highway and pedestrian safety in accordance with Policies M11, M13 and M14 of the London Borough of Barnet's Adopted Unitary Development Plan 2006.

5. Within 1 month of the date of this decision notice details of the access and estate road(s) including details of the security gates and ancillary security booth, means and hours of illumination shall be submitted to and approved in writing by the Local Planning 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.

Reason:

To ensure a safe form of access to the development and to protect the amenity of the area and to conform to policy M11 of the London Borough of Barnet Unitary Development Plan 2006.

6. The development shall be implemented in accordance with the levels approved under ref: B/00595/09 dated 11.3.10.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

7. Within 1 calendar month of the date of this decision notice 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.

Reason:

To safeguard the visual amenities of the locality.



8. The architectural details of the development shall be implemented in accordance with the details approved under ref: B/01080/10 dated 1.4.10.

Reason:

To safeguard the visual amenities of the locality.

9. Within 1 calendar month of this decision notice details of the proposed means of enclosure 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.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway and to provide acoustic screening to the residential properties adjacent to the access road and car parking areas.

10. In accordance with details contained within the approved phasing plan, details of all extraction and ventilation equipment shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

11. A scheme of hard and soft landscaping, including details of existing trees to be retained and ecological enhancements, shall be submitted to and agreed in writing by the Local Planning Authority in consultation with English Nature within 1 calendar month of the date of this decision notice.

Reason:

To ensure a satisfactory appearance to the development and in the interests of nature conservation.

12. 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.

Reason:

To ensure a satisfactory appearance to the development.

13. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development.

14. The development shall be implemented in accordance with the bio mass boiler details approved under ref: B/01081/10 dated 19.8.10.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

15. The development shall be implemented in accordance with the air pollution mitigation measures approved under ref: B/01082/10 dated 19.8.10.

Reason:

To ensure that the amenities of Neighbouring residents are protected from the potential air pollution.

16. The use shall be carried out in accordance with the school travel plan approved under ref: B/02152/10 dated 27.8.10.

Reason:

To encourage the use of sustainable forms of transport to the site in accordance with policies GSD and GNon Car of the London Borough of Barnet Adopted Unitary Development Plan 2006.

17. An annual review of the School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in the Summer term of the first academic year of the school commencing and thereafter on an annual basis until the school becomes fully operational after which point a bi-annual review will be required. The review will need to revise targets and action plans in line with increases in the number of pupils. The use shall be carried out in accordance with the School Travel Plan as approved.

Reason:

To encourage the use of sustainable forms of transport to the site and in the interests of pedestrian and highway safety and the free flow of traffic.

18. Within 1 calendar month of the date of this decision notice an Activities Management Plan to manage events on school premises outside of term time and core school hours shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of residential amenity and pedestrian and highway safety and the free flow of traffic.

19. Notwithstanding the provisions of Part 32, Class A to schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order) no extensions to the school hereby permitted shall be erected without express planning permission first being obtained.

Reason:

To enable the local planning authority to retain control over these matters in the interests of controlling the intensity of use.

20. Within 1 calendar month of the date of this decision notice a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason:

To ensure the proposed development does not overload the existing drainage system resulting in flooding and/or surcharging.

21. No external lighting, floodlighting or other means of external illumination shall be affixed to the external elevations of the buildings, or placed/erected within the site without the prior written consent of the local planning authority pursuant to a planning application. Any external lighting, floodlighting or other means of external illumination shall be installed and thereafter retained in full accordance with the approved details.

Reason:

To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties and to safeguard the setting of the adjoining listed building.

22. The use of the premises for the purposes hereby permitted shall only take place between the hours of 8.00am and 10.30pm on Saturdays and Sundays and between 7.30am and 10.30pm on all other days.

Reason:

In the interests of the amenity of occupiers of neighbouring residential properties.

23. The hours of work for all contractors (including sub-contractors) for the duration of site development, shall unless otherwise agreed in writing by the Local Planning Authority be limited to; 8.00am to 6.00pm on Mondays to Fridays, 9.00am to 1.00pm on Saturdays, and No work shall be carried out on Sundays or Bank Holidays.

Reason:

In order to protect the amenities of neighbouring residents.

24. The demolition and/or construction of the development hereby approved, shall be carried out in accordance with the method statement and construction management plan approved under B/04808/08 dated 11.3.10. Any demolition shall be carried out in complete accordance with the approved scheme.

Reason:

In the interests of residential amenity and highway safety.

25. The level of noise emitted from the Biomass boilers, extraction and ventilation equipment and plant rooms 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 an existing neighbouring property at the time of this decision notice.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulses (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 an existing neighbouring property at the time of this decision notice.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

26. The development shall be completed in accordance with the on-site cycle storage facilities approved under ref: B/02450/10 dated 19.8.10.

Reason:

To ensure that the development makes adequate provision for the secure storage of bicycles, in the interests of encouraging alternative sustainable means of transport to and from the site.

27. Within 1 calendar month of the date of this decision notice a CCTV camera and equipment scheme detailing where CCTV cameras or equipment shall be affixed to the external elevations of the buildings, or placed/erected within the site shall be submitted to and approved in writing by the local planning authority. Any CCTV cameras or equipment shall be installed and thereafter retained in full accordance with the approved details.

Reason:

To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties.

28. The biomass boilers and other renewable energy systems shall be implemented in accordance with the details approved under ref: B/01083/10 dated 21.4.10 and thereafter permanently maintained.

Reason:

To ensure a sustainable form of development and to comply with the requirements of the London Plan.

29. In accordance with the details contained within the approved phasing plan surface water drainage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency.

Reason:

To prevent the increased risk of flooding.

30. In accordance with details contained within the approved phasing plan surface water control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency.

Reason:

To prevent the increased risk of flooding and to improve water quality.

31. No spoil or materials shall be deposited or stored on that part of the site lying within the area of land liable to flood.

Reason:

To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

32. No building or raising of ground levels shall take place on that part of the site lying within the area of land liable to flood.

Reason:

To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

33. The bridge design and land raising shall be carried out in accordance with the details approved under ref: B/00599/09 dated 23.11.10.

Reason:

To prevent the increased risk of flooding.

34. In accordance with details contained within the approved phasing plan a mitigation strategy for reptiles should be submitted to and approved in writing by the Local Planning Authority. The strategy should included the provision of enhanced receptor sites for individuals that need to be translocated. Any reptiles found on site as a result of the development will need to be handled in accordance with the mitigation strategy.

Reason:

To maintain the current bio-diversity of the site.

35. The use shall be carried out in accordance with the community use scheme details approved under ref: B/01084/10 dated 10.5.10.

Reason:

To secure well managed safe community access to the sports and education facilities, to ensure sufficient benefit to the development of sport and to accord with UDP policy.

36. Within 1 calendar month of the date of this decision notice a Management and Maintenance Scheme for a period of 25 years to include measures to ensure the replacement of all artificial surfaces within the next ten years and, management responsibilities, a maintenance schedule and a mechanism for

review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approve scheme shall be complied with in full, with effect from the agreement of the scheme.

Reason:

To ensure that new facilities are capable of being managed and maintained to an acceptable standard which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport in accordance with Government Guidance PPG17 and development plan policy.

37. The transitional arrangements for sports activities at the school shall be carried out in accordance with the details approved under ref: B/00601/09 dated 23.11.10.

Reason:

To ensure that adequate sports facilities are available to pupils of both East Barnet School and JCoSS during the construction period.

38. Within 1 calendar month of the date of this decision notice, details of the location of a pedestrian access gate between Livingstone School and the new school grounds, shall have been submitted to and approved in writing by the Local Planning Authority and implemented and retained in accordance with the details as approved.

Reason:

To secure safe pedestrian access for pupils of Livingstone School to sports facilities, in the interest of pedestrian and highway safety.

39. Within 1 calendar month of the date of this decision notice a parking and management strategy for school buses shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. The scheme shall include a mechanism for review. The school buses shall be operated in accordance with the strategy as approved.

Reason:

To ensure that the services are integrated with other users of the station and to minimise pedestrian and vehicular conflicts in the interests of pedestrian and highway safety.

40. The clearance of the site shall be carried out in accordance with the details approved under ref: B/00602/09 dated 23.11.10.

Reason:

To safeguard the roosting habitats of a protected species in accordance with Government Policy Statement PPS 9 and development plan policy.

41. The non-residential development is required to meet the generic environmental standard (BREEAM) of very good. Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

**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 London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): L19, M11 and M14

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

The proposal would retain an existing building on site which results in the need to reconfigure the internal layout. The access road would be pulled further away from the rear boundary of existing properties, additional parking would be provided and whilst the proposal would result in the reduction of hard surfaced sports area the sports provision at the school is not considered to be compromised. The proposal is therefore considered to be in line with current national and strategic legislation and subsequently the policies contained within the adopted UDP.

Accordingly, subject to the submission of a deed of variation to the unilateral undertaking and the conditions contained within recommendation II of this report, Approval is recommended.

2. In respect of environmental conservation it has been indicated that there may be bats present in the area and that the existing school buildings have the potential to provide bat roosts please note that the Environment Agency recommend that when demolishing buildings and felling trees which might potentially offer bat roosting opportunities. Buildings to be demolished and trees to be felled should be inspected for bats prior to work starting, with Natural England being contacted if any bats are found. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981.
3. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 meters of the brink of the Pymmes Brook main river.
4. The applicant is advised and asked to ensure that all sports facilities that are provided as a result of the development have fully taken into account the Sport England Design Guidance Notes, in particular:

The document Better Places for Sport should provide an overall basis for design of new sports facilities, this is found at

<http://www.sportengland.org/final-se.pdf>

In respect of court sizes and layout, we refer to the location of the website

<http://sportengland.org/sortshalls.pdf>

For changing room facilities we provide the following advice document

[http://www.sportengland.org/changing\\_and\\_lockers.pdf](http://www.sportengland.org/changing_and_lockers.pdf)

Design specification and construction of multi use games areas (MUGAs) considerations. The guidance notes are designed to complement existing technical guidance available from Sport England, SAPCA and governing bodies of sport. The specifications define standards considered acceptable by Sport England for the procurement and construction of MUGAs and STPs. Sport England employs Facility Advisors in each of its regional offices to assist applicants with technical development of their projects, and applicants are recommended to discuss proposals with them. Guidance 1 is at [http://www.sportengland.org/muga\\_part1.pdf](http://www.sportengland.org/muga_part1.pdf), Guidance 2 is at [http://www.sportengland.org/muga\\_part2.pdf](http://www.sportengland.org/muga_part2.pdf), and guidance part 3 is found at [http://www.sportengland.org/muga\\_part3.pdf](http://www.sportengland.org/muga_part3.pdf).

5. A Unilateral Undertaking under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Guidance/ Statements:

- Planning Policy Statement 1 (PPS1): Delivering Sustainable Development
- Planning Policy Guidance Note 13 (PPG13): Transport
- Planning Policy Guidance Note 17 (PPG17): Planning for Open Space, Sport and Recreation

Relevant Unitary Development Plan Policies: L19, M11 and M14

### Relevant Planning History:

#### **Site history for current landparcel :**

35206 - JCoss, Westbrook Crescent, Barnet, Herts, EN4 9AR

Case Reference: **B/03800/10**

<b>Application:</b>	Planning	<b>Number:</b>	B/02385/09
<b>Validated:</b>	17/07/2009	<b>Type:</b>	APF
<b>Status:</b>	DEC	<b>Date:</b>	17/03/2010
<b>Summary:</b>	APC	<b>Case Officer:</b>	Jo Dowling
<b>Description:</b>	Variation of planning permission reference N02587K/07 dated 05/12/2008 (JCoSS school) for minor elevational alterations and changes to building currently under construction.		

<b>Application:</b>	Planning	<b>Number:</b>	N/02587/K/07
<b>Validated:</b>	25/05/2007	<b>Type:</b>	APF
<b>Status:</b>	PDE	<b>Date:</b>	
<b>Summary:</b>	106	<b>Case Officer:</b>	Jo Dowling
<b>Description:</b>	Demolition of buildings and erection of a new secondary school (six form entry) and special resources unit, external works including construction of new outdoor all weather sports pitches and games area, formation of new North East access driveway off Castlewood Road and use of existing access from Westbrook Crescent for emergency vehicles only, parking, landscaping and other enabling works.		



## Consultations and Views Expressed:

Neighbours Consulted: 17  
Neighbours Wishing To  
Speak 0

Replies: 0

## Internal /Other Consultations:

- Sport England – Objection

Date of Site Notice: 07 October 2010

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is the new Jewish Community Secondary School (JCoSS) which is located on the former East Barnet Secondary School, Upper School in Westbrook Crescent, East Barnet. The school currently has 180 pupils in Year 7.

The site extends to a total area of approximately 7 hectares (17.3 acres) and comprises new school buildings, playing fields, a caretaker's bungalow and the site of the former East Barnet School which has recently been demolished and is in the process of being made into a number of Multi Use Games Areas (MUGAs) the site is accessed off Castlewood Road with a pedestrian only access from Westbrook Crescent.

The site is designated in the London Plan and Barnet Unitary Development Plan (UDP) as Metropolitan Open Land (MOL). To the north the site is bounded by Monken Hadley Common/Hadley Woods which are a designated as a Site of Borough Importance for Nature Conservation (Grade I) and fall within the Green Belt. To the west the site is bounded by the GNER mainline railway line and to the east by Pymmes Brook and Livingstone Primary School. Pymmes Brook is also identified within the UDP as a Site of Borough Importance for Nature Conservation (Grade II) and an important Green Chain. To the south the site is bounded by residential properties in Hertford Road, Hertford Close, Westbrook Square and Westbrook Crescent. The properties form part of the Bevan estate which was built in the 1950's and are predominantly two storey semi-detached houses.

The site appears relatively level but there is in fact a 3m drop in levels across it with levels rising from the rear boundary of the site. To the west the railway runs on an embankment which means that it is elevated above the adjacent school playing fields.

The site is not situated within a conservation area although the rear boundary of the site is bounded by the Monken Hadley Conservation Area to the north.

The site is located approximately 0.8km to the north east of New Barnet railway station and the A110 East Barnet Road and 1.4km to the north west of Cockfosters London Underground Station and the A11 Cockfosters Road. The site is also served by the 384 Bus. This results in a Public Transport Accessibility Level (PTAL) score of 1 for the site.

### Proposal:

Planning permission (ref: N02857K/07) was granted on the 5th December 2008 and for the demolition of buildings and erection of new secondary school (six form entry) and special resources unit, external works including construction of new outdoor all weather sports pitches and games area, formation of new North east access driveway off Castlewood Road and use of existing access from Westbrook Crescent for emergency vehicles only, parking, landscaping and other enabling works.

Work has commenced on site and as the work has progressed the applicant has needed to make a number of changes to the approved plans. These changes could not be considered as minor amendments and resulted in a new application (ref: B/02385/09) which was approved on the 17<sup>th</sup> March 2010.

Under the current consent the existing caretakers cottage would be demolished. Following further work on the proposals the school has applied to retain the caretakers cottage as they would like to maintain an on-site presence following advice from the applicants security advisors. In order to retain the cottage the proposed internal access road, car park and multi use games areas have had to be reconfigured to accommodate the retention of the building. This has resulted in the following changes:

The approved access road runs along the rear boundary of the properties in Westbrook Crescent, it would be separated by a 4m strip of landscaping. The caretakers cottage is located along the boundary and as a result the location of the access road has been amended. This has resulted in the access road being pulled off the rear boundary with these properties by between 7-21m.

The approved scheme provides 64 surface parking spaces between the access road and MUGAs. In order to accommodate the change to the route of the access road, the configuration of the car park has been changed, which has enabled the car parking to increase to 75 car parking spaces.

The current approval indicates the provision of an area 118m long by 86m wide for hard surfaced games courts. The indicative layout shows the provision of two five a side football pitches. In order to accommodate the retention of the cottage, reconfiguration of internal road and car parking area the proposed games courts would be reduced in length by 16m to 102m long and 86m wide they would still provide two five a side football pitches. The reduction in length has been managed by reducing the run off area around the pitches.

### Planning Considerations:

- Reduction in sports provision
- Highway safety and parking provision
- Impact on the residential amenity of adjoining properties
- Conditions
  
- Reduction in sports provision

### *Current situation*

The Education (School Premises) Regulations 1999 advocates that the minimum area of team game playing fields depends on the number of pupils at the school and their ages. The Regulations provide a matrix which can be used to calculate the

amount of playing fields required by a school. When at full capacity, JCoSS will require 5.5 hectares (55,000sqm) of team game playing fields. Under the approved scheme JCoSS's provision will be:

On site: 10,900m<sup>2</sup> MUGA, equivalent to 21,800m<sup>2</sup>  
On site: 22,627m<sup>2</sup> grass pitches (shared with EBS)

This would provide a total on site provision of 4.45 hectares of team game playing facilities. There would therefore be a shortfall on site of 1.04 hectares of provision. JCoSS will not therefore comply with the Education (School Premises) Regulations 1999 with respect to on site provision of playing fields.

However, whilst the Education (School Premises) Regulations 1999 state that schools must have access to a minimum area of team game playing fields, these playing fields do not need to be provided on the school site, and do not need to be for the exclusive use of one particular school. They can be community facilities. Furthermore, Building Bulletin 98 (DCSF guidance regarding secondary schools) makes it clear that schools on confined sites can meet their playing field requirements off site.

When the original application was considered the shortfall on site was considered acceptable on the basis that both East Barnet School and JCoSS would have access to the following off site provision.

*East Barnet School:*

Off site (Westbrook Crescent – JCoSS site): 22,627sqm grass pitches  
Off site (Oakhill Park): 83,000sqm grass pitches

*JCoSS:*

Off site (Ludgrove Playing Fields): 30,200sqm grass pitches  
Off site: (Oakhill Park): 83,000sqm grass pitches

*Current proposals*

The current revised layout would increase this shortfall by reducing the MUGA area by 1,376sqm. However, the reduction has been made to the run off area around the pitches thereby maintaining the same sports provision as under the current approval. The pitches have been designed in accordance with Sport England guidance and provide a MUGA with a 5m run off at each end. The MUGA will provide a full size 18+ football/hockey pitch; 2 x five a side/hockey pitches; 2 x netball/basketball courts in addition to an area that can be used for outside play.

As part of the landscaping of the site an additional All Weather Games Area has been provided to the rear of the school buildings which provides an additional 340sqm of sports provision.

Sport England have objected to the proposal on the basis that the original application was finely balanced in nature and required maximum re-provision of playing field in order to be deemed acceptable for development in view of the exceptions of their playing field policy. The current proposal reduces overall playing field area within the site and Sport England seek to ensure that this is minimised within the context of the original permission.

Whilst the current proposal would result in a reduction in the actual gross area available for team game playing, the proposed sports provision remains the same the reduction arising from a decrease in the run-off area. Furthermore, since the current consent an additional all weather games area has been provided within the school grounds and therefore the proposals are not considered to compromise sport provision at the school. When combined with the off-site provision the school will continue to comply with the School Premises Regulations. The proposals are therefore considered to comply with policy L19 of the adopted UDP.

- Highway safety and parking provision

The proposal will result in the reconfiguration of the internal access road and the car parking area. Detailed tracking has been submitted which demonstrates that vehicles movements will not be compromised as a result of the proposed changes and vehicles should be able to flow freely.

The proposals will result in an increase in car parking provision of 11 spaces. When the original application was considered a key concern was to ensure that sufficient on-site parking was provided to meet the needs of the development. Therefore the provision of additional spaces is considered acceptable.

The proposal is therefore considered to comply with policies M11 and M14 of the adopted UDP.

- Impact on the residential amenity of adjoining properties

The proposal is for the retention of an existing building which has an established relationship with the adjoining properties. The building will remain in the same use and therefore it is considered that the proposal will not detrimentally impact upon the amenity of adjoining residents.

By retaining the cottage the layout of the internal access road has been amended. The approved layout would result in the access road being adjacent to the rear boundary fences of the adjoining residential properties. The proposed changes would result in the access road being pulled back from this boundary. Furthermore, due to its location the caretakers cottage would further screen the access road from the residential boundary.

The proposal is therefore not considered to detrimentally impact upon the residential amenity of adjoining properties.

- Conditions

The current proposal is a section 73 application to vary an existing planning permission. As such any new consent would supersede the extant permission (ref: B/02385/09) and therefore conditions that were attached to the original consent need to be transferred to any new consent. However, as the development is nearing completion many of the original conditions have already been discharged or details have been submitted such as for the access and estate roads (condition 5 our ref B/02446/10); external materials (condition 7 our ref B/00595/09) and landscaping (condition 11 our ref B/02448/09) but in agreement with the school we have agreed not to discharge as if consent is granted for this application the details would need to

change. As a result the proposed conditions have been worded to reflect this and discussions have been held with the school to ensure that outstanding conditions can be submitted and discharged promptly should members be minded to grant consent.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

These have been considered in the main report.

### **4. EQUALITIES AND DIVERSITY ISSUES**

The proposals do not conflict with either Barnet Councils Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5. CONCLUSION**

The proposal is therefore considered to be in line with current national and strategic legislation and subsequently the policies contained within the adopted UDP.

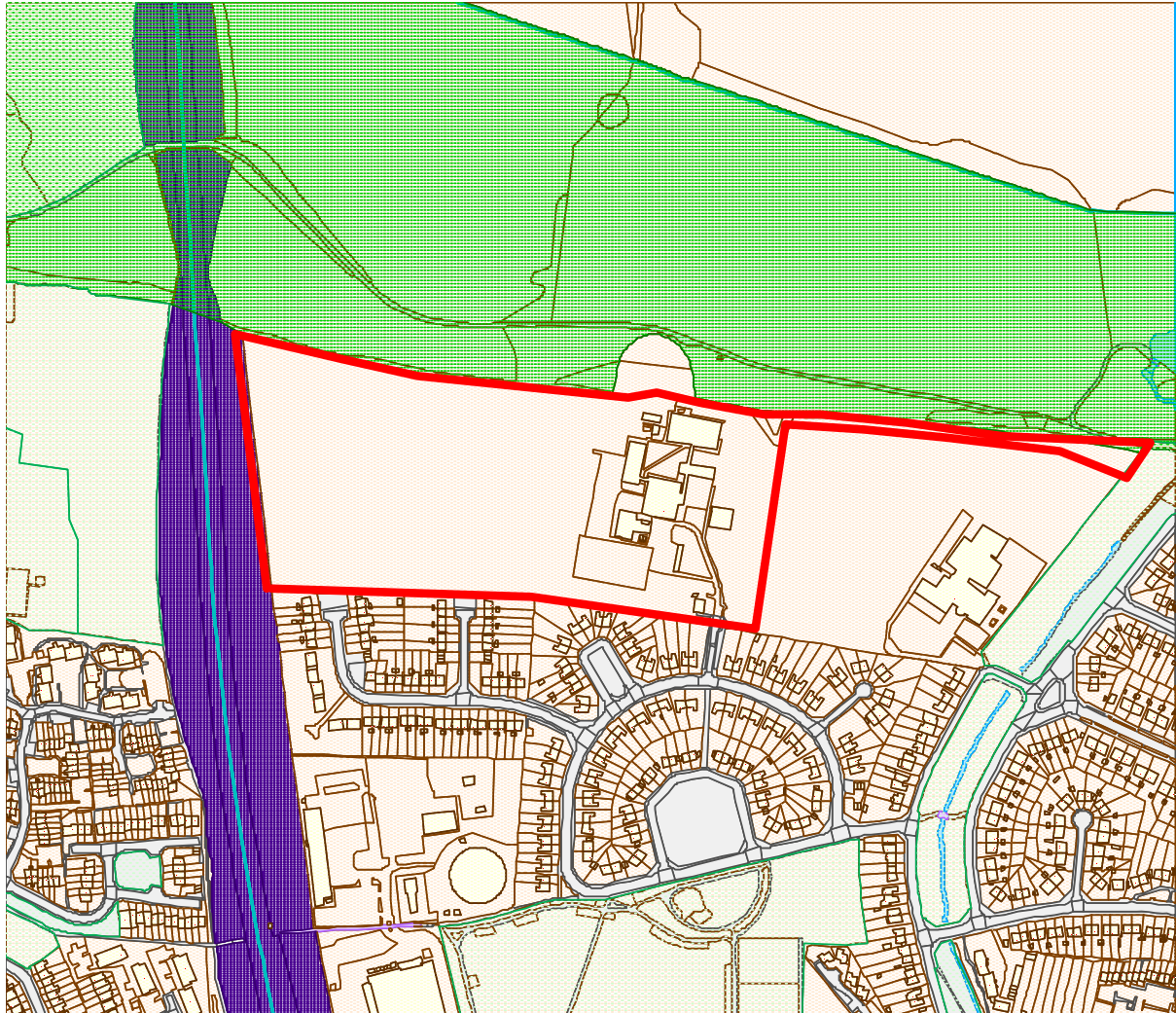
Accordingly, subject to the submission of a deed of variation to the unilateral undertaking and the conditions contained within recommendation II of this report, approval is recommended.

**SITE LOCATION PLAN:  
9AR**

**JCoss, Westbrook Crescent, Barnet, Herts, EN4**

**REFERENCE:**

**B/03800/10**



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**LOCATION:** Former Welsh Harp Sailing Club, West Hendon Estate, Cool Oak Lane, London, NW9 7BG

**REFERENCE:** H/03145/10                      **Received:** 27 July 2010

**Accepted:** 13 Sep 2010

**WARD:** West Hendon                      **Expiry:** 08 Nov 2010

**Final Revisions:**

**APPLICANT:** Barratt Metropolitan LLp

**PROPOSAL:** Temporary (four years) erection of a compound containing single storey buildings for use as marketing suite and site office buildings. Five Car parking spaces for use with the marketing suite and associated landscaping.

**RECOMMENDATION:**

That the Director of Planning, Housing and Regeneration be instructed to approve planning application ref: H/03145/10 under delegated powers subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Arboricultural Method Statement Ref TF/DR/804 -June 2010; Bat and Reptile Method Statements JPP2545-R-001a -24 June 2010; 0380 001 P2; 0380 050 P7; 0380 100 P7; 0380 020 P1; 0380 021 P1; 0380 200 P5; 0380 201 P5; 0380 210 P4; 0380 211 P4; D1849.L.203 *Revision B*; Environmental Impact Briefing Note.

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3. Before the development hereby permitted commences, details of the colours or materials to be used for the external surfaces of the buildings, hoardings and fencing 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.

Reason:

To safeguard the visual amenities of the locality and maintain a minimum of impact upon the MOL and the SSSI.

4. Before development hereby permitted is occupied, turning space and parking spaces for the marketing suite shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

5. The development hereby permitted shall not be commence until a Car Parking Management Plan detailing the allocation of car parking spaces, on site parking controls and the enforcement of unauthorised parking has been submitted to and approved by the local planning authority. The Car Parking Management Plan shall be implemented before the buildings hereby permitted are in use and maintained thereafter.

Reason:

To ensure the free flow of traffic and in the interest of highway safety and the visual appearance of the development.

6. During the hours of operation of the Marketing Suite the access gates to the site must be in an open position.

Reason:

To ensure that the access is satisfactory in terms of highway safety and the free flow of traffic in accordance with Policy M11 and M12 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

7. 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.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

8. 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.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site and the openness of the MOL.



9. Before the development hereby permitted commences, 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.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

10. This permission shall be for a limited period only, expiring on 9th of December 2014 when the use shall be discontinued and the buildings and works carried out under this permission shall be removed. At this time, or at any earlier time that the use should cease, the land shall be reinstated in accordance with landscaping details to be submitted to the Local Planning Authority. This Landscaping scheme must be approved in writing by the Local Planning Authority prior to the use of the proposed development. Such landscaping works must be completed within six months of the cessation of use and should be complete by the end of the 2014-2015 planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the area, the openness of the MOL and the ecological value of the SSSI.

11. No demolition works to the Sailing Base buildings shall commence until a Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include a methodology for mitigation of impacts arising from demolition and landscaping activity including but not limited to:
- I. Proposed schedule of demolition and landscaping works to ensure that it takes place outside of sensitive periods for the SSSI such as the waterfowl breeding season.
  - II. Schedule for the installation of the proposed hoarding and fences shown on plan D1849.L.203 Rev:B to ensure that barriers to noise, visual disturbance and access are erected as early as possible.
  - III. Measures taken to avoid possible disturbance of reptiles during removal of hardstandings and other demolition or landscaping processes.
  - IV. Methods used and measures undertaken to control the emission of dust noise and vibration from the construction works;
  - V. Lighting required in association with the demolition works.
  - VI. Types of machinery to be used.

Thereafter all demolition shall be undertaken in accordance with the approved statement.

Reason:

In the interest of the protection of wildlife within the site and the adjacent SSSI.

12. Prior to the commencement of development hereby permitted a construction method statement shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details. The statement shall include:
- I. Schedule of construction activities to ensure that construction works take place outside of sensitive periods for the SSSI such as the waterfowl breeding season.
  - II. Specification of reptile fencing.
  - III. Details of how vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.
  - IV. Details of construction lighting and parking.
  - V. Methods used and measures undertaken to control the emission of dust noise and vibration from the construction works;

Reason:

To ensure that the development does not give rise to unacceptable impacts upon amenity and does not have an adverse impact upon the ecological value of the SSSI or adjacent land.

13. No demolition or removal works to the development at the expiry of its temporary use shall commence until a Demolition and Landscaping Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include a methodology for mitigation of impacts arising from demolition and landscaping activity including but not limited to:
- VII. Proposed schedule of demolition and landscaping works to ensure that it takes place outside of sensitive periods for the SSSI such as the waterfowl breeding season.
  - VIII. Schedule of the removal of the proposed hoarding and fences (shown on plan D1849.L.203 Rev:B) to ensure that barriers to noise, visual disturbance and access are in place to prevent significant impact to the SSSI.
  - IX. Measures taken to avoid possible disturbance of reptiles during removal of hardstandings and other demolition or landscaping processes.
  - X. Methods used and measures undertaken to control the emission of dust noise and vibration from the construction works;
  - XI. Lighting required in association with the demolition works.
  - XII. Types of machinery to be used.
  - XIII. Details of precautions to be undertaken to minimise damage to trees to be retained. Such details should be in accordance with the recommendations of BS5837: 2005 (particularly section 7)

Thereafter all demolition and landscaping shall be undertaken in accordance with the approved statement.

Reason:

In the interest of the protection of wildlife and trees within the site and the adjacent SSSI.

14. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system, amenities of the area or the value of the SSSI.

15. All work comprised in the approved scheme of landscaping (as shown on Plan D1849.L.203 Revision B) shall be carried out before the end of the first planting and seeding season following commencement of the use.

Reason:

To ensure a satisfactory appearance to the development and a robust boundary to the SSSI.

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.

Reason:

To ensure a satisfactory appearance to the development and a robust boundary to the SSSI.

17. 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 submitted within the Arboricultural Development Report ref: TF/DR/804 June 2010. 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.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

18. No development shall take place until details of proposed lighting and the measures taken to ensure that both external lighting and lighting to the marketing suite do not have a detrimental impact upon the SSSI have been submitted to and approved in writing by the Local Planning Authority.

Reason:  
To prevent disturbance to the SSSI

19. The premises shall be used for construction management and associated uses and as a marketing suite only in association with Phase 2a and the pilot phase of the West Hendon Regeneration (W/13937/04 -with reserved matters submitted under H/04103/08- and W13230A/07 respectively) and no other purpose.

Reason:  
To enable the Local Planning Authority to exercise control of the type and extent of use within the category in order to safeguard the amenities of the area.

### **INFORMATIVE(S):-**

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

The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan (consolidated with Alterations since 2004) (published 19 February 2008) and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

GSD – Sustainable Development; GBEnv1 – Character; GBEnv2 – Design; GBEnv3 – Safe Environment; GBEnv4 – Special Area; GParking – Parking; ENV12 – Noise Generating Development; D1 – High Quality Design; D2 - Character; D9 – Designing Out Crime; GMOL – Metropolitan Open Land; O1 – Green Belt/Metropolitan Open Land; O2 - Green Belt/Metropolitan Open Land – New Buildings and Uses; O17 – Ecological Impact Statement; M14 – Parking Standards;

London Borough of Barnet Adopted Unitary Development Plan 2006:

GSD – Sustainable Development; GBEnv1 – Character; GBEnv2 – Design; GBEnv3 – Safe Environment; GBEnv4 – Special Area; GParking – Parking; ENV12 – Noise Generating Development; D1 – High Quality Design; D2 - Character; D9 – Designing Out Crime; GMOL – Metropolitan Open Land; O1 – Green Belt/Metropolitan Open Land; O2 - Green Belt/Metropolitan Open Land – New Buildings and Uses; O17 – Ecological Impact Statement; M14 – Parking Standards;

### **REASON FOR APPROVAL:**

The proposed development would not have a detrimental impact on the adjacent Site of Special Scientific Interest nor upon the character and openness of the Metropolitan Open Land. The proposal would facilitate the construction of the pilot Phase and Phase 2a of the Regeneration of West Hendon and is considered acceptable on highway and design grounds and should therefore be approved for a temporary period of 4 years subject to appropriate conditions.

2. Public Sewers: 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.
3. The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular crossover.
4. The Applicants are advised that there have been sightings of Slow Worms on this site. In the event that they are encountered they should be relocated to a safe area of suitable habitat outside of the application site. Such translocation should only be undertaken following formal advice from a qualified ecologist.  
Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

#### 1. RELEVANT PREVIOUS DECISIONS

Application Ref.	Address	Description of Development	Decision and Date
<b>W13937/04</b>	West Hendon Estate, West Hendon, NW9	Redevelopment of site including the demolition of all existing buildings and construction of 2171 new residential units, approximately 10,000sqm of non-residential floorspace for retail (Class A1), office (Class A2), food and drink (Class A3), business (Class B1) and social/community and leisure (Classes D1 and D2) uses and provision of associated public and private open space, landscaping, car parking, access arrangements and highway/pedestrian improvements.	Approve Subject to S106 and Conditions:- <b>1 July 2008</b>
<b>H/04103/08</b>	Rosemead and Warner Close, West Hendon Estate, (Phase 2a) London, NW9	Reserved matters application seeking approval for landscaping, siting, design and external appearance in relation to Phase 2A of the redevelopment of West Hendon Estate, comprising 186 residential units (161 flats in block 'L' and 20 flats and 5 terraced houses in block 'M') pursuant to Condition 3 of outline planning permission W13937/04 for the redevelopment of the site approved 1 July 2008.	Cleared :- <b>22 December 2008</b>

<b>W13230A/07</b>	Lakeview Children's and Family Centre Tyrrel Way, London, N9 7DX	Demolition of existing buildings and erection of part two storey part three storey terrace of 6No. houses, with new access road off Tyrrel Way and 2No. two storey semi-detached houses fronting Cool Oak Lane. Provision of car parking spaces and landscaping	Approved subject to S106 and Conditions:-  <b>20 March 2008</b>
<b>H/03565/10</b>	Welsh Harp Sailing Club, Cool Oak Lane, London, NW9 7BG	Screening opinion of temporary marketing suite proposed under application H/03145/10.	No EIA Needed

## **2. KEY RELEVANT PLANNING POLICY**

### **2.1 Introduction**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (consolidated with Alterations since 2004) published 19 February 2008 and the adopted London Borough of Barnet Unitary Development Plan (2006). These strategic and local plans are the policy basis for the consideration of this planning application.

### **2.2 Central Government Guidance and Policy Statements**

National guidance is provided by way of Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs).

The PPSs and PPGs of most relevance to the determination of this application are:

- PPS 1 – Sustainable Development and Climate Change
- PPS 9 – Biodiversity and Geological Conservation
- PPS 13 – Transport
- PPG 24 – Noise
- PPG 25 – Development and Flood Risk

### **2.3 The London Plan**

The London Plan (consolidated with Alterations since 2004) was published on 19 February 2008. This document is a consolidation of alterations made in 2 separate documents: the early alterations and further alterations to the London Plan. Where this committee report refers to the London Plan it is referring to the current iteration which has superseded the London Plan 2004.

The Mayor's London Plan is part of the development plan under the Planning and Compulsory Act 2004. It provides the strategic planning guidance and policies for the

capital, which promotes sustainable growth and environmentally responsive development. Policies of relevance include:

Policy 3D.8 states that the mayor will work with strategic partners to protect, promote and improve access to London's network of open spaces, to realise the current and potential value of open space to communities and to protect the many benefits of open space, including those associated with health, sport and recreation, children's play, the economy, culture, biodiversity and the environment.

Policy 3D.10 seeks to maintain and protect Metropolitan Open Land (MOL) from inappropriate development. It notes that MOL designation gives the same level of protection as Green Belt status and states that essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact upon the openness of MOL.

Policy 3D.14 promotes a proactive approach by the Mayor and partners towards the protection, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy. New development and regeneration should have regard to nature conservation and Biodiversity with opportunities taken to achieve positive gains for conservation through the form and design of development. The Policy requires that boroughs in considering proposals for development should accord the highest protection to nationally designated sites, such as Sites of Special Scientific Interest (SSSIs) in accordance with government guidance and the Habitat Regulations, 1994. The Mayor will identify Sites of Metropolitan Importance for nature conservation (SMIs) including land of strategic importance for nature conservation and biodiversity across London. Development which would have a significant adverse effect on the population or conservation status of protected species or priority London Biodiversity Action Plan (BAP) species. When development which would affect a site of importance for nature conservation the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site, and if that is not possible, to minimise such impact and seek mitigation of any residual impacts.

Policy 4C.2 requires development and use of waterside land along the Blue Ribbon Network to respect resource considerations and natural forces in order to ensure that future development and uses are sustainable and safe.

Policy 4C.3 looks to protect and enhance the biodiversity of the blue ribbon network by resisting development which results in a net loss of biodiversity and designing new waterside developments in ways that increase habitat value.

## **2.4 Barnet Unitary Development Plan**

The London Borough of Barnet UDP was adopted in May 2006 and contains local planning policies for Barnet.

Relevant policies are:

GSD – Sustainable Development; GBEnv1 – Character; GBEnv2 – Design; GBEnv3 – Safe Environment; GBEnv4 – Special Area; GParking – Parking; ENV12 – Noise Generating Development; D1 – High Quality Design; D2 – Character; D9 – Designing Out Crime; GMOL – Metropolitan Open Land; O1 – Green Belt/Metropolitan Open Land; O2 – Green Belt/Metropolitan Open Land – New Buildings and Uses; O17 – Ecological Impact Statement; M14 – Parking Standards;

### 3. STATUTORY AND NON-STATUTORY CONSULTATION RESPONSES

#### 3.1 Consultations and Views Expressed

Neighbours Consulted:	547	Replies in Support:	1
		Replies in Objection:	3

The following comments in support of the application were received:

- The Youth Sailing Base site would be more appropriate than the Car Park to the south of Cool Oak Lane as it already has a built structure on site and is not adjacent to residential properties.

Objections raised may be summarised as follows:

- Demolition of the existing Welsh Harp Sailing Base will be a disappointment to potential future users of the site.
- Proposals for any new buildings within the site would greatly alter the natural environment which has become well established since the closure of the Youth Sailing Base.
- Any proposal in this area must not harm the existing wildlife or environment in the area.
- Parking levels would not be sufficient for the proposed use.
- Associated increase in traffic would have a detrimental impact upon the strength of the Cool Oak Lane bridge.
- Associated increase in traffic would require rephrasing of the lights at the A5/Cool Oak Lane Junction which would have a knock on effect to the traffic flow of the A5.

#### 3.2 Consultation Responses from Statutory Consultees and Other Bodies

##### Natural England -

Having Considered the information provided and the potential environmental impacts resulting from the proposal Natural England considers that the application is unlikely to have implications on the SSSI. Consequently No objection is raised to the proposals.

Discussions have taken place over the long term landscaping of the site and its immediate surroundings including: future planting scheme, treatment of the reservoir bank and removal of existing infrastructure used in association with the Youth Sailing Base (concrete retaining wall and pontoons) within the SSSI. Natural England is satisfied that the approval of these details under conditions attached to the outline planning Permission (W13937/04) will address the future improvement of the site.

Natural England is satisfied with the methodology and findings of the protected species report which covered bats and reptiles. However, given that slow worm have occasionally been observed on the site we advise that the applicants are informed of their protected status and the very small likelihood that individuals may be encountered. In this event they should be relocated to a safe area of suitable habitat outside the application site. For technical guidance on this matter applicants should refer to a qualified ecologist.



### **Environment Agency -**

No objection raised.

### **British Waterways -**

The importance and sensitivity of this site should be recognised due to its proximity to the SSSI. The site is also pivotal in the clearance of a related application H/03452/10 for the clearance of condition '15' (Landscaped Buffer Strip to SSSI) for the Lakeside phase of the West Hendon Regeneration.

No surface water discharges into the reservoir should be allowed, these should be connected into the mains system.

The manner of surfacing for the car park area should be confirmed and the existing hardstanding should not be extended. The site should not be used for delivery or temporary storage of any construction materials.

### **London Wildlife Trust (Barnet Group) -**

The disused car park to the south of Cool Oak Lane would be a more suitable site as it would have less impact upon the wildlife of the reservoir if situated there.

Any development that would affect the Welsh Harp SSSI would be counter productive to the spirit of conservation and risks demeaning the value of the SSSI.

It should be noted that since the use of the temporary sailing base has ceased wildfowl numbers have increased considerably. The potential for disturbance would be particularly high during the demolition and construction period. All possible mitigation measures including fencing should be provided in order that the gains in wildfowl numbers are not lost during the building process.

If the development was to go ahead it would be necessary for the population of slow worms that inhabit the site to be trapped and removed to an appropriate site elsewhere in the SSSI/local nature reserve. It is not currently the appropriate season for a survey or translocation.

If the proposal is approved the area should be appropriately landscaped upon cessation of use and the site should be re-incorporated into the SSSI.

### **The Welsh Harp Conservation Group -**

Site has not been in active use since March 2004. The lack of sailing/canoeing activity has had a marked impact upon the behaviour of the lake's wildfowl. Previously this disturbance often led large numbers of the birds leaving the reservoir, without this disturbance flocks of 500 or more wildfowl have been recorded (See: Wildfowl and estuary Bird Survey -WeBS).

Measures must be taken to minimise the disturbance to the wildfowl during both construction and use of the site. Appropriately sized screens (2.5m high) should be placed between the water and the buildings. Any associated lighting should be directed away from the water.

When the site was closed in March 2004 a small colony of slow worms was present on the site and were seen on a regular basis. Measures to ensure the protection of this colony are required.

A more appropriate location for the marketing suite would be in the disused car park across the road to the south of Cool Oak Lane. Disturbance to the wildfowl would be limited there.

## **RSPB**

Note that the outline application's Environmental Statement for the Outline Application (W13937/04) requires that any demolition or clearing work scheduled to take place between the beginning of March and end of August would require a survey to check for nesting birds with any nests found having to be left undisturbed until such time as the chicks had fledged.

There has been evidence of nesting birds within the garages scheduled for demolition at the sailing base, in addition the site is in close proximity to the Brent Reservoir SSSI. Construction work, particularly demolition and piling is likely to cause significant negative impact during sensitive periods and should not take place during the breeding season.

## **London Borough of Brent**

No comments received.

## **West Hendon Residents Association**

The continued closure of the Youth Sailing Base some years ago is a disappointment to many parents and youngsters who made use of this facility.

The Welsh Harp and York Park provide a haven for much wildlife including protected species with the associated trees and undergrowth acting as a welcome break from the urban nature of the surrounding area. It is important to the Local residents that this habitat and environment is preserved.

The proposal of any buildings within this area will greatly alter the environment and will destroy years of established wildlife and the vegetation that supports them. Members of the residents association and of Friends of York Park do not consider it appropriate to have any buildings within this area or nearby that may harm the existing wildlife.

### **3.3 Welsh Harp Joint Consultative Committee**

At their meeting of 4<sup>th</sup> November 2010 concerns were raised that the proposed site of the Marketing Suite and Management Offices proposed would have a harmful impact upon Wildlife of the SSSI.

As an outcome of the discussions at the meeting, the Committee proposed that the demolished Wendover Lodge site would be a more suitable location than the Sailing Base.

The Committee resolved the following:

That the Director of Planning, Housing and Regeneration be informed of the Committees concerns relating to the proposed location of the Marketing Suite on the former Sailing Base, and consider the location proposed by the Committee.

This was recorded in the minutes of the meeting and was reported in a letter from Democratic services of 24 November 2010 to Stewart Murray.

### **3.4 Internal Consultations**

*Highways Group*

No objection raised.

## **4. DESCRIPTION OF DEVELOPMENT, THE SITE, AND SURROUNDING AREA**

### **4.1 Description of Development**

It is proposed to demolish the existing Youth Sailing base building and to remove 270m<sup>2</sup> of associated hardstanding, including slipway and pathways down to the edge of the Welsh Harp.

A marketing suite building is proposed to the south of the site within the area of the existing asphalt surface. This is broken down into two joined elements the Sales Cabin and Show Flat. A deck terrace is proposed to the west of the show flat.

5 car parking spaces are proposed in association with the sales cabin with one designated disabled space.

The 'construction office' element of the proposal includes three site office buildings, a drying room, canteen, lunch area, and WC. These buildings would be all be pre-built 'Portacabin' constructions a security cabin and smoking shed are also proposed.

The marketing suite area would be separated from the construction offices with a gated fence. A 2.4m high hoarding would surround both areas separating them from the strip of land adjacent to the SSSI.

Controlled Access to the east of the site towards the Phase 2a development would allow ease of access between the site and the Management Offices.

### **4.2 Description of Site and Surrounding Area**

The application site shares a boundary with Cool Oak Lane to the south east and the Welsh Harp SSSI to the south west. It is wedge shaped, thinning to the north and covers an area of 1969m<sup>2</sup>. Currently the site is bounded by a 2.4m high green metal fence on three sides but is open to the Welsh Harp to the south west. Double gates in this fence allow vehicular traffic onto Cool Oak Lane.

The site includes a single storey building of 3.4m in height with a footprint of 475m<sup>2</sup>. The building was used as a Youth Sailing Centre until the activity ceased over 6 years ago. In association with the sailing use an existing asphalt hardstanding covers more than half of the site. A slipway and pontoons reach down and into the Welsh Harp.

The boundary with the Welsh Harp has become overgrown with brambles and self-seeded whips since the sailing use ceased in 2004.

The site is designated Metropolitan Open Land and prior to the sailing centre use was included within the SSSI.

## 5. PLANNING APPRAISAL

- Environmental Impacts
- Metropolitan Open Land
- Highways Impacts
- Loss of Youth Sailing Base Building
- Design

### 5.1 Environmental Impacts

#### *Environmental Impact Assessment (EIA)*

A screening opinion was submitted by the applicant in relation to the proposed temporary development due to its proximity to the SSSI.

Circular 02/99 Environmental Impact Assessments paragraph 36 states:

*“The relationship between a proposed development and its location is a crucial consideration. For any given development proposal, the more environmentally sensitive the location, the more likely it is that the effects will be significant and will require EIA. Certain designated sites are defined in regulation 2(1) as 'sensitive areas' and the thresholds/criteria in the second column of Schedule 2 do not apply there. All developments must be screened for the need for EIA.*

*a. Sites of Special Scientific Interest, any consultation areas around them (where these have been notified to the local planning authority under article 10(u)(ii) of the GDPO), land to which Nature Conservation Orders apply...”*

Following discussions with English Nature it was not considered that the development would require the submission of an Environmental Impact Assessment. This view was taken in consideration of the existing Environmental Statement submitted with outline application W13937/04 for the Regeneration of West Hendon, the likely impacts from noise and activity for the proposed uses on site, the temporary nature of the approval and the controls available by application of condition to any approval granted.

#### *Site of Special Scientific Interest (SSSI)*

The Welsh Harp SSSI covers 68.6 ha and has been assigned this national status primarily due to the number of wetland birds that breed on the reservoir. The diversity of wintering waterfowl and the variety of plant species growing along the water margin are also of special note for Greater London.

The site is also identified as a Site of Metropolitan Importance for nature conservation (SMI) within the London Plan.

*Natural England* have stated that they do not object to the proposal on the basis that the application is unlikely to have implications for the SSSI. The *RSPB* have raised the concerns that all clearance and demolition work should take place outside of the breeding season.

The *Welsh Harp Conservation Group* Have noted that in the time since the Youth Sailing base ceased to be active on site (March 2004) there has been a marked effect upon the behavior of the lake's wildfowl with large flocks of birds recorded where previously it was common for disturbance to drive birds off this body of water. They suggest the incorporation of a 2.5m high screen between the water and the buildings to minimize disturbance and suggest that lighting at night should be directed away from the water.

The proposal incorporates a 2.4m high hoarding and close boarded fence which surrounds the active area of the site thereby acting as a barrier to noise and disturbance from the proposed use.

Following the concerns of the *RSPB* a condition has been applied to any demolition or construction works to ensure that they take place outside of the breeding season.

#### *Bat and Reptile Survey*

The methods demonstrated within the Bat and Reptile Survey for the site have been examined in discussion with natural England and are sound. No evidence of bat roosts was found within the existing buildings which offer a low roosting potential.

The report identifies the grassland areas adjacent to the hardstanding as having the potential to support reptiles. This is borne out by reports received from various sources that Slow Worm have been seen on this site.

Responding to this issue a reptile fence is proposed along the edge of the hardstanding area as shown on landscaping plan 'D1849.L.203 Rev B' this would provide a barrier preventing access onto the active site which combined with the 2.4m high fence would provide a satisfactory protection for any existing reptiles. It should be noted that any development works would remain subject to The wildlife and Countryside act 1981.

## **5.2 Metropolitan Open Land (MOL)**

Barnet's Unitary Development Plan Policy GMOL states that the council will safeguard the permanence and integrity of the borough's Metropolitan Open Land. O1 States that except in very special circumstances the council will refuse any development on MOL which is not compatible with their purposes and objectives, does not maintain its openness and would harm its visual amenity.

Policy 3D.10 of the London Plan seeks to maintain and protect Metropolitan Open Land (MOL) from inappropriate development. It notes that MOL designation gives the same level of protection as Green Belt status and states that essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact upon the openness of MOL.

The demolition of the existing sailing base buildings and temporary installation of the sales and construction buildings would result in a net reduction of footprint by 75m<sup>2</sup>.

The maximum height of the proposed 'Portacabin' type buildings at 3.4m represents no increase over the height of the existing sales base buildings.

The barrier of the 2.4m high hoarding and close boarded fencing, proposed to reduce impacts upon the SSSI, does cover a larger area than the existing built form.

Considering the temporary nature of the proposal, and the existing 2.4m high fence surrounding the whole of the site this is not considered to have a significantly detrimental impact upon the SSSI.

The making good of the site at the end of the temporary usage, would also secure the openness of the MOL, bringing forward demolition and landscaping works including the removal of the existing site fencing at an earlier stage than they might otherwise come forward.

### **5.3 Highways Impacts**

#### *Sales Unit*

5 car parking spaces are proposed in association with the use of the sales unit including a single disabled space. This is considered an acceptable level of provision for the proposed use which is unlikely to generate a significant level of associated traffic.

#### *Construction Offices*

The construction offices are directly linked to the Construction of Phase 2a and the pilot phase of the West Hendon Regeneration (Outline W13937/04 with reserved matters for phase 2a approved under H/04103/08; and Pilot: W13230A/07). All construction management, car parking and associated highways issues are dealt with under separate cover within conditions attached to the above approvals.

### **5.4 Loss of Youth Sailing Base**

The existing Youth Sailing Base Buildings are not fit for purpose and have not been in use since March 2004. Further to this the current location was identified as having a detrimental impact upon the SSSI due to the sensitive nature of the northern end of the Welsh Harp. The site is therefore unlikely to be considered appropriate for re-use.

Within the West Hendon Section 106 agreement, attached to the main outline application for the estate, Schedule H identifies a sum of £834,425 for the re-provision of the Youth Sailing Base (or other such similar facility). This is however not triggered until, at earliest, the beginning of construction of the 484<sup>th</sup> Residential unit.

### **Design and Appearance**

The proposed development would be replacing the concrete built sales base with a development of similar scale and height. Given the temporary nature of the proposal and the controls in place over materials and coloration the proposal is considered to be acceptable.

## **6. EQUALITY AND DIVERSITY ISSUES**

The proposed marketing suite has an associated Disabled Car parking space and a wheelchair access ramp.

The proposals are considered to be in accordance with national, regional and local policy by establishing a high quality inclusive design, providing an environment which is accessible to all and which can be maintained over the lifetime of the development.

## **7. COMMENTS ON THE GROUNDS OF OBJECTION**

### *Siting*

The appropriateness of the location for the proposed use has been raised in terms of the potential impact upon the SSSI and its siting close to the Cool Oak Lane Bridge.

Two alternate sites were suggested: The car parking area to the south of Cool Oak Lane and the recently demolished Wendover Lodge site.

The application site was chosen over other alternatives for several reasons:

- Site has existing foul drainage, electrical and water services which would be utilised by the proposed development.
- The existing hard surface and floor slabs of the sailing base will function to support the proposed buildings.
- The siting in close proximity to the Phase 2a development site will provide greater 24 hour security to both the construction site and the public right of way to the east of the site.
- Locating the construction offices on the same side of Cool Oak Lane i.e. not to the south of Cool Oak Lane would result in less pedestrian crossings of a busy road.
- The Sales Base car park to the south of Cool Oak Lane is being considered under details submitted for the Construction Management Plan attached to Phase 2a as a location for staff car parking, this would not be an option if the Marketing suite and Site Offices were located there.
- Siting the buildings on the existing car park would be less appropriate in terms of the MOL designation. In the proposed location it replaces an existing building on site thereby having little impact upon the openness of the MOL. Locating it on the car parking area could be considered to have a detrimental impact upon the openness of an area of MOL.
- The Wendover Lodge site has also been considered but the distance from the Phase 2a and Pilot sites (some 350-400m -see Appendix 1) would raise significant site management issues partly over monitoring of construction impacts (i.e. dust and noise). Staff movements to access the canteen, dry room and WC facilities

and to 'punch in and out' would also be significantly further causing associated staff management problems.

- Locating the marketing suite at Wendover Lodge would also not provide visitors with a proper understanding of the location of the flats for sale.

In the event that it was considered that the proposed location would have a detrimental impact upon the SSSI the above issues would hold little weight, however Natural England do not consider that the development is likely to have any such implications and the proposed site is therefore considered appropriate.

Other issues raised have been dealt with in the body of the report.

## 8. CONCLUSION

All relevant policies within the adopted UDP, the Mayor's London Plan (consolidated with alterations since 2004), Planning Policy statements and Supplementary Planning Documents, have been fully considered and taken into account by the Local Planning Authority. The proposed development is not considered to detrimentally impact upon the ecological value of the SSSI and has no significantly greater impact than the current buildings on site upon the openness of the MOL. Considering the temporary nature of the proposal, its importance in bringing forward the first substantive stage of the regeneration of the West Hendon Estate and the other reasons set out in this report the proposal is recommended for **APPROVAL** subject to the attached conditions.

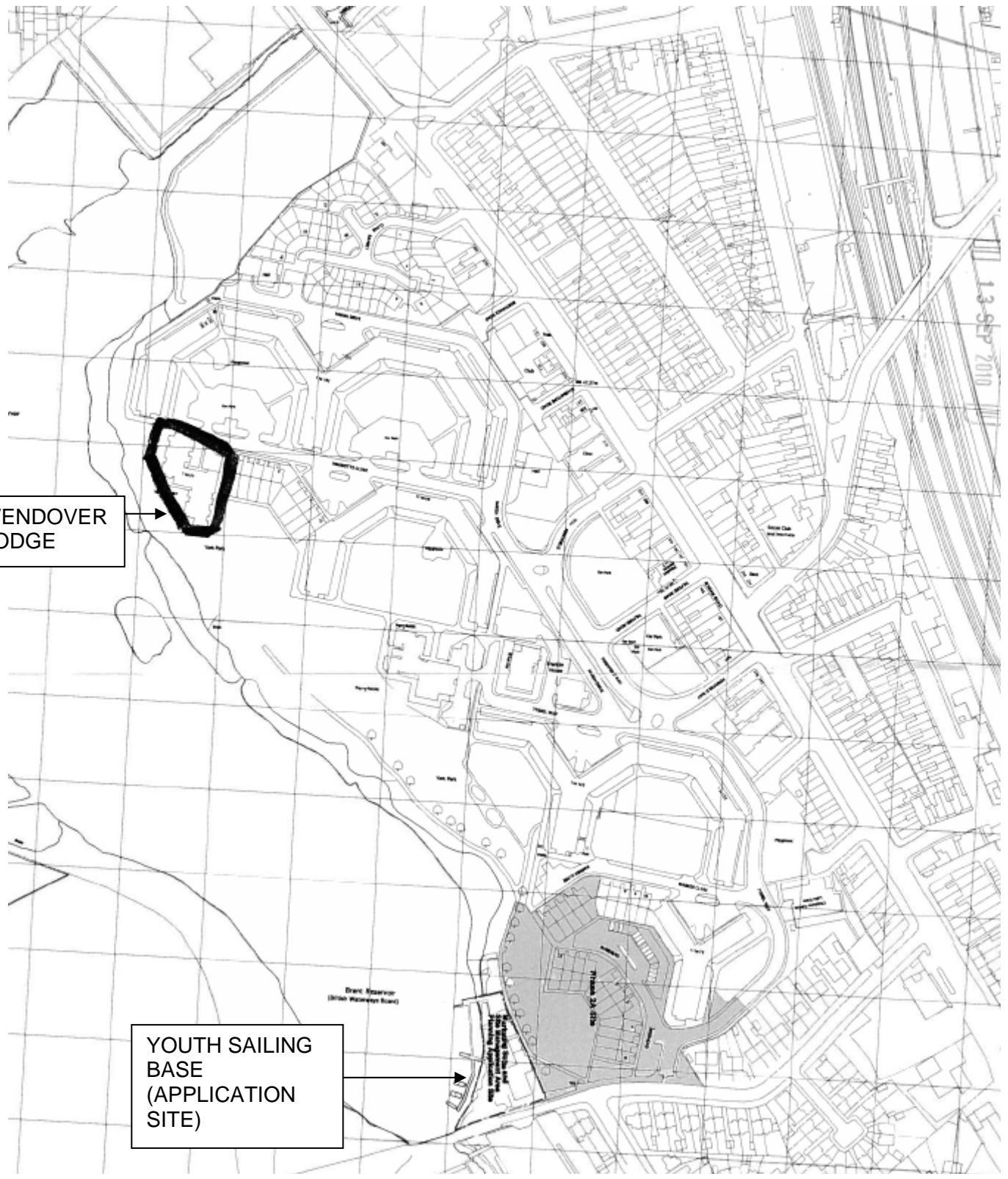


APPENDIX 1 – Location of Wendover Lodge

13-SEP-2010

WENDOVER LODGE

YOUTH SAILING BASE  
(APPLICATION SITE)





## Temp Marketing Suite and Construction Offices – H/03145/10

