

# DECISIONS OF THE PLANNING AND ENVIRONMENT COMMITTEE

13 APRIL 2011

## COMMITTEE

Councillor Wendy Prentice (Chairman)  
\*Councillor John Marshall (Vice-Chairman)

### Councillors:

\*Maureen Braun

\*Barry Rawlings  
(substituting Anita  
Campbell)

\*Jack Cohen

\*Alison Cornelius

\*Agnes Slocombe  
(substituting for  
Claire Farrier)

\*Hugh Rayner

\*Andreas Tambourides

\*Jim Tierney

\*Stephen Sowerby (substituting  
for Wendy Prentice)

\*denotes Member present  
\$denotes absent on Council business

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

RESOLVED – That the decisions of the meeting of the Committee held on 16 March 2011 be approved as a correct record.

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

Apologies for absence were received from Councillor Wendy Prentice.

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

Member:	Subject:	Interest Declared:
Councillor John Marshall	<b>F/00907/11</b> – Pavement adjacent to Basing Hill Park, opposite 137 & 139 Hendon Way, NW2 Childs Hill Ward	Personal and Non-prejudicial as Councillor Marshall has small share holdings in Vodafone. Councillor Marshall took part in the discussions and voted on the item
Councillor Jack Cohen	<b>F/00907/11</b> – Pavement adjacent to Basing Hill Park, opposite 137 & 139 Hendon Way, NW2 Childs Hill Ward	Personal and Non-prejudicial as Councillor Cohen has an O2 mobile telephone and as do some family members. Councillor Cohen took part in the discussions

		and voted on the item
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**4. PUBLIC QUESTION TIME (Item 4):**

None.

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

There were no Members' items.

**6. TOWN AND COUNTRY PLANNING ACT (1990) – H/04017/09 – INGLIS BARRACKS, PRICE CLOSE, LONDON, NW7 1PX - OUTLINE APPLICATION FOR THE COMPREHENSIVE REDEVELOPMENT OF THE SITE FOR RESIDENTIAL LED MIXED USE DEVELOPMENT INVOLVING THE DEMOLITION OF ALL EXISTING BUILDINGS (EXCLUDING THE FORMER OFFICERS' MESS) AND GROUND RE-PROFILING WORKS, TO PROVIDE 2,174 DWELLINGS, A PRIMARY SCHOOL, GP SURGERY, 1,100SQM OF 'HIGH STREET' (A1/2/3/4/5) USES, 3,470 SQM OF EMPLOYMENT (B1) USES, A DISTRICT ENERGY CENTRE (SUI GENERIS) AND ASSOCIATED OPEN SPACE, MEANS OF ACCESS, CAR PARKING AND INFRASTRUCTURE (WITH ALL MATTERS RESERVED OTHER THAN ACCESS). FULL APPLICATION FOR THE CHANGE OF USE OF FORMER OFFICERS' MESS TO RESIDENTIAL (C3) AND HEALTH (D1) – MILL HILL WARD**

The Assistant Director of Planning and Development Management circulated an addendum to the report.

Committee heard oral representations from Mr David Neal, Mr A C Morrison, Captain Doran, Councillor John Hart (Ward Councillor), Councillor Brian Coleman (in his capacity as Member of the GLA) and the applicant's.

The Committee moved a amendment to the Condition 4, Site Wide Design code (Page 212 of the Officers Report), that the Design Code to be submitted to and approved the Planning Environment Committee.

The Committee;

**APPROVED the application subject to the following:**

1. That the application be referred to the Greater London Authority (Under Article 5 of the Town and Country Planning (Mayor Of London) Order 2008) and the Secretary of State.

2. Subject to the applicant and any other person having a requisite interest to 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:

(i) Affordable Housing - minimum of 15% provision (312 units + 12 replacement units for consented Annington scheme) target of 50% subject to viability assessment and for which 60% are to be of social rent tenure. The detail of the affordable housing review mechanism to be agreed before referral to the Mayor of London.

(ii) Acute and Intermediate Healthcare Contribution - £700,000.

(iii) Doctor's Surgery - provision of GP practice on site to shell and core fitting (agreed) at peppercorn rent for 25 years (not agreed).

- (iv) Bittacy Hill Park Contribution - **£285,000**.
- (v) Employment and Training Contribution - **£326,100** plus 30 apprenticeships and a bone fide graduate training scheme. (Headline figure agreed subject to details to be settled).
- (vi) Education Contribution - **£9,000,000**
- (vii) Provision of the School Site and Playing Fields – Site of 1.78 hectares to be transferred to Council at nil cost.
- (viii) Secondary School Contribution – subject to a viability review mechanism up to a maximum of £3,300,000.
- (ix) Bus Services Contribution – to enhance local bus services.
  - (1) **£150,000** - to extend the 382 bus route into the site (Agreed subject to settling trigger).
  - (2) **£475,000** to divert the 240 bus route through the site (Agreed subject to settling triggers).
- (x) Libraries Contribution - **£319,745**
- (xi) Local Transport and Parking Measures Contribution - **£237,000** towards a transport fund to cover the costs of feasibility detailed design and implementation of mitigation measures to address highway impacts that emerge during the development including off-site traffic management, parking control and improvements to footways and cycleways in the vicinity of the site.
- (xii) Off Site Sports Contribution - **£100,000**
- (xiii) Parking Survey Contribution - **£10,000** towards monitoring and regulating, if required, the car and cycle parking provision for subsequent phases of the development.
- (xiv) Travel Plans (residential, school, workplace) – an undertaking to prepare and implement Travel Plans for the residential, school and workplace elements of the development, including the appointment of a Travel Plan Co-ordinator and details of car club.
- (xv) Residential Travel Plan Incentives Fund – **£652,000** to implement travel plan initiatives including Oysters Cards and cycle vouchers.
- (xvi) Travel Plan Monitoring Contribution - **£25,000** towards monitoring the initiatives and targets set within the Residential, School and Workplace Travel Plans.
- (xvii) Safer Neighbourhood Office - Office accommodation at ground floor level provided to shell and core fitting at peppercorn rent for 25 years.
- (xviii) Station Forecourt Improvement Contribution – Provision of improvements to the Station Forecourt area in two phases including the re-alignment of the bus stopping arrangements. To a detailed specification and timetable to be agreed with the Council and Transport for London (TfL).

(xix) Step-Free Access Contribution – A minimum contribution of £150,000 up to a maximum of £2,900,000 subject to a viability review mechanism towards the implementation of Step Free Access at Mill Hill East underground station.

(xx) Bus Drivers' Facility – Provision of Bus Driver facilities within the site to accompany the diverted bus routes. Direct provision.

(xxi) Bus Stop Works - Provision of bus stops within the development. Bus stops to be designed in accordance with TfL's guidance and in consultation with TfL, direct provision.

(xxii) Bus Stops (Off site) Contribution - **£50,000** for bus stop upgrades to 5 bus stops identified in the vicinity of the site.

(xxiii) Bus Turnaround Works – Provision of a bus turnaround facility to enable the diverted bus routes to turnaround with the site. Design to be worked up in consultation with the Local Planning Authority and TfL and subject to relevant safety audits. Direct provision.

(xxiv) Highway Works – undertake to deliver as direct obligations the following highways works subject to a detailed design to be approved in writing by the Local Planning Authority in consultation with Transport for London:

- (1) East West Route (by the completion of 298 units)
  - (2) North South Route (by the completion of 1429 units)
  - (3) Frith Lane Junction Works (by the completion of 191 units)
  - (4) Holders Hill Circus Highway Works (by the completion of 298 units)
  - (5) Bittacy Hill Junction Works (by the completion of 298 units)
  - (6) Bittacy Hill/Engel Park Junction Works (by the completion of 107 units accessed off Henry Darlot Drive)
  - (7) Bittacy Hill Cycleway Works (by the completion of 609 units)
  - (8) Temporary Cycle and Pedestrian Link through depot site to Mill Hill East Station. (by the completion of 442 units)
  - (9) Bittacy Hill Site/Civic Square Junction Works (by the completion of 1429 units)
  - (10) Frith Lane/Business Area Junction Works (by the completion of 783 units)
  - (11) Bittacy Rise/Pursley Road/Devonshire Road Junction Works (by the completion of 298 units or later at the discretion of the LPA)
  - (12) Bittacy Hill/Frith Lane Junction Works (by the completion of 298 units)
  - (13) Henry Darlot Drive/Bittacy Hill Junction Works (by the completion of 107 units accessed off Henry Darlot Drive)
  - (14) Zebra crossing outside tube station (by the completion of 442 units)  
(Direct provision is required, triggers agreed)
- (xxv) Energy Centre - direct provision required.

(xxvi) S106 Monitoring Contribution - **£120,000**

(xxvii) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.

All the contributions listed above are to be index linked.

#### **4 Site Wide Design Code**

Not to submit any Reserved Matters, being layout, scale, appearance and landscaping

(hereafter called the reserved matters) for any phase unless and until a design code is submitted to and approved by the Planning and Environment Committee. The design code shall be substantially in accordance with the Design Principles Document (ref:MHE/OPA/3, MHE/OPA/3.1 and MHE/OPA/3.2)) and shall include and be not limited to:

- A three dimensional masterplan of that phase and its adjoining phases that shows clearly the intended arrangement of spaces and buildings, including massing, orientation, distribution of uses, densities, building lines and spaces;
- The design principles for that phase including information on dwelling types, palette of materials, parking, landscaping and information on the protection of residential amenity including privacy and overlooking;
- An assessment showing that each phase has been designed to accord with the BRE "Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice"; and
- An assessment against the criteria established by Secure by Design and the Council's SPG "Designing to Reduce Crime".

5. That (subject to obtaining the Mayor's and the Secretary of States respective decisions not to direct refusal or decide to determine the application and/or call in the application) upon completion of the above S106 agreement in accordance with Recommendation 2 above the Assistant Director of Planning and Development Management be instructed to APPROVE the application ref: H/04017/09 under delegated powers and grant planning permission subject to conditions substantially in the form outlined in Appendix B (with such detailed amendments as the Assistant Director of Planning and Development Management may consider to be reasonable and necessary in the course of negotiating the detail of the S106 and in the light of the Stage 2 response from the Mayor).

## **CONDITIONS:**

### **Commencement and Reserved Matters**

## **Plans**

### **1 Approved Plans**

Site Location Plan (A6157/2.1/01)

Site Plan (A6157/2.1/02)

Parameter Plans:

Parameter Plan 1: Access and Movement (A6157/2.1/03 Rev A)

Parameter Plan 2: Landscape (A6157/2.1/04)

Parameter Plan 3: Land use (A6157/2.1/05)

Parameter Plan 4: Scale (A6157/2.1/06)

Parameter Plan 5: Character Areas (A6157/2.1/07)

Parameter Plan 6: Levels Strategy (A6157/2.1/08/ Rev A)

Officers' Mess Change of Use:

A6157/2.1/10, A6157/2.1/11, A6157/2.1/12, A6157/2.1/13, A6157/2.1/14,  
A6157/2.1/15, A6157/2.1/16

#### Strategic Development Framework:

Design Principles Document (MHE/OPA/3) and associated addendum (MHE/OPA/3.1) and errata (MHE/OPA/3.2)

Revised Transport Assessment 15<sup>th</sup> December 2010 (MHE/OPA/4.1) and addendum to Transport Assessment dated 11<sup>th</sup> January 2011.

Revised Public Realm and Open Space Strategy (MHE/OPA/5.1)

Technical and Infrastructure Strategy (MHE/OPA/6)

Revised Housing Strategy (MHE/OPA/7.1) which includes table A6157.1 (approved development schedule)

Revised Community Facilities/Social Infrastructure Strategy (MHE/OPA/8.1)

Revised Environmental Sustainability and Energy Strategy (MHE/OPA/9.1)

Revised Phasing and Delivery Strategy (MHE/OPA/10.2) which includes phasing plan ref Figure 4.1

#### Supporting Documents:

Illustrative Masterplan (A6157/2.0/09 Rev A)

Design and Access Statement(MHE/OPA/11) and Addendum (MHE/OPA/11.1) and errata (MHE/OPA/11.2)

Planning Statement (MHE/OPA/12) and Addendum (MHE/OPA/12.1)

Environmental Statement (MHE/OPA/13) and Addendums (MHE/OPA 13.1, 13.2, 13.3 and 13.4)

Economic/Regeneration Statement (MHE/OPA/14)

Health Impact Assessment (MHE/OPA/15)

Statement of Community Engagement (MHE/OPA/16)

Outline Estate Management Strategy (MHE/OPA/17)

Open Space, Sport and Recreation Study (MHE/OPA/18)

Aboriginal Constraints Report (MHE/OPA/190)

A6157/2.3/18

Technical Note 22.3.11 Additional Noise Survey data at IBSA House

Technical Note 23.3.11 Noise Mitigation for dwellings adjacent to IBSA House

Stage 1 Road Safety Audit (TR8100193/GT/LR/008)

PRHMHE004

TV/VR/DEP/03V2

MHE0021

MHE0021 Rev 05a – Proposed Bittacy Hill Access mini-Roundabout

MHE0021-A -85<sup>th</sup> Percentile Speed

MHE0021-ATR01 Rev 05a – Autotrack 1 Rigid

MHE0021-ATR02 Rev 05a – Autotrack 2 Rigid

MHE0021-ATR03 Rev 05a – Autotrack 3 Rigid

MHE0021-ATR04 Rev 05a – Autotrack 4 Artic

MHE0021-ATR05 Rev 05a – Autotrack 5 Artic

MHE0021-ATR06 Rev 05a – Autotrack 6 Artic

MHE0021-ATR07 Rev 05a – Autotrack 7 Artic

MHE0021-ATR08 Rev 05a – Autotrack 8 Artic

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

### **Time Limits**

#### **2 Time Limit – Outline application**

The development to which the outline planning permission relates, shall be begun either before the expiration of **three** years from the date of this grant of outline planning permission or before the expiration of two years from the date of the approval of the last reserved matter, whichever is the later.

Reason To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

#### **3 Time Limit – Reserved Matters**

Applications for the approval of the reserved matters being layout, scale, appearance and landscaping (hereafter called the reserved matters) for which the outline planning permission relates shall be made to the Local Planning Authority before the expiration of **eight** years from the date of this permission and shall be in accordance with the approved Design Code.

Reason To comply with Section 92 of the Town and Country Planning Act, 1990 (As Amended).

### **Pre-Commencement conditions**

#### **4 Site Wide Design Code**

Not to submit any Reserved Matters, being layout, scale, appearance and landscaping (hereafter called the reserved matters) for any phase unless and until a design code is submitted to and approved by the Planning and Environment. The design code shall be substantially in accordance with the Design Principles Document (ref:MHE/OPA/3, MHE/OPA/3.1 and MHE/OPA/3.2)) and shall include and be not limited to:

- A three dimensional masterplan of that phase and its adjoining phases that shows clearly the intended arrangement of spaces and buildings, including massing, orientation, distribution of uses, densities, building lines and spaces;
- The design principles for that phase including information on dwelling types, palette of materials, parking, landscaping and information on the protection of residential amenity including privacy and overlooking;
- An assessment showing that each phase has been designed to accord with the BRE “Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice”; and
- An assessment against the criteria established by Secure by Design and the Council’s SPG “Designing to Reduce Crime”.

Reason To ensure that design code sets sufficiently detailed design standards against which to assess reserved matters applications and to ensure a satisfactory appearance to the development.

#### **5 Reserved Matters Details**

Not to commence the development of any phase except infrastructure works in relation to Phase 1 until and unless approval of all Reserved Matters for that phase of the development has been obtained in writing from the Local Planning Authority.

For each phase, the detailed drawings and supporting documentation to be submitted shall, as part of the reserved matters, accord with the approved parameter plans, Strategic development Framework and the Site Wide Design Code approved under condition 4 and include the following:

(i) Hard and soft landscaping plans including drawings, specifications and supporting details which shall include:

- An accurate survey plan at a scale of not less than 1:200, showing:-
- Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- A clear indication of trees, hedges and shrubs to be retained and removed.
- Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained.
- Planting plans (at a suitable scale to be agreed with the local planning authority).
- Written specification of planting and cultivation works to be undertaken.
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate.
- Implementation programme.
- Proposed finishing levels or contours.
- Means of enclosure and boundary treatments including the positions, design, materials and type of treatments. Generally, the boundary treatment shall ensure that adequate pedestrian visibility splays are provided through the use of visually permeable rather than solid fencing unless otherwise agreed in writing with the Local Planning Authority.
- Private and communal external garden and other amenity spaces.
- Outdoor children's playspace.
- Car parking layouts (including landscaping around car parking areas).
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed.
- Minor artefacts and structures (such as street furniture, refuse storage, signs and shall include lighting for amenity spaces and streets).
- The final design and specification of play equipment and play areas including the style of enclosure as well as any associated furniture and features applicable.
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures).
- A schedule of landscape maintenance for a minimum period of 5 years. The maintenance scheme shall include details of the arrangements for its implementation.
- An inclusive access statement demonstrating how an inclusive environment will be delivered.

(ii) Plans of the site showing the existing and proposed ground levels and the proposed finished height of all proposed buildings. Such levels shall be shown in relation to a fixed and known ordinance datum point.

(iii) Full plans of the buildings including roof form and details of photovoltaic,



ecological roofs, lift overruns plant and any other features/installations/projections.

- (iv) Elevations of the buildings, including samples of materials to be used on external faces of the building shall be submitted on a materials palette board and drawings of appropriate scale in accordance with the approved Design Code.
- (v) A statement and such accompanying design material as is necessary to demonstrate that the proposals accord with the relevant thresholds, principles and parameters approved plans and documents listed in condition 1.
- (vi) Details of the proposed quantum and location of affordable housing units and a statement demonstrating that the proposals accord with the approved tenure and unit mix as required by condition 8.
- (vii) A reconciliation plan or table which shows that the proposed land uses and mix of units complies with the approved unit numbers and floorspace fixed by condition 14.
- (viii) Details at an appropriate scale showing the provision of where appropriate bat boxes in the facade;
- (ix) Details of proposed green or brown roofs, where appropriate and details of how this contributes to the site wide 10% target.
- (x) Design of lower floor elevations of commercial units including shopfronts at an appropriate scale.
- (xi) Full elevations, plans and sections at an appropriate scale showing the future potential provision of intake/extract ventilation and ductwork for future Class A3/4/5 uses in Blocks EE, FF and GG if applicable Alternatively, plans showing the creation of voids through the building to roof level for the future potential provision of extract ventilation ductwork.
- (xii) Plans and elevations of all boundary treatment and means of enclosure and incorporation of full details of height and materials.
- (xiii) Full plans and elevations of all buildings and any other structures, incorporating details of materials to be used for external surfaces, including samples of all such materials.
- (xiv) Full drawings showing the siting, design and finish heights of obscure glazed privacy screens on all balconies and terraces.
- (xv) Sustainability/energy statement or such other material as is necessary to demonstrate that the development complies with the site wide energy strategy. This shall include a statement to demonstrate the feasibility of linking into the CHP network and District Heating network.
- (xvi) A detailed phasing plan including the order and timing of individual buildings, landscape areas, play space, bicycle parking and car parking areas within the relevant phase.

Thereafter and prior to occupation of each phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason

- (i) to (ii) To ensure the appearance of the locality is protected and enhanced in accordance with Policies D11, D13 and D15 of the Barnet Unitary Development Plan Saved Policies (May 2009),
- (iii) to (ix) To ensure that the external appearance of the buildings and landscaping is satisfactory accordance with Policy D1 of the Barnet Unitary Development Plan Saved Policies (May 2009).
- (x) To safeguard the amenity of surrounding areas in accordance with Policy D5 of the Barnet Unitary Development Plan Saved Policies (May 2009).

5a

Infrastructure works in relation to Phase 1

Prior to the commencement of development a detailed scheme of preliminary infrastructure/enabling works in relation to Phase 1 shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) Protective fencing around trees which shall conform to BS 5837:2005 Trees in Relation to Construction;
- ii) Where appropriate details of petrol/oil interceptors;
- iii) A drainage strategy including details of how the phase would link into a site wide surface water drainage scheme;
- iv) An ecological survey in relation to Phase 1 which shall include mitigation measures for any wildlife that would be effected by the infrastructure/enabling works;
- v) A written scheme of archaeological investigation;
- vi) A scheme to deal with any contaminated land in accordance with the details laid out in condition 71;
- vii) Levels and location of the access road.

The infrastructure/enabling works shall thereafter be completed in strict accordance with the approved details.

Reason To ensure the early delivery of Phase 1 in a satisfactory manner in accordance with the assumptions that underpin the EIA process and to accord with policy GBEnv2 of the Barnet unitary Development Plan Saved policies (May 2009).

## 6 **Overarching Phasing Plan**

Not to commence development except infrastructure works in relation to Phase 1 until and unless, a detailed phasing and implementation plan, including the order and timing of development shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Greater London Authority. The plan shall be in accordance with the Revised Phasing and Delivery Strategy (MHE/OAP/10.2) or any strategy that supersedes this that has been agreed in writing by the Local Planning Authority.

Thereafter and prior to occupation of each phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason To ensure the development proceeds in a satisfactory manner and to accord with Policy GBEnv2 of the Barnet Unitary Development Plan Saved Policies (May 2009).

## 7 **Amendments to Phasing Plan**

The phasing plan approved under condition 6 may be amended from time to time to reflect changes to the phasing of the development that were not foreseen at the date when the phasing plan was approved on written application and subject to obtaining the prior written approval of the Local Planning Authority in consultation with the Greater London Authority as long as such changes have been demonstrated to be unlikely to have significant adverse environmental effects compared to the assessments contained in the Environmental Statement and that they would not significantly undermine comprehensive delivery of the development.

Thereafter and prior to occupation of each phase, the development shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason To ensure the development proceeds in a satisfactory manner in accordance with the assumptions that underpinned the EIA process and to accord with Policy GBEnv2 of the Barnet Unitary Development Plan Saved Policies (May 2009).

## 8 **Housing Mix and Location of Affordable Housing Units**

No part of the development of any phase except infrastructure works in relation to Phase 1 shall commence unless and until the details of the proposed amount and mix of relevant residential development within the Phase or Sub-Phase and the proposed Affordable Housing Scheme have been submitted to and approved in writing by the Local Planning Authority.

Thereafter and prior to occupation of each phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason To ensure that the development is carried out in accordance with Policies 3A.5, 3A.3, 3A.9 and 3A.10 of the London Plan (February 2008); Policy H5 of the Barnet Unitary Development Plan Saved Policies (May 2009) and Policy MHE2 of the Mill Hill East Area Action Plan (2009)

Informative Affordable Housing Scheme means a scheme for the affordable housing setting out the details of:

- (i) Amount of affordable housing units in accordance with the details contained within the planning agreement;
- (ii) Type and mix so as to achieve a balanced mix of unit sizes in accordance with the Baseline Housing Mix the details of which are contained within the planning agreement;
- (iii) The intended location of the affordable housing units;
- (iv) The proportion and level of car parking provision for the affordable housing units (to be transferred, demised or made available to the affordable housing provider or occupiers of the affordable housing units in accordance with the terms approved under the Estate Management Framework).

## 9 **Open Space provision**

Notwithstanding the submitted plans, no development except infrastructure works in relation to Phase 1 shall commence unless and until an open space strategy has been submitted to and approved by the Local Planning Authority. The strategy shall include details of the location, size and timing of provision of the open space and shall thereafter be so maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason In order to ensure the appropriate provision of open spaces throughout the development.

Informative Infrastructure works means a scheme of site wide preparation the scope of which shall have been submitted to and approved in writing by the Local Planning authority.

## 10 **Estate Management Framework**

No development except infrastructure works in relation to Phase 1 shall commence unless and until the Estate Management Framework, which may include the establishment of an Estate Management Body for adopting, managing, cleansing, maintaining, repairing and/or renewing the public realm and open spaces shall have been submitted to and approved in writing by the Local Planning Authority.

The Estate Management Framework shall be prepared in consultation with the Local Planning Authority and in accordance with the parameters and principles contained within the planning agreement.

Thereafter the scheme shall be managed in strict accordance with the approved details.

Reason To ensure that the future management, maintenance, repair and upkeep of the development is delivered to an appropriately high standard of safety and quality across the whole development.

11 **Employment and Training**

No Reserved Matters application shall be submitted in relation to any given phase unless and until an Employment and Skills Action Plan for the whole development has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the planning agreement.

Reason To facilitate the economic regeneration of the surrounding areas and to secure appropriate provision of employment and training initiatives.

12 **Noise Survey**

No development except infrastructure works in relation to Phase 1 shall commence unless and until an Acoustic Design Report has been submitted to and approved in writing by the Local Planning Authority. The Acoustic Design Report shall include, for any proposed residential properties adjacent to this boundary, details of how noise standards with reference to BS8233 both internal for noise sensitive rooms (day and night) internal & external gardens (daytime). The internal and external layouts of the properties to be designed to minimise the impact of noise from IBSA house. The relevant parts of the PPG24 assessment also to be taken into account.

The measures required by the report shall be provided prior to the occupation of the relevant phase and thereafter be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

To protect the amenities of future residents and ensure the continued use of IBSA House in accordance with Policy ENV13 of the Barnet Unitary Development Plan Saved Policies (May 2009).

13 Reserved matters applications pursuant to this permission shall be made in accordance with the following plans and documents approved by this application unless otherwise agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Parameter Plan 1: Access and Movement (A6157/2.1/03 Rev A)

Parameter Plan 2: Landscape (A6157/2.1/04)

Parameter Plan 3: Land use (A6157/2.1/05)

Parameter Plan 4: Scale (A6157/2.1/06)

Parameter Plan 5: Character Areas (A6157/2.1/07)

Parameter Plan 6: Levels Strategy (A6157/2.1/08/ Rev A)

Design Principles Document (MHE/OPA/3) and associated addendum (MHE/OPA/3.1) and errata (MHE/OPA/3.2)

Revised Transport Strategy and Assessment (MHE/OPA/4.1)

Revised Public Realm and Open Space Strategy (MHE/OPA/5.1)

Technical and Infrastructure Strategy (MHE/OPA/6)  
 Revised Housing Strategy (MHE/OPA/7.1)  
 Revised Community Facilities/Social Infrastructure Strategy (MHE/OPA/8.1)  
 Revised Environmental Sustainability and Energy Strategy (MHE/OPA/9.1)  
 Revised Phasing and Delivery Strategy (MHE/OPA/10.2)  
 Illustrative Masterplan (A6157/2.0/09 Rev A)  
 Design and Access Statement(MHE/OPA/11) and Addendum (MHE/OPA/11.1) and errata (MHE/OPA/11.2)  
 Environmental Statement (MHE/OPA/13) and Addendums (MHE/OPA 13.1 and 13.2)  
 Aboricultural Constraints Report (MHE/OPA/190)

Reason To ensure that the development accords with the outline planning permission.

**Development Approved**

**14 Height and Building Footprint**

Notwithstanding any illustrative information contained in supporting documentation, the maximum width, length and height of all buildings shall accord with Parameter Plan 4: Scale (A6157/2.1/06), unless otherwise agreed in writing by the Local Planning Authority. Unless as a result of the noise survey required by Condition 12, the local planning authority require that there be a greater distance between the IBSA boundary and the proposed residential boundary, in which case details revising the layout of this area shall be submitted to and approved in writing by the Local Planning Authority

Reason To ensure that the external appearance of the development is satisfactory and to protect residential amenity of nearby occupiers and the visual amenities of the area and to accord with Policies GBEnv1, GBEnv2, D1, D2, D3, D4, D5 and D6 of the Barnet Unitary Development Plan Saved Policies (May 2009).

**15 Maximum number of dwellings and floorspace**

The number of dwellings and floorspace in each respective use granted by this permission shall not exceed:

- Class C3: 2,174 residential units

This will consist of:

Flats

1 bed 641

2 bed 966

3 bed 50

Houses

3 bed 240

4 bed 239

5 bed 38

- Class A1/A2/A3/A4/A5: 1,100sqm
- Class B1: 3,470 sqm

- Class D1: (education) 3,430sqm and (health) 530sqm
- Sui Generis – Energy Centre: 500sqm

Reason To ensure an appropriately balanced and complimentary range of residential and non-residential uses on site in and that the extent of The development of the site is the subject of an Environmental Impact Assessment pursuant to PPS1, Policy 3A.7 of the London Plan (Consolidated 2008) the Council's AAP for the site.

## 16 **Level of Open Space**

Not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in the following areas:

- Panoramic Park 1.37 Hectares
- Central Community Park 0.46 Hectares
- Officers' Mess Gardens 0.76 Hectares
- Eastern Park 0.42 Hectares
- Public Square 0.3 Hectares
- Northern Pocket Parks 0.35 Hectares
- Open Space to north/south of Officers' Mess 0.29 Hectares
- School Playing Fields 1.30 Hectares
- Woodland 0.70 Hectares

As detailed in Parameter Plan 2(A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1) unless otherwise agreed in writing by the Local Planning Authority.

Reason To ensure that appropriate provision of Open Space throughout the development.

## **Construction**

### 17 **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 8.00am or after 1.00pm on Saturdays, or before 8.00am 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.

### 18 **Demolition and Construction**

No development shall commence unless and until, a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details. The Construction Management Plan shall include, but not be limited to, the following information:

- (i) Details of the routing of construction vehicles to the site and access and egress arrangements with the site;
- (ii) site preparation and construction stages of the development;
- (iii) the phasing of development works;
- (iv) details of provisions for recycling of materials, the provision on site of storage/delivery area for all plant, site huts, site facilities and materials;
- (v) measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities);
- (vi) traffic management and access arrangements (vehicular and pedestrian) and

parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours);

(vii) the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;

(viii) a suitable and efficient means of suppressing dust, including the adequate containment of stored and accumulated material so as to prevent it becoming air borne at any time and giving rise to nuisance;

(ix) noise mitigation measures for all plant and processors;

(x) details of contractors compound and car parking arrangements;

(xi) details of precautions to minimise damage to protected species and habitats in particular from site clearance works including demolition of buildings, soil moving and material storage, vehicle and machinery movements;

(xii) details of action to be taken and mitigation measures to be employed should any protected species be found or disturbed on the site;

(xiii) ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction;

(xvi) Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction.

(xvii) Details of a secure boundary treatment between the scout camp and the site.

Thereafter and during the construction of each phase, the development shall be completed in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason To protect the amenity of the surrounding area in accordance with Policy ENV7 of the Barnet Unitary Development Plan Saved Policies (May 2009) as well as manage air quality in accordance with Policies 4B.1 of the consolidated London Plan 2008 and to minimise the impact of the construction phase on the strategic highway network and to comply with London Plan policy 3C.25.

## 19 **Demolition and Site Waste Management Plan**

No development shall be commenced in relation to any Phase of the Development unless and until a Demolition and Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development including any related demolition works shall be carried out in accordance with the approved Demolition and Site Waste Management Plan.

Reason To ensure effective demolition and waste management in accordance with the mitigation measures proposed and described in the Environmental Statement (MHE/OPA/13, 13.1 and 13.2) and Revised Environmental Sustainability and Energy Strategy (MHE/OPA/9.1)

## 20 **Levels**

The plans showing the existing and proposed levels approved as part of condition 5(ii) shall be shown in relation to a fixed datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

Reason To ensure that the development relates satisfactorily to adjoining properties in accordance with policy D2 of the Barnet Unitary Development Plan Saved Policies (May 2009).

## **Highways, Infrastructure, Parking and Servicing**

21 **Layout of Car Parking Spaces**

Notwithstanding the plans submitted, before the commencement of each phase of the development, details of the layout of spaces, gradients and circulation within the car parking areas for each phase of the development 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.

22 **No Parking on the East- West and North South Links**

Notwithstanding the plans submitted, no parking spaces shall be provided on the East-West Link or the North- South Link.

Reason In the interest of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

23 **Layout of Car Parking Spaces on side roads**

Notwithstanding the plans submitted, before the commencement of each phase of the development, details of all the car parking spaces, gradients and circulation within the car parking including the street furniture and street lighting areas 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.

24 **Use of Garages**

The garages provided in connection with the residential development shall not be used other than for the parking of private motor vehicles and shall not be used in connection with any trade or business.

Reason To ensure the permanent retention of the parking provision in accordance with Policy M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

25 **Garages not converted to habitable rooms**

The integral garages provided in connection with the residential development shall not be used other than for the parking of private motor vehicles and shall not be converted to habitable rooms.

Reason To ensure the permanent retention of the parking provision in accordance with Policy M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

26 **Car Parking Management Strategy**

The development of each phase hereby permitted shall not be commenced unless and until a Car Parking Management Strategy for that phase detailing the allocation of car parking spaces, including disabled parking spaces, on site parking controls, electric vehicle charging points, the enforcement of unauthorised parking and a car club has been submitted to and approved by the Local Planning Authority. The Car Parking Management Strategy shall be implemented before the buildings hereby permitted are occupied and maintained thereafter.

Reason To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with Policies M11, M13



and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006. In addition, to ensure sustainable modes of travel are available and promoted throughout the development.

**27 Maximum Number of Parking Spaces**

The total number of car parking spaces (excluding limited visitor parking) within the entire application site (the land which is subject to both the detailed and outline planning permission) shall not exceed **2,522** spaces.

Reason To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel.

**28 Car Parking Surveys**

The applicant shall undertake parking surveys in accordance with a scheme to be agreed in writing with the Local Planning Authority to ascertain the demand for parking with a view to amending the level of parking in the development if necessary.

Reason To ensure that an appropriate number of car parking spaces are provided.

**29 Cycle Parking and Storage**

The approved development shall make provision for cycle parking and storage facilities for each phase of the development in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. No dwelling located within the phase to which the approved scheme relates shall be occupied until the cycle storage facilities for that unit have been provided in accordance with the approved plans. All of the spaces shall be permanently retained thereafter.

Reason In the interests of promoting cycling as a mode of transport in accordance with Policies M4, M5 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

**30 East-West and North-South Links**

Before the development hereby approved is occupied in the relevant phase, construction details including, surface treatment, kerb heights of the East-West and North-South links shall be submitted to and approved in writing by the Local Planning Authority. The East-West link shall be constructed in accordance with the approved details by the completion of Phase 1a and/or occupation of 298 units or prior to the commencement of Phase 2. The North-South link shall be constructed in accordance with the approved details by the completion of Phase 8 or occupation of 1429 units or prior to the commencement of Phase 9.

Reason In the interest of pedestrian and highway safety, the free flow of traffic, ensure a safe form of development and to protect the amenities of the area.

**31 Pedestrian and Vehicular Access Points**

Before the development within Phase 1 to 11 as shown on the approved phasing plan (or any subsequent amendments to it that have been agreed in writing by the Local Planning Authority) is commenced, a scheme showing details of access points (Pedestrian and Vehicular), estate road(s) and footways in accordance with the siting, size, dimensions and other details shown on the approved drawing shall be submitted to and approved by the Local Planning Authority, including those listed below. Means of vehicular access during construction and at final completion shall be provided in accordance with the Proposed Masterplan, Land-Use Plan and Street Hierarchy Plan.

- Henry Darlot Drive/Bittacy Hill Junction works (by the end of phase 2 or prior to the occupation of 298 units).
- Frith Lane/Business Area Junction Works (by the end of phase 6 or prior to the occupation of 955 units).

- Bittacy Hill Site/Civic Square Junction Works (by the end of phase 8 or prior to the occupation of 1429 units).

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.

32 **Details of Estate Roads**

Details of lighting, pedestrian facilities, crossing points, cycle facilities, signing, bus stops/shelters, bus standing / layover facility, bus driver facilities, highway improvements, and estate road layout and gradient to be submitted and agreed with the Local Planning Authority as part of reserved matters for each phase and to be in accordance with the Approved Plans unless otherwise agreed with the Local Planning Authority.

Reason To ensure the safe form of access to the development and to protect the amenity of the area and to conform to policy M11 and M12 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

33 **Adopted Highway**

The roads and footways within the development which are proposed for adoption as public highway shall be constructed in accordance with the Council's adopted design standards.

Reason To ensure the safe form of access to the development and to protect the amenity of the area and to conform to policy M11 and M12 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

34 **Internal Access Roads**

No dwelling shall be occupied within any phase of the development unless and until the highway which is intended to serve that dwelling is constructed and in place, in accordance with a scheme which will have been previously submitted to and approved in writing by the Local Planning Authority.

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

35 **Existing Adopted Highway**

Prior to the commencement of development within any phase, the works to be undertaken to existing public highways within that phase shall have been approved by the Local Planning Authority and implemented prior to the occupation of any of the residential units located within that phase. The development shall be implemented in accordance with such details as approved.

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

36 **Off-Site Highways works**

No dwelling shall be occupied within any phase of the development hereby approved unless and until the applicant has executed the obligations in relation to the off site highways works linked to that phase to the satisfaction of the Local Planning Authority. The off site highway works shall be constructed in accordance with the approved details by the completion of the following Phase and/or occupation of units (or prior to the Commencement of the subsequent Phase), according to the following:

- East West Route (by the completion of 298 units)
- North South Route (by the completion of 1429 units)
- Frith Lane Junction Works (by the completion of 191 units)
- Holders Hill Circus Highway Works (by the completion of 298 units)
- Bittacy Hill Junction Works (by the completion of 298 units)
- Bittacy Hill/Engel Park Junction Works (by the completion of 107 units accessed)

- off Henry Darlot Drive)
- Bittacy Hill Cycleway Works (by the completion of 609 units)
- Temporary Cycle and Pedestrian Link through depot site to Mill Hill East Station. (by the completion of 442 units)
- Bittacy Hill Site/Civic Square Junction Works (by the completion of 1429 units)
- Frith Lane/Business Area Junction Works (by the completion of 783 units)
- Bittacy Rise/Pursley Road/Devonshire Road Junction Works (by the completion of 298 units or later at the discretion of the LPA)
- Bittacy Hill/Frith Lane Junction Works (by the completion of 298 units)
- Henry Darlot Drive/Bittacy Hill Junction Works (by the completion of 107 units accessed off Henry Darlot Drive)
- Zebra crossing outside tube station (by the completion of 442 units)

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

### 37 **Shared Footways / Cycleways**

Before the relevant phase of the development is commenced, a scheme showing details of shared footways / cycleways shall be submitted to and approved in writing by the Local Planning Authority

Reason To ensure that the Shared Footways / Cycleways are satisfactory in terms of highway safety and assist the free flow of traffic in accordance with Policy M11 and M12 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

### 38 **Temporary Route to Station**

No development except infrastructure works in relation to Phase 1 shall commence unless and until a scheme showing details of the temporary shared pedestrian footway/cycleway from the East-West link to Bittacy Hill in the vicinity of Mill Hill Underground station shall have been submitted to and approved in writing by the Local Planning Authority, the shared pedestrian footway/cycleway shall be provided when vacant possession of the relevant part of the council depot (existing hard standing yard area) becomes available.

Reason To encourage the use of sustainable forms of transport to the site.

### 39 **Waste Strategy**

No building or dwelling shall be occupied until a strategy for the provision of space and facilities for the separate storage and collection of waste for re-use and recycling within each building have been submitted to and approved in writing by the Local Planning Authority and until the approved works have been implemented within each respective building. The strategy shall include the provision of a waste audit covering the removal and disposal of all waste arising from the construction and operation of the development. Such an audit shall be maintained for regular inspection by the Council. The works undertaken in accordance with this strategy shall thereafter be retained and kept free of obstruction and available for those purposes within each building.

Reason To encourage recycling and to ensure a satisfactory appearance for the development to protect the amenities of the area.

### 40 **Refuse**

No development except infrastructure works in relation to Phase 1 shall commence unless and until, 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 satisfactory point of collection at ground level shall have been 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 each phase of the development in accordance with the phasing plan approved under

condition 6.

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

41 **Refuse Indemnity Waiver**

Prior to the occupation of the development a waiver of liability and indemnity agreement must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

42 **Petrol/Oil Inceptor**

Notwithstanding the submitted plans, no development shall commence within any phase (or any subsequent amendments to it that have been agreed in writing by the Local Planning Authority) unless and until details of a scheme for the installation of petrol/oil interceptor(s) in all car parks located within that phase have been submitted to an approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and shall be provided before the car park(s) to which the scheme relates is brought into use.

Reason In order to prevent oil-polluted discharges entering local watercourses

43 **Waste Management Plan**

Before each phase is occupied details of the waste management plan for that phase which includes the refuse/recycle collection arrangements, points of collection and turning heads shall be submitted to and agreed by the Local Planning Authority.

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

44 **Residential Travel Plan**

Before the residential development is occupied the Residential Travel Plan shall be submitted to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan coordinator. The Residential Travel Plan should be reviewed annually in against the Residential Travel Plan targets.

Reason To encourage the use of sustainable forms of transport to the site in accordance with policies GSD, GNon Car and M3 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

45 **Workplace Travel Plan**

Before the commercial development is occupied the Workplace Travel Plan shall be submitted to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan coordinator. The Workplace Travel Plan should be reviewed annually in against the Workplace Travel Plan targets.

Reason To encourage the use of sustainable forms of transport to the site in accordance with policies GSD, GNon Car and M3 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

46 **School Travel Plan**

Prior to the occupation of the school a School Travel Plan for the appropriate land use must be submitted to the Local Planning Authority for approval in consultation with TfL, in accordance with the terms set out in the Framework Travel Plan.

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.

47 **Car Club**

Prior to the commencement of Phase 2 or by the completion of Phase 1a or 298 units a site-wide Car Club including a minimum of 2 car club parking spaces must be established and approved in writing by the Local Planning Authority.

Reason To reduce the need for site users to travel by private car and to ensure sustainable modes of travel are available and promoted through development.

48 **Public Transport Strategy**

Prior to commencement of development except infrastructure works in each phase a revised public transport strategy shall be submitted and approved by the Local Planning Authority in consultation with TfL.

Reason To reduce the need for site users to travel by private car and to ensure sustainable modes of travel are available and promoted through development.

49 **Mill Hill East Underground Station – Station Forecourt Improvements Interim provision**

No development with the exception of infrastructure works in relation to Phase 1 shall commence unless and until a detailed scheme of interim improvements to the station forecourt at Mill Hill East Underground Station shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. The application shall include details of the timing of delivery of the improvements.

Reason To encourage the use of sustainable forms of transport to the site in accordance with policies GSD, GNon Car and M3 of the Barnet Unitary Development Plan Saved Policies (May 2009).

50 **Mill Hill East Underground Station – Station Forecourt Improvements**

The development of the Public Square shall not commence unless and until and unless a planning application has been submitted to and approved by the Local Planning authority in consultation with TfL for improvements to the station forecourt of Mill Hill East Underground Station. The application shall include details; timing of delivery of these improvements and the pedestrian links to the proposed public square.

Reason To encourage the use of sustainable forms of transport to the site in accordance with policies GSD, GNon Car and M3 of the Barnet Unitary Development Plan Saved Policies (May 2009) and to ensure that the proposed public square links to the station forecourt and the improvements to the public transport infrastructure required by policy MHE12 of the adopted AAP.

**Drainage**

51 **Drainage Strategy**

No part of the development except infrastructure works in relation to Phase 1 shall commence unless and until a drainage strategy detailing any on and/or off site drainage works for the whole site (including the adoption of sustainable urban drainage initiatives into the development), has been 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 in the phase in which they are located.

Thereafter and prior to occupation of each phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason In order to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impacts upon the community in accordance with PPS25.

## 52 **Surface Water Drainage**

No part of the development except infrastructure works in relation to Phase 1 shall commence unless and until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

## 53 **Borehole Soakaways and Ground Source Heat Pumps**

Borehole soakaways or ground source heat pumps 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 the controlled waters. The site lies on thick clay over the major chalk aquifer. Penetrating through the protective clay layer could create a pathway for contaminants into the Chalk and/or the construction materials used could themselves cause pollution. Please refer to EA guidance Groundwater Protection: Principles and Practice (GP3), Part 4, Sections 4 and 10.

## 54 **Infrastructure Upgrades**

Development shall not commence until essential infrastructure upgrades have been carried out at Bittacy Hill, Dollis Road, Holders Hill Road and Boyne Avenue as highlighted by Sewer Impact Study X4503/SMG700 unless otherwise agreed in writing by the Local Planning Authority in consultation with Thames Water. This work is currently planned to take place between 2010 and 2015. No discharge of foul or surface water from the site shall be accepted into the system until the drainage works referred to have been completed.

Reason To ensure that the foul and/or surface water discharge from the site shall not be detrimental to the existing sewerage system.

## 55 **SUDS Landscape Plan**

No part of the development except infrastructure works in relation to Phase 1 shall commence unless and until a landscape management plan for the flood storage areas, including long term design objectives, planting proposals, management responsibilities and maintenance schedules, shall have been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

Reason To secure opportunities for the enhancement of the nature conservation value of the

site in accordance with PPS1

## **Landscaping, Open Space and Ecology**

### **56 Design of Open Space**

No development shall commence in any phase with the exception of infrastructure works in relation to Phase 1 unless and until the following details on the construction of any communal open space included within that phase shall have been submitted to and approved in writing by the Local Planning Authority in accordance with the principles and parameters contained within Parameter Plan 2: Landscape (A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1);

- a) Layout, design and purpose of space;
- b) Location of internal pedestrian and/or cycle routes;
- c) Details of all materials to be used on external hard surfaces;
- d) Location, design or specification of any elements such as furniture, signage, lighting and other structures;
- e) Details of bird and bat boxes or any other artificial habitats to be installed;
- f) Details of any boundary fencing or other means of enclosure

Thereafter and prior to occupation of each phase, the Open space shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

**Reason** To ensure high standards of design and implementation of landscaping and the public realm in accordance with the mitigation measures proposed and described in the Environmental Statement (MHE/OPA/13, 13.1,13.2), Design and Access Statement (MHE/OPA/11, 11.1, 11.2) and Revised Design Principles Document (MHE/OPA/3, 3.1,3.2)

### **57 Outdoor Amenity Space**

None of the dwellings in each phase hereby permitted shall be occupied, until the outdoor amenity area(s) serving that dwelling within the relevant phase (including balconies and communal spaces where these are shown to be provided) have been approved in accordance with conditions 6(i) and have been laid out and made available for use. Thereafter, the amenity areas shall so be maintained for the life of the development.

**Reason** To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy H18 of the Barnet Unitary Development Plan Saved Policies (May 2009) and London Plan (February 2008) Policy 4B.1.

### **58 Public Access**

Each phase of the development shall be publicly accessible from first occupation and remain so for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

**Reason** To ensure access to the site and its facilities and to facilitate connections into and across the site, in the interest of achieving sustainable communities in accordance with PPS1 and policies 4B.1 and 4B.3 of the London Plan.

### **59 Amenity Space**

Reserved Matters applications submitted in accordance with condition 2 of this

permission, shall ensure that the detailed design of all residential C3 dwellings not at ground floor, benefit from one of or a combination of, the following amenity space provisions:

- Balconies and/or Terrace and/or the like; and/or
- Communal amenity space (being a semi private space shared by a specific group of dwellings and not generally publicly accessible. An example of which is the communal courtyards of the flat blocks)

The size and design of the amenity space shall have regard to the provisions of Policy H18 of the Barnet Unitary Development Plan Saved policies (May 2009) or any subsequent policy or guidance which is deemed to supersede it at the time of the reserved matters application, to be agreed by the LPA.

Thereafter and prior to occupation of each phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason To ensure the availability of amenity space for future residential occupiers in accordance with H18 of the Barnet Unitary Development Plan Saved Policies (May 2009).

#### 60 **Childrens' Play Space**

No development with the exception of infrastructure works in relation to Phase 1 within any phase shall commence unless and until details of childrens' play areas to be provided within the phase to which the submission relates have been submitted to and approved in writing by the Local Planning Authority. The play area(s) shall be provided in accordance with the approved details within 12 months of the first occupation of any dwelling located within the phase to which the play area relates and thereafter maintained for the lifetime of the development.

Reason In order to ensure the appropriate provision of play facilities in accordance with policy H20 of the Barnet Unitary Development Plan Saved Policy (may 2009) and London Plan (February 2008) Policy 3A.19.

#### 61 **Protective fencing around Trees**

No part of the development except infrastructure works in relation to Phase 1 shall commence unless and until temporary fencing shall have been erected around existing trees which are to be retained in accordance with details to be submitted and 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.

#### 62 **Replacement Planting**

If within a period of five years from the date of planting of any tree, that tree or any tree planted in replacement for it, is removed uprooted or destroyed or dies another tree of the same species and size as that originally planted shall be planted at the same place in the next available planting season, unless the otherwise agreed in writing with the Local Planning Authority.



Reason To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy D13 of the Barnet Unitary Development Plan Saved Policies (May 2009) and to comply with Section 197 of the Town and Country Planning Act 1990.

**63 Replacement Planting – existing trees**

Any existing tree shown to be retained 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 of appropriate size and species in the next planting season.

Reason To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy D13 of the Barnet Unitary Development Plan Saved Policies (May 2009).

**64 Landscaping Scheme – implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of each phase of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of that development phase, dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy D11 of the Barnet Unitary Development Plan Saved Policies (May 2009).

**65 IBSA House Boundary Treatment and Landscape Buffer**

No development within Blocks A1, A2 and L of the scheme as shown on Parameter Plan 4 (Scale) or within 50m of the boundary of IBSA House shall begin unless and until details of the proposed boundary treatment and landscape buffer with IBSA House have been submitted to and approved in writing by the Local Planning Authority.

The approved boundary treatment shall be provided in accordance with the approved details prior to the occupation of any of the units in the relevant phase and thereafter maintained for the life of the development.

Reason To protect the amenities of future residents and to ensure the continued use of IBSA House in accordance with policy ENV13 of the Barnet Unitary Development Plan Saved Policies (May 2009) and policy MHE6 of the adopted AAP.

**66 Bat Survey and Protection**

No more than six months before the demolition of any building or felling of any tree identified in the Revised Environmental Statement as having the potential to be used as a bat roost, a check survey involving detailed inspection of the building or tree concerned shall be undertaken. Should bats be identified, this shall be reported to the LPA, together with proposed mitigation measures. The demolition or removal shall not be undertaken until any necessary bat handling licence has been obtained and the LPA in consultation with Natural England has approved the mitigation measures. The mitigation measures shall be undertaken in accordance with the bat licence.

Reason To ensure that appropriate mitigation is provided for bats, all species of which are protected under the Wildlife and Countryside Act 1981.

#### 67 **Lighting Strategy – Bats**

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 the adjoining properties and to safeguard the flight paths of bats.

#### 68 **Ecological Mitigation and Management Plan**

No part of the development except infrastructure works in relation to Phase 1 shall commence unless and until an Ecological Mitigation and Management Plan, including ecological enhancements both on and off site has been submitted to and approved by the Local Planning Authority. The Plan should be in accordance with the recommendations laid out in the Environmental Statement (MHE/OPA/13) as updated by the Addendums (MHE/OPA/13.1 and 13.2) and approved as part of this planning permission, and shall be implemented in full and shall thereafter be so maintained, unless any amendments are subsequently agreed in writing with the Local Planning Authority.

Reason In the interest of nature conservation and in accordance with Paragraph 14 of Planning Policy Statement 9, Policy 3D.14 of the London Plan, and Policy O15 and O17 of the Barnet Unitary Development Plan Saved Policies (May 2009).

### **Archaeology and Historic Buildings**

#### 69 **Archaeology**

No part of the development except infrastructure works in relation to Phase 1 shall commence unless and until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development of each relevant phase shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological excavation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPS5 and in accordance with Policies HC17 of the of the Barnet Unitary Development Plan Saved Policies (May 2009).

70 **Historic Building Recording**

No phase of the development except infrastructure works in relation to Phase 1 shall take place unless and until the applicant has secured the implementation of a programme of archaeological recording of the historic buildings, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority

Reason The planning authority wishes to secure the recording of the existing buildings prior to development, in accordance with the guidance and model condition set out in PPS5.

**Ground contamination**

71 **Contaminated Land Condition**

No part of the development except infrastructure works in relation to Phase 1 shall commence unless and until a scheme to deal with contamination has been submitted and approved by the Local Planning Authority. All works which form part of the remediation scheme shall be completed before any part of the relevant phase of development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- (i) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site and surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (ii) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make each phase suitable for the proposed use;
- (iii)
  - (a) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase will be verified shall be agreed in writing with the Local Planning Authority prior to commencement of each phase and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority prior to its implementation;
  - (b) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the Local Planning Authority prior to implementation; and
  - (iv) Upon completion of the remedial works, this condition will not be discharged for any phase until a verification report for the relevant phase has been submitted to and approved by the Local Planning Authority. The report shall include details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV14 of the Barnet Unitary Development Plan Saved Policies (May 2009) PPS1 and PPS23.

**72 Previously Unidentified Contamination**

If, during development of any phase, contamination not previously identified is found to be present at the site then no further development on that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how contamination shall be dealt with.

Reason To prevent the contamination of controlled waters from existing land contamination mobilised by the building work and new development in accordance with policy ENV14 of the Barnet Unitary Development Plan Saved Policies (May 2009) PPS1 and PPS23.

**73 Contamination Remediation Verification Report**

Prior to occupation of any part of a permitted phase of development, or part thereof, a verification report for that phase, demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason To protect controlled waters by ensuring remediation is completed to an acceptable level in accordance with policy ENV14 of the Barnet Unitary Development Plan Saved Policies (May 2009) PPS1 and PPS23.

**Noise Odour and Air Quality**

**74 Boiler Emissions**

No development, with the exception of infrastructure works in relation to Phase 1, within any relevant phase shall commence unless and until, details of the means to control air pollution for any energy centre or the like in that phase shall have been submitted to an approved in writing by the Local Planning Authority. The details shall include the height and location of any flue(s).

The measures shall be provided prior to the occupation of the relevant phase and thereafter be operational and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason In order to safeguard the amenities of the area, in accordance with Policy ENV7 of the Barnet Unitary Development Plan Saved Policies (May 2009) and London Plan (February 2008) Policy 4B.1.

**75 Air Quality and Traffic**

Any traffic management proposals for mitigation of the impact of the development must be accompanied by an air quality assessment of their environmental benefits. The traffic schemes must also be monitored, for a specified time to be agreed by the Local Planning Authority, both pre and post operation, to ensure the proposed scheme is effective.

Reason To suitably consider, monitor and manage the impacts of traffic on air quality in the

interests of the amenity of existing future occupiers in accordance with Policies 4B.1 of the consolidated London Plan 2008 and ENV7 of the Barnet Unitary Development Plan Saved Policies (May 2009).

**76 Air Quality scheme**

No development, with the exception of infrastructure works in relation to Phase 1, shall commence until a scheme detailing the implementation of the use of, and promotion of, cleaner technologies. Examples include promotion of car clubs, provision of electric charging points, and use of low emission boilers. The provisions of the Air Quality Scheme shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the LPA.

Reason To improve air quality in accordance with Policies 4B.1 of the consolidated London Plan 2008 and ENV7 of the Barnet Unitary Development Plan Saved Policies (May 2009).

**77 Noise from plant**

The rating level of the noise emitted from the plant, equipment and any air conditioning units hereby approved shall be at least 5dB lower than the existing background noise level. The noise levels shall be determined at the nearest residential premises in accordance with British Standard 4142, Method for rating industrial noise affecting mixed residential and industrial areas.

Reason To protect the amenity of the surrounding area in accordance with policy ENV12 of the Barnet Unitary Development Plan Saved Policies (May 2009).

**Housing**

**78 Design to Lifetime Homes Standards & Wheelchair Standards**

All residential units within the development hereby approved shall be built in accordance with Lifetime Homes Standards unless otherwise agreed in writing by the Local Planning Authority. Furthermore 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users. Thereafter these features shall be retained and maintained for the life of the development.

Reason To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5 and Policies H13 and H14 of the Barnet Unitary Development Plan Saved Policies (2009).

**79 Overlooking potential**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows or doors shall be constructed in the flank walls or roof slopes of the residential dwellings.

Reason To prevent overlooking to adjoining properties in accordance with policy H17 of Barnets Unitary Development Plan Saved Policies (May 2009).

**80 Removal of PD rights for extensions**

Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1980 (or any Order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended in any manner whatsoever without the prior specific permission of the Local Planning Authority.

Reason To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties.

**81 Antenna**

Unless otherwise agreed in writing by the Local Planning Authority, no antenna, masts, poles, satellite dishes or the like shall be erected atop of the buildings hereby approved with the exception of Class C3 detached, semi-detached and terraced residential dwelling houses.

Reason To ensure that the apparatus does not detract from the visual amenities of the area and is considered acceptable on a temporary basis only, in accordance with Policy BE37 of the Hillingdon Unitary Development Plan Saved Policies (September 2007)

**Non Residential Uses**

**82 Deliveries (Non - residential Uses Only)**

The site shall not be used for the loading or unloading of goods or fuel (including fuel for any biomass boiler) outside the hours of 08:00 to 18:00 hours Mondays to Fridays, 08:00 to 13:00 Saturdays. There shall be no deliveries to the premises on Sundays, Bank or Public holidays.

Reason To prevent harm to the amenity of surrounding areas due to noise in accordance with Policy ENV12 of the Barnet Unitary Development Plan Saved Policies (May 2009).

**83 Floorspace restriction**

The retail units hereby approved shall not exceed a floorspace of more than 300sqm per unit.

Reason To restrict the use of the retail floorspace by 1 operator and to ensure the provision of retail choice for local residents in accordance with PPS4 and Policy MHE5 of the Mill Hill East Area Action Plan (2009).

**84 Extract ventilation system**

The proposed commercial uses hereby approved shall not be commenced unless and until details of all extract ventilation systems and odour control equipment including details of any noise levels and external ducting, have been submitted to and approved by the Local Planning Authority and the equipment so approved has been installed. The approved extract ventilation system equipment and odour control equipment shall be operated at all times when cooking is carried out and regularly serviced and maintained in accordance with the manufacturer's instructions and otherwise be to a fully working and operational standard.

Reason In order to safeguard the amenities of adjoining properties in accordance with Policy ENV12 of the Barnet Unitary Development Plan Saved Policies (May 2009) and London Plan (February 2008) Policies 4B.1 and 4A.19.

**85 Restaurants/Cafes/Snack Bars**

In respect of any future Class A3/A4/A5 occupation, no persons other than staff shall be permitted to be on the premises between the hours of 23.30 hours and 08.00 hours unless otherwise agreed in writing by the Local Planning Authority.

Reason To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected.

86 **Active frontages – Transparent windows**

All glazing at ground floor of non residential uses shall be transparent to enable views into the building and not otherwise be obscured by any temporary or permanent objects and internal arrangements including window displays, fixtures, advertising, and equipment unless otherwise agreed in writing by the Local Planning Authority.

No roller shutters or grills at ground floor of non-residential uses unless otherwise approved in writing by the Local Planning Authority.

Reason To ensure an active and transparent ground floor frontage in support of the surrounding publicly accessible spaces in accordance with PPS1 and policies 4B.1 and 4B.3 of the London Plan (February 2008).

**Sustainability**

87 **Energy**

No development with the exception of infrastructure works for phase 1 shall commence unless and until, detailed drawings and supporting documentation have been submitted to and approved in writing by the Local Planning Authority **in consultation with the Greater London Authority** in respect of the following:

A detailed Energy Strategy, including plans detailing the district energy centre with a size of 530sqm and associated technology not limited to and including gas fired boilers, heat distribution networks, CHP systems, photovoltaic panels, air source heat pumps and any other relevant renewable features.

The strategy shall accord with the revised Environmental Sustainability and Energy Strategy (Ref.MHE/OPA/9.1) and shall demonstrate for each phase, where applicable that the development is able to connect to the site wide heat and power network unless otherwise agreed in writing by the Local Planning Authority.

Thereafter and prior to occupation of each relevant phase, the scheme shall be completed and adopted in strict accordance with the approved details and thereafter be maintained for the lifetime of the development.

Reason To provide on site renewable energy and reduce carbon emissions in accordance with Policy 4A.7 of the London Plan (February 2008).

88 **Code for Sustainable Homes**

The development of each phase, with the exception of infrastructure works in relation to Phase 1, shall not commence unless and until, detailed drawings and supporting documentation have been submitted for approval in writing by the Local Planning Authority in respect of the following:

For residential C3 dwellings, a statement demonstrating measures that will be incorporated to ensure that the units achieve a minimum standard of Code for Sustainable Homes Level 4 with a minimum level of Code Level 6 (or equivalent) by 2016 unless otherwise agreed in writing by the Local Planning Authority.

No part of any phase shall be occupied until a design stage Code Certificate for that phase has been issued for it certifying that at least Code Level 4 has been

achieved unless otherwise agreed in writing by the Local Planning Authority.

Thereafter and prior to occupation of each relevant phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Reason To ensure that the residential elements of the scheme are designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 4A.7 of the London Plan (February 2008) and Policy MHE14 of the Mill Hill East AAP

89 **BREEAM**

All commercial units shall achieve a minimum standard of BREEAM 'Very Good'. No building shall be occupied until a Certificate has been issued for it certifying that this has been achieved.

Reason To ensure that the non-residential elements of the scheme are designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 4A.7 of the London Plan (February 2008).

90 **Greywater/Rainwater Recycling target**

Subject to feasibility a minimum of 10% of rainwater shall be collected on site and used to provide for the irrigation needs of the proposed development.

Reason In order to provide a sustainable form of development and promote water conservation in compliance with Policies 4A.3 and 4A.16 of the London Plan 2008 and in accordance with MHE14 of the Mill Hill East AAP.

91 **Greywater/Rainwater Recycling provision**

No phase of the development hereby approved, with the exception of infrastructure works in relation to Phase 1, shall commence unless and until, details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings in the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a reconciliation plan or table which shows how the proposed provision complies with the 10% target fixed by condition 90.

The approved facilities shall thereafter be installed, maintained and retained for the lifetime of the building.

Reason In order to provide a sustainable form of development and promote water conservation in compliance with Policies 4A.3 and 4A.16 of the London Plan 2008.

92 **Green/Brown Roofs Target**

Subject to feasibility a minimum of 10% of roofs on site shall be green or brown roofs.

Reason In order to provide a sustainable form of development and promote water conservation in compliance with Policies 4A.3 and 4A.16 of the London Plan 2008 and in accordance with MHE14 of the Mill Hill East AAP.

Informative Green and Brown Roofs mean sections of the Building Roof Area designed to provide habitat locations and rainfall attenuation as part of a SUDs scheme.

93 **Green/Brown Roofs Provision**

No phase of the development hereby approved, with the exception of infrastructure works in relation to Phase 1, shall commence unless and until,



details demonstrating the provision of Green or Brown roofs into each of the buildings in the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a reconciliation plan or table which shows how the proposed provision complies with the 10% target fixed by condition 92.

The approved facilities shall thereafter be installed, maintained and retained for the lifetime of the building.

Reason In order to provide a sustainable form of development and promote water conservation in compliance with Policies 4A.3 and 4A.16 of the London Plan 2008 and in accordance with MHE14 of the Mill Hill East AAP.

94 **Energy Centre**

Upon the Occupation of the 700th Residential Unit within the Development, the Mill Hill East Energy Centre shall be installed and operational and shall thereafter be the sole source of heat for the Mill Hill East District Heating Network unless previously agreed in writing by the Local Planning Authority on consultation with the Greater London Authority.

Reason To ensure that the residential elements of the scheme are designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 4A.7 of the London Plan (February 2008) and Policy MHE14 of the Mill Hill East AAP.

**CHP Plant**

95 Upon the Occupation of the 1000th Residential Unit on the Development, the Mill Hill East Energy Centre shall contain a combined heat and power (CHP) plant of at least 500 kilowatts electrical capacity and that within 5 years a review of 'renewable technology' options for the CHP plant shall be undertaken and submitted to and approved in writing by the Local Planning Authority in consultation with the Greater London Authority and changes to the energy source implemented in accordance with the recommendations of the review and thereafter permanently retained unless otherwise agreed in writing with the Local Planning Authority in consultation with the Greater London Authority.

Reason To ensure that the residential elements of the scheme are designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 4A.7 of the London Plan (February 2008) and Policy MHE14 of the Mill Hill East AAP.

**Solar Photovoltaic Panels**

96 Upon the Occupation of the 1500th Residential Unit on the Development, no less than 10,000sqm of roof mounted solar photovoltaic panels with a southern component and absent of significant shading throughout the year shall be mounted, maintained and operated on the development to provide power to the Development unless otherwise agreed in writing with the Local Planning Authority in consultation with the Greater London Authority.

Reason To ensure that the residential elements of the scheme are designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 4A.7 of the London Plan (February 2008) and Policy MHE14 of the Mill Hill East AAP.

**Change of Use of Officers' Mess**

97 **Time Limit- full planning application**

The development to which the full detailed planning permission relates, as shown on plans A6157/2.1/10, A6157/2.1/11, A6157/2.1/12, A6157/2.1/13, A6157/2.1/14, A6157/2.1/15, A6157/2.1/16 shall be begun not later than the expiration of three years

beginning with the date of decision.

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

**98 Parking – Details**

Before development hereby permitted is occupied turning space and parking spaces 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.

**99 Materials**

Before the development hereby permitted commences, 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 and protect the appearance of the locally listed building.

**100 Restricted Use**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) order 1987 (as amended) (or any order revoking or re-enacting that Order with or without modification) the 530sqm of D1 use hereby approved shall only be used for the purposes of providing a Doctors Surgery and for no other use within that class

Reason To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area and to ensure that the development complies with the Mill Hill East AAP.

**101 Hours of Use**

The D1 use hereby permitted shall not be open to patients or staff before 07.30 or after 19.00 on weekdays or before 08.00 or after 13.00 on Saturdays and not at all on Sundays and Public Holidays.

Reason To safeguard the amenities of occupiers of adjoining residential properties.

**102 Hours of Delivery/Collection**

No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 08.00 or after 18.00 on any other day.

Reason To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

**103 Means of Enclosure**

Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

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.

104 **Refuse**

Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of wheeled bins and/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.

105 **Access for Disabled People**

Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to the Drs Surgery shall have been submitted to and approved by the Local Planning Authority. The agreed scheme shall in writing be implemented before the development hereby permitted is brought into use.

Reason To ensure adequate access levels within the development

**INFORMATIVES**

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

i) The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan (published 10 February 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

The Mayors London Plan (Consolidated with Alterations since 2004)

2A.1, 2A.2, 2A.6, 2A.9, 3A.1, 3A.2, 3A.3, 3A.5, 3A.7, 3A.8, 3A.9, 3A.10, 3A.15, 3A.18, 3A.23, 3A.24, 3B.4, 3B.11, 3C.1, 3C.2, 3C.3, 3C.4, 3C.9, 3C.11, 3C.13, 3C.20, 3C.21, 3C.22, 3C.23, 3D.8, 3D.9, 3D.11, 3D.13, 3D.14, 4A.1, 4A.2, 4A.3, 4A.4, 4A.5, 4A.6, 4A.7, 4A.11, 4A.12, 4A.13, 4A.14, 4A.16, 4A.17, 4A.19, 4A.21, 4A.22, 4A.24, 4A.28, 4A.30, 4A.31, 4B.1, 4B.3, 4B.5, 4B.6, 4B.8, 4B.15, 5A.1, 5B.1, 5B.3, 6A.3, 6A.4, 6A.5, 6A.7, 6A.8 and 6A.9.

Barnet Unitary Development Plan Saved Policies (May 2009)

GSD, GMixed Use, GBEEnv1, GBEEnv2, GBEEnv3, GL1, GRoadNet, GParking, GCS1, GEMP1, GEMP", GEMP3, GTCR2, ENV7, ENV12, ENV13, ENV14, D1, D2, D3, D4, D5, D6, D9, D10, D11, HC15, HC17, O1, O2, O7, O12, O13, L11, L12, L13, L14, L19, L26, M1, M2, M3, M4, M5, M6, M7, M8, M9, M10, M11, M13, M14, H1, H5, H16, H17, H18, H20, H21, H24, CS1, CS2, CS4, CS5, CS8, CS10, CS11, CS13, EMP8, EMP9, TCR7, IMP1 and IMP2.

Mill Hill East Area Action Plan (January 2009)

MHE1, MHE2, MHE3, MHE4, MHE5, MHE6, MHE7, MHE8, MHE9, MHE10, MHE11, MHE12, MHE13, MHE14, MHE15, MHE16, MHE17, MHE18 and MHE19.

ii) The proposal is acceptable for the following reasons:

The proposed development accords generally and taken as a whole with strategic planning guidance and the policies set out in the Mayor's London Plan (consolidated with alterations since 2004) (published 19 February 2008) ("the London Plan") and the Adopted Barnet

Unitary Development Plan (UDP) Saved Policies (May 2009) and the Mill Hill East Area Action Plan (January 2009) (“the AAP”). The proposals will deliver the comprehensive redevelopment of a large part of the Area of Intensification identified in the London Plan and the area covered by the AAP. The Environmental Statement together with consultation responses received from statutory consultees and other stakeholders and parties, provides sufficient information to enable the Council to determine the application with knowledge of the likely significant impacts of the proposed development.

It is considered that the proposed development can be satisfactorily accommodated on the site without causing significant harm to the character and appearance of the locality or to the amenity of neighbouring residents.

This decision is taken on the basis of the proposed controls, mitigation measures and delivery commitments contained in the draft conditions and Heads of Terms for the Section 106 Agreement which are considered to provide an adequate framework of control to ensure as far as reasonably practicable that the public benefits of the scheme will be realised in accordance with relevant planning policies whilst providing the mitigation measures and environmental improvements needed to address the likely significant adverse impacts of the development.

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

2. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environmental Protection Act 1990.

If controlled wastes are to be utilised for construction purposes the developer must register the activity with the Environment Agency. The Duty of Care Regulations applies to all movements of controlled waste. Movements of Hazardous Waste from the site must be accompanied by Hazardous Waste consignment notes.

3. 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.
4. 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 classrooms and the levels that the sound insulation scheme would achieve.

The details of acoustic consultants can be obtained from the following contacts:

Institute of Acoustics: telephone number 01727 848195

Association of Noise Consultants: telephone number 01763 852958

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:

Dept of Environment: PPG 24 (1994) Planning Policy Guidance - Planning & Noise.

BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) – Description & measurement of environmental noise.

BS 4142:1997 – Method of rating industrial noise affecting mixed residential and industrial areas.

BS 8223 :1999 – Sound insulation and noise reduction for buildings: code of practice.

Dept of Transport: Calculation of Road Traffic Noise (1988).

Dept of Transport: Calculation of Railway Noise (1995).

Dept of Transport: Railway Noise & Insulation of Dwellings

5. Where possible when naming new streets, roads, parks and open space, residential blocks reference should be made to the previous military use of the site.

6. **APPLICATIONS FOR PLANNING PERMISSIONS AND CONSENTS (Report of the Assistant Director of Planning and Development Management – Agenda Item RESOLVED** – That the Council’s decision on the applications listed below be as indicated, and that the Assistant Director of Planning and Development Management be instructed to convey such decisions to the applicants.

### **CHILDS HILL WARD**

- F/00907/11 Pavement adjacent to Basing Hill Park, opposite 137 & 139 Hendon Way, NW2  
Vodafone Ltd & O2 Ltd  
Installation of a 12.5m high monopole with associated antennas and 1no. equipment cabinet to be used by O2 and Vodafone. (Telecommunications Installation).  
The Committee;
- APPROVED the application subject to the following:**
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings 100B, 200B, 300B, Photomontages, Supporting evidence reference CS\_9948/O2\_43811/VF\_46941.
  - 2 This development must be begun within three years from the date of this permission.
- 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 (including PPG8) and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).  
In particular the following polices are relevant:  
Adopted Barnet Unitary Development Plan (2006):GBEnv1, GBEnv2, D2, D13, D16  
Core Strategy (Publication Stage) 2010: CS5
    - ii) The proposal is acceptable for the following reason(s): The proposed development would effectively blend in within the streetscene and be in character with the area. The applicant submitted sufficient evidence to show that the proposed site is adequate for the proposed development. The proposal would not impact on the visual amenity of neighbouring occupiers. As such, it is considered that the proposal would be in line with policies GBEnv1, D1, D2 and D16 of the Adopted Barnet Unitary Development Plan (2006) and advice in PPG8.
  2. The applicant is advised to consult with Transport for London before any works commence on site.