

<u>MEETING</u> PLANNING AND ENVIRONMENT COMMITTEE
<u>DATE AND TIME</u> TUESDAY 18TH OCTOBER 2011 AT 7.00PM
<u>VENUE</u> HENDON TOWN HALL, THE BURROUGHS, HENDON NW4 4BG

TO: MEMBERS OF THE COMMITTEE (Quorum 3)

Chairman: Councillor Wendy Prentice
Vice Chairman: Councillor Maureen Braun

Councillors:

Anita Campbell	Jack Cohen	Claire Farrier	John Marshall
Mark Shooter	Stephen Sowerby	Andreas Tambourides	Jim Tierney

Substitute Members - Councillors:

Alison Cornelius	Sury Khatri	Andrew McNeil	Graham Old
Lord Palmer	Barry Rawlings	Agnes Slocombe	Andrew Strongolou
Reuben Thompstone	Darrel Yawitch		

You are requested to attend the above meeting for which an agenda is attached.
Aysen Giritli – Head of Governance

Governance Services contact: Maria Lugangira 020 8359 2761

Media Relations contact: Sue Cocker 020 8359 7039

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

CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

Item No.	Title of Report	Page Nos.
1.	MINUTES	-
2.	ABSENCE OF MEMBERS	-
3.	DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS	-
4.	PUBLIC QUESTION TIME (if any)	-
5.	MEMBERS' ITEMS – (if any)	-
6.	Report of the Assistant Director of Planning and Development Management	1 - 121
7.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	-
8.	MOTION TO EXCLUDE THE PRESS AND PUBLIC:- That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act (as amended) shown in respect of each item:	-
9.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	-

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PLANNING AND ENVIRONMENT COMMITTEE

18 OCTOBER 2011

ITEM 6

REPORT OF THE
ASSISTANT DIRECTOR OF PLANNING AND
DEVELOPMENT MANAGEMENT

BACKGROUND PAPERS – GENERAL STATEMENT

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

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

Contact Officer: Mrs V Bell, 020 8359 4672

PLANNING AND ENVIRONMENT COMMITTEE

DATE: 18 October 2011

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H/03635/11

Edgware

Stonegrove and Spur Road Estates, Edgware, Middx, HA8 8BT

Extension to the time limit for implementing Condition 3 of planning permission W13582E/07 dated 06/10/08 to allow submission of reserved matters to continue development in respect of 'Outline planning application for the redevelopment of Stonegrove and Spur Road Estates to include the demolition of the 603 existing residential units, community and school buildings, and the erection of 937 new residential units, new community hall, church and church hall with nursery facilities, the provision of associated public and private open space, car parking and cycle parking, new vehicular access off Spur Road, new vehicular access off Stonegrove, and new internal road layout. Of the 937 new residential units, the application includes the submission of full details for Zone 1 of the redevelopment which will involve the erection of 138 residential units (31 houses and 107 flats) of which 86 units will be affordable and 52 will be for private sale, associated hard and soft landscaping incorporating new public open space, and associated car parking and cycle parking.'

Approve

F/02295/11

Finchley Church End

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Chessington Court, Charter Way, London, N3 3DT

Construction of a roof extension at Chessington Court to create 8No. new self-contained residential units. Installation of solar panels at new roof level. Formation of 4 garages. Provision of 45 parking spaces following alterations to front landscape. Replacement of existing bin store with new Refuse & Recycling store. New bicycle store to accommodate 56 Bikes.

Approve Subject to S106

Hale

Mill Hill Golf Club Ltd, 100 Barnet Way, London, NW7 3AL

Extension to the time limit for implementing planning permission H/03099/08 granted 17/11/08 for 'Demolition of existing clubhouse and associated buildings and landscaping of site. Construction of replacement clubhouse, car parking and associated hard and soft landscaping within the existing course on West side of A1. New vehicular access from A1.'

Approve subject to referral to the Secretary of State

Cockfosters

Middlesex University, 182 Cat Hill, Barnet, EN4 8HU

Demolition of existing buildings and redevelopment of site to provide 272 residential units comprising 178 self-contained flats within 5 x 6-storey blocks with basement parking (Block E - 2 x 2-bed and 22 x 3-bed, Block F - 6 x 1-bed, 14 x 2-bed and 10 x 3-bed, Block G - 6 x 1-bed, 14 x 2-bed and 10 x 3-bed, Block H - 10 x 1-bed, 22 x 2-bed and 2 x 3-bed, Block I 10 x 1-bed, 22 x 2-bed and 2 x 3-bed), 3 x 3 and 4-storey blocks comprising (Block A - 3 x 1-bed and 6 x 2-bed. Block C - 6 x 1-bed and Block D - 3 x 1-bed and 8 x 2-bed) and 94 x 2 and 3-storey terraced single family dwelling houses (40 x 3-bed and 54 x 4-bed), associated car parking space, communal amenity space, landscaping and internal access roads.

Objection

LOCATION: Stonegrove and Spur Road Estates, Edgware, Middx, HA8 8BT

REFERENCE: H/03635/11

Received: 30 August 2011

Accepted: 7 September 2011

WARD(S): Edgware

Expiry: 7 December 2011

Final Revisions:

APPLICANT: Barratt Homes Ltd

PROPOSAL: Extension to the time limit for implementing Condition 3 of planning permission W13582E/07 dated 06/10/08 to allow submission of reserved matters to continue development in respect of 'Outline planning application for the redevelopment of Stonegrove and Spur Road Estates to include the demolition of the 603 existing residential units, community and school buildings, and the erection of 937 new residential units, new community hall, church and church hall with nursery facilities, the provision of associated public and private open space, car parking and cycle parking, new vehicular access off Spur Road, new vehicular access off Stonegrove, and new internal road layout. Of the 937 new residential units, the application includes the submission of full details for Zone 1 of the redevelopment which will involve the erection of 138 residential units (31 houses and 107 flats) of which 86 units will be affordable and 52 will be for private sale, associated hard and soft landscaping incorporating new public open space, and associated car parking and cycle parking.'

APPLICATION SUMMARY

The Stonegrove and Spur Road Estates are identified as one of the Council's Priority Housing Estates for regeneration in Barnet's Three Strands Approach. The Council's Regeneration Service is working in partnership with Barratt Homes and Family Mosaic to deliver the regeneration.

Outline planning consent was granted on the 6th October 2008 for the redevelopment of the Stonegrove and Spur Road Estates comprising the demolition of the existing buildings on the estates and the construction of 937 new homes of which 417 will be affordable and 520 will be for private sale.

The outline planning permission approved a masterplan for the development which established the siting of the new buildings and the points of access and road layout. The scale of the buildings, external appearance and landscaping were 'reserved' for future consideration (the Reserved Matters).

The regeneration is being built out in phases and the reserved matters for the first four phases have already been approved across a number of Character Zones identified by the masterplan. Phase 1 (Zone 1) is now complete and occupied, Phase 3a and 3b (Zone 6) completed, Phase 2a (Zone 5a) currently under construction and

Phase 2b (part of Zone 2 and 4) approved in March this year. In total 388 units out of the 937 have been approved, of which 281 units have now been built.

Reserved Matters are yet to be submitted for the remaining 549 units across Phases 4, 5, 6a, 6b, 7 and 8.

The outline consent includes a condition which requires all reserved matters to have been submitted within three years of the date of grant of the permission. This means that the remaining reserved matters would need to have been submitted by the 6th October 2011. Whilst 40% of the units have been given reserved matters approval and many of the units have been built, the complex nature and timescales of the regeneration mean that it is not possible for all remaining reserved matters to be submitted by this date. Barratt Homes have therefore applied to extend the time limit of the outline planning permission granted under reference W13582E/07 for a further 3 years to ensure that the reserved matters can be submitted and considered for the remaining phases of the development. This will allow the regeneration of one of the Council's priority housing estates to continue and prevent the planning permission from lapsing.

No changes are proposed to the approved plans. The Section 106 agreement attached to the original planning permission will remain unchanged and will continue to apply to the new permission being sought under this application through a deed of variation.

RECOMMENDATION

Approve Subject to:

1. The completion of a satisfactory Deed of Variation to make any necessary amendments the existing Section 106 Agreement dated 6th October 2008 attached to planning permission W13582E/07 to ensure that the Agreement is linked to the planning permission to be granted under this application (reference H/03635/11) and any other updates that are considered necessary by the Assistant Director for Planning and Development Management.
2. That upon completion of the Deed of Variation, the Assistant Director of Planning and Development Management approve the planning application reference H/00342/09 under delegated powers subject to the following conditions:

1. No development shall take place unless in accordance with the following Approved Drawings:
OS Site Plan ref: 10930_MP_30E (Dated Jul 2006);
Strategic phasing plan ref: 10930_MP_46C (Dated Jan 2008)
Maximum parameter heights ref: 10930_MP_01F (Dated Mar 07)
Existing tree plan ref: 10930_MP_26E (Dated Feb 08)
SA 001 (Dated Aug 07)
SA 002 (Dated Aug 07)
SA 003 (Dated Aug 07)

Reason:

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

2. Prior to the submission of reserved matters, being scale, appearance and landscaping (hereafter called the reserved matters) for each phase as identified on approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority), design codes shall be submitted to and approved in writing by the local planning authority. Each design code and shall be substantially in accordance with the Stonegrove and Spur Road Estate :Design Statement dated August 2007 and shall include:
 - 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, 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 codes set sufficiently detailed design standards against which to assess reserved matters applications and to ensure a satisfactory appearance to the development.

3. Applications for the approval of the reserved matters for which the outline planning permission relates, as shown on plan entitled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006 shall be made to the local planning authority before the expiration of three years from the date of this permission and shall be in accordance with the approved Design Code of that zone.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990.

4. The development to which the outline planning permission relates, as shown on plan titled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006, shall begin either before the 6th October 2013 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.

5. The phasing of the development hereby approved shall be carried out in accordance with Phasing Drawing ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority).

Reason: To ensure that the development is carried out in appropriate phases.

6. No development hereby permitted within phases 2 to 8 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall take place until details of scale, appearance and landscaping within that phase have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: In order that the Local Authority is satisfied with the details of the proposed development.

7. 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.

1. Environmental Statement dated August 2007
2. Environmental Statement Addendum dated January 2008
3. Environmental Statement Non Technical Summary dated August 2007
4. Planning Statement dated 31 August 2007
5. Sustainability Statement Rev.A dated January 2008
6. Energy Strategy Edition 10 dated February 2008
7. Access Statement dated 31 August 2007
8. Masterplan phasing plan ref: 10930_MP_243-C dated 25 August 2011
9. Maximum parameter heights ref: 10930_MP_01F
10. Tree protection plans references: SA001; SA002; SA003;
11. Masterplan layout and access: 10930_MP_31 Rev E
12. Masterplan uses
13. Zone 1 Plans and Elevations. Plan references:
2179-1001-P01; 2179-1002-P01; 2179-1003-P01; 2179-1004-P01;
2179-1005-P01; 2179-1006-P01; 2179-1007-P01; 2179-1008-P01;
2179-1009-P01; 2179-1010-P01

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

8. The maximum number of dwellings to be developed on the application site (the land which is subject to both the detailed and outline planning permission) shall not exceed 937 unless otherwise agreed in writing with the Local Planning Authority.

Reason: The development of the site is the subject of an Environmental Assessment and any alteration to the layout or land use, which is not substantially in accordance with the Masterplan, may have an impact which has not be assess by that process.

9. The layout of the development hereby approved shall be carried out in substantial accordance with Sprunt Drawing 'Masterplan Ground Floor Plans' drawing ref: 10930_MP_31 Rev E and the plan titled 'Access Plans' as contained within the Environmental Statement dated August 2007.

Reason: The development of the site is the subject of an Environmental Assessment and any alteration to the layout or land use, which is not substantially in accordance with the Masterplan, may have an impact which has not be assess by that process.

10. The development hereby permitted within phases 2 to 8 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall not commence until details of vehicular access points into the internal highway layout within the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with Sprunt Drawing 'Masterplan Ground Floor Plans' drawing ref: 10930_MP_31 Rev E and the plan titled 'Access Plans' as contained within the Environmental Statement dated August 2007. The development shall be implemented in accordance with the details as approved.

Reason:

In order that the development does not prejudice highway and pedestrian safety or the free flow of traffic.

11. No development shall take place within any phase as identified on approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) until details of the car parking provision and turning spaces for that phase have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with such details as approved. No dwelling located within phases 4 to 8 as detailed on the approved phasing plan shall be occupied until the car parking and turning space(s) serving that dwelling has been provided in accordance with the approved details.

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.

12. Prior to the occupation of any residential units located within phases 4 to 8 as detailed on approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority), details of traffic calming measures for managing the road network within a particular phase, in the interests of efficiency, safety and the environment shall be submitted to and approved in writing by the local planning authority and implemented.

Reason: In the interests of efficiency, safety and the environment.

13. The development hereby permitted within phases 4 to 8 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall not commence until details of a right turn lane facility from Stonegrove into the development along with kerb realignments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved prior to the occupation of the buildings within those phases.

Reason: In order that the development does not prejudice highway safety or the free flow of traffic.

14. The total number of car parking spaces within the entire application site (the land which is subject to both the detailed and outline planning permission) shall not exceed 1000 spaces.

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

15. Prior to the commencement of development within any phase, the works to be undertaken to existing adopted highways within that phase are to have been approved by the local planning authority following approval of the detailed trip assessment, 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.

16. Notwithstanding the submitted plans, no development shall commence within any phase as identified on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) 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 and approved 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.

17. No dwelling shall be occupied within any phase of the development hereby approved until the highway which is intended to serve that dwelling has been constructed in accordance with a scheme which will have been previously submitted to and approved by the local planning authority.

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

18. 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 reducing the level of parking in the development if necessary.

Reason: To ensure that adequate car parking spaces are provided.

Prior to development of each phase as detailed on approved phasing plan

19. ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority), details of a scheme for the provision of facilities for the secure storage of cycles for that phase 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 have been provided in accordance with the approved plans.

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.

20. The development hereby approved shall not commence until a Drainage Strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority. No discharge of foul or surface water from the site shall be discharged into the public system until drainage works referred to in the Strategy have been completed in the phase in which they are located, being in accordance with the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011.

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.

21. Prior to the commencement of each phase a scheme relating to the disposal of surface water drainage and source control measures for the phase in which the scheme will serve shall be submitted to and approved by the local planning authority. The submitted details shall be in accordance with the addendum to the Flood Risk Assessment from RPS ref: JER7306 dated 17 January 2007. No dwelling located within the phase to which the scheme relates shall be occupied until the scheme has been implemented in accordance with the approved details.

Reason:

To ensure that surface water discharge for the site shall not be detrimental to the existing sewerage system.

22. No development shall commence within Phases 4 to 8 as shown on the approved phasing plan 10930_MP_243-C dated 25 August 2011 until details of a landscape masterplan for the development 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. This plan shall include the following:

- The identification of trees which are to be retained;
- The identification of locations for the replacement of trees and a schedule of the type, species and maturity of these (including semi mature trees);
- The landscape strategy and design objectives for the site as a whole;

- and;
- The palette of landscaping (hard and soft) materials and planting that will inform reserved matters within each phase.

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

23. A programme of archaeological work, relating to the phase in which it is located as shown on the approved phasing plan 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) which is substantially in accordance with paragraphs 8.74 to 8.78 of the Environmental Statement dated August 2007, shall be submitted to approved by the local planning authority before any development or demolition is commenced within the zone to which the programme relates. Any archaeological mitigation / investigation measures or work identified shall be implemented in full accordance with the approved details with the final archaeological report being submitted to and approved by the local planning authority before any development or demolition located within the phase to which the report relates commences.

Reason: To ensure that potential any potential archaeological remains are recorded.

24. Prior to the commencement of development for each phase as shown on the approved Phasing Plan the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) a scheme for hard and soft landscaping (in general conformity with the Rummey Design 'Trees, Planting and Biodiversity Strategies' document Revision A dated August 2007 submitted as part of this planning application) for that phase shall be submitted to and approved in writing by the local planning authority. The details of landscaping shall include the following:

- the position and spread of all existing trees, shrubs and hedges to be retained;
- details of any proposed topping or lopping of any retained tree;
- a plan showing the location of, and allocating a reference number to, each existing tree which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- details of the species, diameter (measured in accordance with paragraph (iii) above, and the approximate height, and an assessment of the general state of health and stability, of each retained tree;
- new tree and shrub planting including species, plant sizes and planting densities;

- means of planting, staking and tying of trees, including tree guards;
- existing contours and any proposed alterations such as earth mounding;
- areas of hard landscape works including paving and details, including samples, of proposed materials;
- trees to be removed;
- details of how the proposed landscaping scheme will contribute to wildlife habitat (ranging from ground cover to mature tree canopy), to the satisfaction of the Local Planning Authority;
- Timing of planting within each phase.

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

25. Notwithstanding the submitted plans, prior to the commencement of each phase as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing with the local planning authority) an open space strategy shall be 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.

26. Prior to commencement of development in any phase as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority), 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.

27. 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 a satisfactory appearance to the development.

28. 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 a satisfactory appearance to the development.

29. Prior to the commencement of development within any phase identified on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority), details of children and toddler play areas to be provided within the zone to which the submission relates shall be 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.

Reason: In order to ensure the appropriate provision of play facilities.

30. The development shall be implemented in accordance with the Ecology Mitigation and Management Plan prepared by RPS dated 13th January 2009 (document reference: JPP2146-MP-001F) approved under application H/00239/09 dated 09/03/2009.

Reason: To safeguard any retained ecology on the site.

31. No development within each phase as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall commence until a Public Realm Management Plan has been submitted to and approved by the local planning authority for that phase. No dwelling located within the phase, shall be occupied until the approved Plan relating to that zone has been implemented in accordance with the approved details.

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

32. No development or demolition within Phase 4 to 8 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall commence until detailed plans of the new community building(s) (including location plans, elevations and floorplans) together with a Community Buildings Phasing Plan setting out when they are to be provided, Access and Management and when they will be available for use have been submitted to and approved by the local planning authority. This plan shall include details of the following: Hours of opening, Uses, Booking arrangements, Pricing structure, Management arrangements; and Monitoring arrangements for the Plan. The buildings shall be

constructed in accordance with the approved details and shall be available for first use when stated in the approved Community Building Phasing Plan.

Reason: To ensure that adequate community facilities are provided in the development.

33. The new Community Centre shall have a minimum gross external floorspace of 440sqm and be located on the new central public square as shown drawing titled 'Proposed Development' ref: 2.1 dated August 2007 as contained within the ES dated August 2007 (unless an alternative location is agreed in writing with the local planning authority).

Reason: To ensure that community facilities are provided in accordance with the approved outline application.

34. Before the development of any community building commences, samples of materials to be used in the external surfaces of the community building(s) shall be submitted to and approved by the local planning authority and they shall be constructed in accordance with the approved materials.

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

35. Prior to commencement of development within each phase as shown on the approved phasing plan 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing with the local planning authority) a Construction Methods Statement and Environmental Management Plan shall be submitted to and approved in writing by the local planning authority, which is substantially in accordance with paragraph 6.72 of the Environmental Statement dated August 2007. The development shall thereafter be implemented in accordance with the approved details. This statement shall include:

- i) details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- ii) details of the routing of construction vehicles to the site and access and egress arrangements;
- iii) details of construction lighting and parking;
- iv) the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- v) a suitable and efficient means of suppressing, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vi) measures to recycle materials on the site;
- vii) a strategy for the timing and operation of construction works to minimise disturbance to adjoining neighbours;

- viii) details of boundary hoardings and measures to ensure they are maintained in a secure and tidy condition, including details of public art to be displayed on the hoardings;
 - ix) agreement on and continuous assessment of permitted noise levels emanating from the boundary of that phase of development;
 - x) mitigation measures for all plant and processors;
 - xi) contractors parking plan;
 - xii) appointment of a Community Liaison Officer together with details of their duties / tasks and length of appointment; and
- (iii) demolition method statement.

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

36. The works required to implement the development hereby approved shall only be carried out between the hours of 07.30 to 18.00 on Mondays to Fridays and 08.00 and 13.00 on Saturdays, and not at all on Sundays, Bank or Public Holidays, unless otherwise 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.

37. Prior to the development within each phase shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local authority) other than for investigative work:

- a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the LPA. If the desktop study and Conceptual Model indicates no risk of harm, development shall not commence until the study has been approved in writing by the Local Planning Authority;
- b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the LPA prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
 - a risk assessment to be undertaken;
 - refinement of the Conceptual Model; and
 - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority. If the risk assessment and refined Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

- c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

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

Reason: To ensure Satisfactory treatment of the site and to protect the amenities of potential future occupiers.

- 38. No building within Phases 4 to 8 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) of the development hereby approved shall be occupied until details of any plant and air conditioning equipment associated with each respective building, and the specific noise levels of any noise generated by reasons of the plant and air conditioning equipment proposed, together with any noise attenuation measures, has been submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the commencement of use of each respective building.

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

- 39. The development hereby approved shall be constructed so as to provide sound insulation against externally generated noise and vibration so that the level of noise in the habitable rooms shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. Dwellings shall also be provided with double glazing and additional means of ventilation so that the windows and other openings can be kept closed. A scheme for any mitigation measures shall be submitted to and approved by the local planning authority prior to the phase of the development to which the mitigation measures relate commences. Any approved mitigation measures shall be implemented in full before any of the units to which those mitigation measures relate are occupied.

Reason: To ensure that the amenities of potential future occupiers of the development are not prejudiced.

40. Prior to commencement of phase 4 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler and CHP plant shall be submitted to and approved in writing by the local planning authority. The report shall have regard to the air quality predictions and monitoring results from the Stage Four Report of the Local Authority's Review and Assessment process, the London Air Quality Network, and London Atmospheric Emissions Inventory.

Reason: To ensure that the amenities of neighbouring residents and potential future occupiers of the development are protected from poor air quality arising from the development.

41. Prior to commencement of phase 4 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) details of an air quality strategy for monitoring and reporting of the existing air quality of the site and the air quality following completion of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved mitigation strategy.

Reason: To ensure that the amenities of neighbouring residents and potential future occupiers of the development are protected from poor air quality arising from the development.

42. Prior to commencement of phase 4 as shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) a scheme for the mitigation of wind effects in accordance with the Environmental Statement dated 2007 and Addendum dated 2008 has been submitted to and approved by the local planning authority. No dwelling located within phases 4 to 8 shall be occupied until the approved mitigation measures relating to that phase have been installed in accordance with the approved plans and shall thereafter be so maintained unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and potential future occupiers of the development.

43. The development hereby approved, (both that which relates to the outline and detailed planning permission as identified on drawing titled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006) shall provide for a minimum of 417 units of affordable housing or unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate affordable housing is provided by the development in accordance with Policy H5 of the London Borough of Barnet Adopted UDP (2006).

44. The development shall be implemented in accordance with the approved Decant Strategy plans 0930_MP_18 RevJ, 10930_MP_19 RevJ, 10930_MP_20 RevJ, 10930_MP_21 RevJ, 10930_MP_22 RevJ, 10930_MP_23 RevJ, 10930_MP_24 RevJ, 10930_MP_25 RevJ approved under application H/00239/09 dated 09/03/2009.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of existing residents.

45. All of the residential dwellings within the development hereby approved shall be built to lifetime homes standards.

Reason: To comply with the requirements of Policy H13 of the London Borough of Barnet Adopted UDP (2006).

46. A minimum of 10% of the residential dwellings within the development hereby approved shall be built to wheelchair housing standards or easily adaptable for residents who are wheelchair users.

Reason: To comply with the requirements of Policy H14 of the London Borough of Barnet Adopted UDP (2006).

47. No phase of development hereby permitted as identified on the approved phasing plan ref: 10930 MP 46 - Rev.C dated 14 January 2008 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall be commenced until a sustainability framework for that phase that satisfactorily applies the principles of the approved Sustainability Strategy dated January 2008, has been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved framework unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the development is sustainable and complies with Strategic and Local policies.

48. All residential accommodation hereby approved shall be built to Code for Sustainable Homes Level 3 standards. Before the occupation of each phase, the applicant shall submit certification to demonstrate that Code Level 3 has been achieved.

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

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

50. No building shall be occupied until details for the provision of refuse storage to serve 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 approved details shall thereafter be retained and kept free of obstruction and available for refuse storage within each building.

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

51. Prior to the commencement of development in each phase shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) details and samples of all materials to be used for the external surfaces of the buildings and hard surfaced areas within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved.

Reason:

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

52. Prior to the commencement of development in each phase shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) details of the following for all buildings within that phase shall be submitted to and approved in writing by the Local Planning Authority:

- Balconies and balustrades (including the use of stainless steel);
- Roof parapets;
- Depth of window reveals;
- Canopies to entrances
- Rainwater goods.

The development shall be implemented in accordance with the details as approved.

Reason:

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

53. Prior to the commencement of development in each phase shown on the approved phasing plan ref: 10930_MP_243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) a Parking Management Plan detailing the allocation of car parking spaces and charges, on site parking controls and the enforcement of unauthorised parking within that phase has been submitted to and approved by the Local Planning Authority. No dwelling within the phase to which the plan relates shall be occupied until the Parking Management Plan has been implemented.

Reason:

To ensure that parking spaces are managed appropriately in the interests of pedestrian and highway safety and in order to protect the amenities of the area.

INFORMATIVE(S):-

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan (July 2011) and the Adopted Barnet Unitary Development Plan (2006). In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006):
GSD; GMixedUse; GBEnv1; GBEnv2; GBEnv3; GParking; GCS1; GEMP4; ENV12; ENV13; ENV14; D1; D2; D3; D4; D5; D6; D9; D10; D11; D17; M2; M3; M4; M5; M6; M11; M13; M14; H2; H5; H14; H16; H17; H18; H20; H21; CS1; CS2; EMP2; IMP1; IMP2.

Core Strategy Submission Document (May 2011):
CS 1; CS 3; CS 4; CS 5; CS 9; CS 12; CS 13.
 - ii) The proposal is acceptable for the following reason(s): -
The application to renew the outline planning permission for the redevelopment of Stonegrove and Spur Road Estates will enable the regeneration of one of the council's priority housing estates in accordance with the Three Strands Approach and policies within the London Plan. The development will deliver new high quality, sustainable housing and will transform Stonegrove and Spur Road Estates into a thriving mixed tenure neighbourhood which is integrated with the surrounding area.
2. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

3. There are public sewers crossing the site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over/diversion application form, or other information relating to Thames Water assets be required, the applicant should be advised to contact Thames Water Developer Services on 0845 850 2777.

Drainage

4. At the detailed design stage, the drainage strategy for the site should reflect the contents of the Flood Risk Assessment addendum and include the following information in order for the Environment Agency to discharge condition 12:
 - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 - b) Confirmation of the critical storm duration.
 - c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
 - d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
 - e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
 - f) Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

Archaeology

5. The development of this site is likely to damage archaeological remains. The application should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

Acoustic Information

6. The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would

achieve.

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

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

Air Quality Information

7. The Biomass Boiler Air Quality Assessment report required to be submitted to the LPA, should be written in accordance with the following guidance:
 - * NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy
 - * Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality
 - * Local Air Quality Management Technical Guidance LAQM.TG(03)
 - * London Councils Air Quality and Planning Guidance, revised version January 2007

Contaminated Land Information

8. In complying with the contaminated land condition parts 1 and 2:
 - a) Use of current guidance
Reference should be made at all stages to appropriate current guidance and codes of practice at January 2006 this would include:
 - * The Environment Agency CLR Guidance documents;
 - * Planning Policy Statement 23 Planning and Pollution Control;
 - * PPS23 Annex 2 Development On Land Affected By Contamination;
 - * BS10175:2001 Investigation of potentially contaminated sites - Code of Practice;
 - * The Environment Agency (2001) Secondary Model Procedure for the

Development of Appropriate Soil Sampling Strategies for Land Contamination;

* And Guidance for the safe development of housing on land affected by contamination, Environment Agency R&D Publication 66.

b) Maps

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

c. Raw Data

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

d. Decision Process

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

9. The development will require a number of accesses to be formed on the public highway at the applicant's expense. These works will be carried out under the Highways Act 1980. Detailed proposals for these works should be submitted for approval to the Highways Group, North London Business Park (NLBP), Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.

Crime Prevention

10. Detailed designs should take account of the principles of 'By Design' and should be developed in consultation with the Met. Police Crime Prevention Officer.

Highways

11. Any alteration to existing crossovers or new crossovers that will need to be formed will be subject to detailed survey by the Crossover Team in Highways Group as part of an application for crossovers under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, Oakleigh Road South, London N11 1NP (telephone 020 8359 3018).

General

12. Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

13. The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The environmental information provided with the application has been taken into account in determining this application.
14. Your attention is drawn to the fact that this decision is subject to a Section 106 Planning Obligation.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (July 2011) and the saved policies within the adopted London Borough of Barnet Unitary Development Plan (2006). These strategic and local plans are the policy basis for the consideration of this planning application.

Central Government Guidance and Policy Statements

National guidance is currently provided by way of Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs). The PPSs and PPGs which were considered at the time of the original application are:

- Planning Policy Statement 1: Delivering Sustainable Development (2005)
- Planning and Climate Change: Supplement to PPS1 (2007)
- Planning Policy Statement 3: Housing (June 2010)
- Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)
- Planning Policy Guidance 13: Transport (2001)
- Planning Policy Guidance 17: Sport and Recreation (2002)
- Planning Policy Statement 22: Renewable Energy (2004)
- Planning Policy Statement 23: Planning and Pollution Control (2004)
- Planning Policy Guidance 24: Planning and Noise (1994)
- Planning Policy Statement 25: Development and Flood Risk (2010)

In July this year the Government published its draft National Planning Policy Framework (NPPF). This document will replace all PPGs and PPSs and condense national guidance into a 50 page document as part of the reforms to make the planning system less complex and more accessible, and to promote sustainable growth. The key theme of the new guidance is that Local Planning Authorities should approach applications with a presumption in favour of sustainable development. The NPPF remains a draft document and therefore subject to change arising from the ongoing public consultation. For the purposes of this application the draft NPPF is not considered to contain any significant alterations as material considerations which would otherwise alter the decision to extend the time limit of the outline planning permission.

The London Plan (2011)

The replacement London Plan was published in July 2011 and is part of the development plan under the Planning and Compulsory Act 2004.

The London Plan provides strategic planning policy for all London Boroughs for the period up to 2025/26. Whilst it does not contain any specific policies for the Stonegrove and Spur Road Estates, it does contain general policies including those relating to regeneration, affordable housing, energy and transport.

Relevant policies are contained in Table 2 in **Appendix 3**.

Barnet Unitary Development Plan (2006)

The London Borough of Barnet UDP was adopted in May 2006 and contains local planning policies for Barnet. The Planning & Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies DPD. Until the LDF is complete policies within the adopted UDP have been saved for a period of three years. Saved UDP policies relevant to this application are contained in Table 1 in **Appendix 3**.

Barnet Core Strategy – Submission Document

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published the Core Strategy Pre-Submission Amendments in May 2011. The document has been submitted to the Planning Inspectorate and will be subject to an Examination in Public in December 2011. The Core Strategy is in general conformity with the adopted London Plan therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant policies include:

- CS 1 - Barnet's Place Shaping Strategy – The Three Strands Approach
- CS 3 - Distribution of growth in meeting housing aspirations
- CS 4 - Providing quality homes and housing choice in Barnet
- CS 5 - Protecting and Enhancing Barnet's character to create high quality places
- CS 9 - Providing safe, effective and efficient travel
- CS 12 - Making Barnet a safer place
- CS 13 - Ensuring the efficient use of natural resources

Development Management Policies DPD – Submission Document

The Council has also prepared a Submission Version of its Development Management Policies DPD which has been submitted to the Planning Inspectorate. It is anticipated that this document will be jointly examined with the Core Strategy in December 2011. At this stage this document does not comprise adopted development plan policy, but is a material consideration without the weight that would be attached to an independently audited policy document.

The Three Strands Approach:

In November 2004 the Council approved its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities.

The third strand 'Growth' responds to Barnet's significant growth potential and sets out how and where sustainable strategic growth, successful regeneration and higher density can take place across the borough. The Three Strands Approach identifies the council's programme to regenerate four priority housing estates within the borough, including Stonegrove and Spur Road. This major programme of regeneration will see over 3,500 Council homes replaced with 8,000 new homes for existing tenants, for shared owners and key workers, and for private sale. The programme seeks to transform these council housing estates into thriving mixed tenure neighbourhoods.

1.2 Relevant Planning History

Application Ref.	Address	Description of Development	Decision and Date
W13582E/07	Stonegrove and Spur Road Estates, Edgware, London	Outline planning application for the redevelopment of Stonegrove and Spur Road Estates to include the demolition of the 603 existing residential units, community and school buildings, and the erection of 937 new residential units, new community hall, church and church hall with nursery facility, the provision of associated public and private open space, car parking and cycle parking, new vehicular access off Spur Road, new vehicular access off Stonegrove, and new internal road layout. Of the 937 new residential units, the application includes the submission of full details for Zone 1 of the redevelopment which will involve the erection of 138 residential units (31 houses and 107 flats) of which 86	Approved 6th October 2008 after completion of a S106 agreement

		units will be affordable and 52 will be for private sale, associated hard and soft landscaping incorporating new public open space, and associated car parking and cycle parking. Submission of Environmental Statement.	
H/02723/09	Zone 6, Stonegrove and Spur Road Estates, Edgware, London	Reserved matters application seeking approval for scale, appearance and landscaping in relation to Character Zone 6 of the redevelopment of Stonegrove and Spur Road Estates comprising 98 residential units pursuant to Condition 3 of outline planning permission reference W13582E/07 dated 06/10/2008.	Approved 19 th October 2009
H/04521/09	Zone 5A, Stonegrove and Spur Road Estates, Edgware, London, HA8 8BT	Reserved matters application seeking approval for scale, appearance and landscaping in relation to Character Zone 5A of the redevelopment of Stonegrove and Spur Road Estates comprising 67 residential units for private sale pursuant to Condition 3 of outline planning permission reference W13582E/07 dated 06/10/2008.	Approved 18 th February 2010
H/00433/11	Development Phase 2 (comprising part of Character Zones 2 and 4), Stonegrove and Spur Road Estates, Edgware HA8.	Reserved matters application seeking approval for scale, external appearance and landscaping in relation to Development Phase 2 (comprising part of Character Zones 2 and 4) of the redevelopment of Stonegrove and Spur Road Estates, comprising 107 residential units, including 19 houses, pursuant to Condition 3 of outline planning permission reference W13582E/07 dated 06/10/2008.	Approved 16 th March 2011
W13582A/05	Land at Sterling Avenue Green Lane Spur Road	Demolition of existing garages and community centre on site and construction of residential development comprising 62 no. affordable dwelling-units with	Approved 11 th April 2006 after completion of a S106

	Estate Edgware HA8 8BT	associated landscaping, open space, parking and means of access, and relocation of substation. <i>(This development was completed in 2007 and is known as Penniwell Close)</i>	agreement.
W13031/02	The Edgware School Playing Field and Land To North of Spur Road, Edgware, London	Outline application for development of a building for education use (D1), ancillary facilities and caretaker's dwelling (C3) on part of the Edgware School playing field on south side of Spur Road, together with access and egress points on Spur Road, provision of associated car parking, landscaping, servicing and linking footbridge across Spur Road to associated outdoor sports facilities and ancillary buildings on north side of Spur Road. (The City Academy).	Approved 18th March 2003.

1.3 Consultations and views Expressed

Public Consultation

The application was advertised on site and in the press.

Neighbours Consulted:	1117	Replies:	2 (1 in support, 1 in objection)
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The letter of support makes the following comments:

- The application should not be objected to for any reasons at all as this planning consent was given and has been adhered to all along since inception of the works.
- To refuse the application for any reason would cause unnecessary hardship, inconvenience and social problems to those people living in the existing Stonegrove/Spur Road Estate and surrounding residential roads. Barratts have had an exemplary record of construction and consideration to all of us in the locality during the regeneration and it would be totally unjust to hold any progress back on a possible technicality when the planning consent is currently in place and progressing well.
- We therefore ask that you ensure the application is granted as has been submitted without further amendment or delay thereto.

The letter of objection makes the following comments:

- The building proposal will make the area too densely populated.

Consultation Responses from Statutory Consultees and Other Bodies

- Environment Agency – to be reported
- Barnet Police – no objection
Barnet Police have confirmed that their previous comments made on the original outline application remain relevant.
- Thames Water - no objection
Thames Water has no objection to the time extension for this application. All Previous comments made by Thames Water in relation to this site remain valid.
- UK Power Networks (Formerly EDF Energy) – no objection
UK Power Networks has no objection to the application on the basis that they commented on the original application.
- Hertsmere Council – to be reported
- Harrow Council – to be reported

Internal Consultation Responses

- Traffic and Development – No objection to the renewal
- Environmental Health – No objection subject to original comments and conditions
- Regeneration Service –

The Principal Development Agreement (PDA) runs in parallel to the planning permission for Stonegrove and sets out the property parameters for the development. The PDA was varied on 30th June 2011 to take account of HCA grant funding which has recently been secured to allow the remainder of the social rented affordable housing in the regeneration to be delivered. The terms of this funding require the development to be completed by September 2018. The revision of the PDA has meant that the Council now have agreed dates for delivery of the affordable housing on the estate.

The Regeneration Service has confirmed that the application to extend the time limit for the submission of reserved matters is important to enable the remainder of the regeneration to be completed. They have also confirmed that as a result of the variation to the PDA, Barratt Homes are now legally tied in to the delivery of the regeneration. Therefore whilst this application proposes to extend the time limit for the outline planning consent, this will not give Barratt any opportunity to delay or extend the delivery of the regeneration unless their programme is impacted by causes that are outside the control of the parties, such as natural disasters, that could not be evaded through the exercise of due care.

2. DESCRIPTION OF DEVELOPMENT, THE SITE, AND SURROUNDING AREA

2.1 Development as Approved

Development approved under the outline planning permission

The approved planning consent for the regeneration of Stonegrove and Spur Road Estates (reference W13582E/07) comprises the following:

- Demolition of all existing residential dwellings, community buildings and former Edgware School buildings;
- Construction of 937 residential units of which 520 will be for private sale and 417 will be affordable;
- Construction of a new community hall;
- Replacement of the existing St Peter's Church, Church Hall and parsonage with a new Church, Church Hall and parsonage. The Church Hall will be suitable for accommodating a playgroup/crèche;
- High quality public open space provision along with private gardens and communal gardens;
- Provision of a local Energy Centre to serve the development;
- Provision of a maximum of 1000 car parking spaces;
- Pedestrian and cycle routes across the site linking into the pedestrian and cycle network in the surrounding area;
- Means of access and off-site highway works. This includes a new access onto the A5 Stonegrove, retained but altered access points at Kings Drive and Green Lane and new private access junction onto the A410 Spur Road.

Reserved Matters already approved

The regeneration is to be built out in phases across a number of Character Zones identified in the approved masterplan for the development. Reserved matters for the first three phases have already been approved. These phases have been highlighted on the updated phasing plan at Fig.2 in **Appendix 1** of this report. A schedule of the units approved and constructed to date is also provided in the table in **Appendix 2**.

The first phase (within Zone 1) was approved as part of the original outline planning consent and was completed in July 2010 on land to the west of the London Academy on Spur Road. This phase is now occupied and delivered 116 new properties including 78 affordable homes and 38 private homes.

Phase 3a and 3b of the development relates to Character Zone 6 which is on the site of the former Goldsmith, Powis and Collinson Courts. Reserved Matters for this phase were approved in September 2009 and construction is nearing completion to deliver 98 flats of which 45 will be social rented, 17 will be shared ownership and 36 will be for private sale.

Phase 2a relates to Character Zone 5A which is located on the west side of the London Academy on the corner of Spur Road and Green Lane. The Reserved Matters for Zone 5A were approved in February 2010 and construction work has now

commenced to provide a total of 67 flats for private sale.

In total 450 units have been approved including the 62 units built at Peniwell Close. A total of 549 units remain to be approved under reserved matters. Almost all of the Social Rented units needed for the regeneration have been approved with only 63 more flats needed. The majority of the remaining units are therefore for private sale.

2.2 This Application

This planning application is submitted to renew existing outline planning permission reference W13582E/07 dated 6th October 2008 which was granted for the regeneration of Stonegrove and Spur Road Estates.

Condition 3 attached to the outline planning permission states the following:

Applications for the approval of the reserved matters for which the outline planning permission relates, as shown on plan entitled 'Hybrid Planning Application Boundaries' reference 1093_MP_33 Revision E dated July 2006 shall be made to the local planning authority before the expiration of three years from the date of this permission and shall be in accordance with the approved design code of that scheme.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990.

As a result of this condition, applications for approval of reserved matters for all phases of the development must be submitted before the 6th October 2011. Whilst this was the intended to fit in with the development programme at the time of the original application, it is a tight timescale for a regeneration of this scale.

A significant proportion of the development has already been approved to date comprising 4 phases totalling 388 units out of 937. Each of these phases has required the submission of a reserved matters application for the buildings within it. However the regeneration of the two estates is a complex project and phases 4 to 8 remain outstanding. Therefore it is has not been possible to meet the 6th October 2011 date for approval of the reserved matters for all phases of the development and this condition needs formal amendment through a renewal of the planning permission

This application therefore seeks to “renew” planning permission W13582E/07 to facilitate the continued submission of reserved matters for the remaining phases of the development. Planning permission W13582E/07 has already been implemented and therefore the planning permission itself will not expire (Phase 1 to 3 have already been approved and/or built out). The renewal is only required to enable reserved matters for the remaining phases 4 to 8 to be submitted.

This application is made in accordance with the Town and Country Planning (General Development Procedure) (Amendment No.3) (England) Order 2009 which introduces a procedure for dealing with applications to “renew” an existing planning permission.

No changes are proposed to the approved plans or documents. The issues discussed in the original report will not be repeated in this report unless relevant policies have changed.

2.3 Description of Site

The Stonegrove and Spur Road estates are located between the A5 Edgware Road, A410 Spur Road and the A41 Edgware Way approximately 1.2km from Edgware town centre. The site is within walking distance of Stanmore Underground Station (0.8km to the west) and Edgware Underground Station (1.7km to the south).

The London Academy which was completed in 2006 under a separate planning consent (ref: W13031/02), is located on the north side of the estate along Spur Road. The Academy replaced Edgware School which has since been demolished.

The overall regeneration site comprises an area of 11.37 hectares including the Stonegrove and Spur Road housing estates, the former Edgware School land and St. Peter's Church.

The original residential accommodation across the two estates comprised 603 one, two and three bed flats and maisonettes in 19 blocks ranging from 4 to 11 storeys in height. A number of blocks have since been demolished.

The areas to the south and west of the estate are made up of traditional residential streets. The majority of property is 1930s and 1950s detached and semi-detached housing. The Edgware Reform Synagogue is located on Stonegrove (A5) immediately to the south of the site.

3. PLANNING APPRAISAL

3.1 Principle of Development

The regeneration of Stonegrove and Spur Road Estates is identified as a priority in Barnet's Three Strands Approach and the Council's Housing Strategy (2010-2025). The principle of the redevelopment of the estate was considered and approved by the Planning & Environment Committee on the 3rd March 2008. This application therefore only considers the proposed extension of time for the planning permission.

3.2 Justification for Extension

The original outline planning permission includes a 5 year implementation condition (condition 04) which sets the time limit for construction work to start. However condition 03 imposed a 3 year time limit for the submission of all reserved matters. As a result of this condition, the submission of all reserved matters for all phases of the development must be submitted to the Council before 6th October 2011. This was intended to ensure that the development progressed quickly, however three years is a very tight timescale for a major estate regeneration scheme of 937 new homes which also includes a complicated decanting strategy for existing residents living on the two estates. This tight timescale has also been impacted by the collapse of the housing market and the recession. As a result the 3 years time period has not allowed sufficient time for the reserved matters to be submitted for all phases of the development.

Notwithstanding this, progress has been made through one of the worst economic periods that London has experienced with 388 units approved through reserved matters and 281 units now built. The development is therefore well underway and the Council and its developer partners want to maintain this momentum. In order to do so a renewal of the outline planning permission is required to enable the reserved matters for Phases 4 to 8 to be submitted and the remaining 549 units of the development to be delivered.

3.3 Legislation and Guidance on Greater Flexibility for Planning Permissions

Greater flexibility for planning permissions was introduced in November 2009 via the Town and Country Planning (General Development Procedure) (Amendment No.3) (England) Order (2009). The measures set out in the procedure have been introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn by providing a simplified system to renew extant planning consents. The amendment to the Order enables existing planning permissions to be replaced before they expire, in order to allow for a longer period of implementation.

This process is referred to as an 'extension', although formally this procedure requires applicant to apply to the LPA for a new planning permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. It is therefore an extension of time for the implementation of a planning permission by grant of a new permission for the development authorised by the original permission.

The outcome of a successful application under this new procedure is a new permission with a new time limit attached. The standard time period is 3 years although the LPA can decide to give a shorter or longer period if appropriate. In this case, and due to the requirements set out in the Principle Development Agreement for the Stonegrove regeneration which require Barratt Homes to complete the development by 2018 (7 years from now), it is considered that an extension by a further 3 years is reasonable for the purposes of determining the reserved matters for the remaining phases of the development.

The Government's current advice to local planning authorities in dealing with renewal applications is contained in "Greater Flexibility for Planning Permissions". The guidance regarding the renewal process was revised in October 2010 to specifically take into account phased regeneration planning permissions such as that granted for Stonegrove, which have commenced development but require renewal.

Paragraphs 20 and 21 of the guidance, set out below, relate to phased planning permissions that have been implemented but may be affected by a reserved matters condition which expires.

"20. Can permissions which have already been commenced use this process?"

Under most circumstances, no. Sections 91 and 92 of the 1990 Act require the imposition of conditions setting out time limits in which the development

must be begun. If the development has already begun, then these conditions would already have been complied with.

The only exception to this is where the application has been submitted in outline and implemented in phases, and one or more of the phases has begun. Under these circumstances, the procedures apply as long as the development was required or expressly permitted to be implemented in phases when the outline permission was originally granted by the local planning authority. The effect of this change is to allow the local authority, through reconsideration of the original planning permission, the ability to extend the time through which reserved matters applications can be submitted in respect of the unimplemented phases of outline planning applications, and also the overall time limit for commencement of development.

The fee payable in respect of an application to extend a partially implemented outline planning permission is as per a new application for outline planning permission.

This provision, introduced on 1 October 2010, is set out in Article 18(1)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184).

21. Can outline permissions be extended?

Outline permissions can be extended under this power, provided the relevant time limit has not expired both on 1 October 2009 and at the date of application, and the development has not yet commenced. This means either:

- the time limit for submission of reserved matters has not yet expired or*
- reserved matters applications were all submitted in accordance with the time limit for submission of reserved matters, and the time limit for commencement has not yet expired.”*

Local Planning Authorities are instructed to take a "positive and constructive approach" towards these applications.

3.4 Assessment of the Application

The government guidance stresses that, whilst this is not a rubber-stamp exercise, "development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date". In considering an application to extend a planning permission, the Local Planning Authority is required to focus their attention on development plan policies and other material considerations (including national policies) which may have changed "significantly" since the original grant of permission. This emphasis is important and the guidance has been purposefully worded to set the threshold at a high level to retain a presumption in favour of allowing applications to be renewed. The relevant changes in national, local and regional planning policies are discussed below.

National Policy Statements

Since the grant of planning permission in 2008 there has been no significant material change in national planning policy relevant to this development. It is recognized that PPS4 (economic development), PPS5 (historic environment) and PPS12 (local spatial planning) have been published but are not directly relevant to this development.

More recent changes to PPS3 (housing) were brought in by the new government in 2010. The changes, which are not considered to be significant in relation to the development at Stonegrove, address issues relating to density and 'garden grabbing'. The proposed development does not involve any garden grabbing. In relation to density, the newly adopted PPS3 provides local authorities with flexibility as to how they approach density issues within their local development frameworks although the policy objective of making efficient use of land remains the same. The minimum density requirements included in the previous version of PPS3 have been removed. When the existing scheme was originally approved at Committee in 2004 Members were satisfied that:

- the proposed development met the objective of making efficient use of land;
- the form of development was acceptable; and
- the proposed development accorded with the Barnet UDP and the London Plan density requirements.

It is not considered that the changes to PPS3 would affect this approach or justify any different conclusion as to the appropriateness of the density of the development. On this basis, the application is considered to be acceptable in relation to the guidance in PPS3.

In July this year the Government published its draft National Planning Policy Framework (NPPF). This document will replace all PPGs and PPSs and condense national guidance into a 50 page document as part of the reforms to make the planning system less complex and more accessible, and to promote sustainable growth. The key theme of the new guidance is that Local Planning Authorities should approach applications with a presumption in favour of sustainable development. The NPPF remains a draft document and therefore subject to change arising from the ongoing public consultation. For the purposes of this application the draft NPPF is not considered to contain any significant alterations as material considerations which would otherwise alter the decision to extend the time limit of the outline planning permission.

Local Planning Policy

The original application was considered against the 2006 Barnet UDP. The Council is in the process of replacing the 2006 UDP with a Local Development Framework (LDF). The LDF will contain a suite of Development Plan Documents which will include the Core Strategy and the Development Management Policies DPD which will set out the planning policies to be used for determining planning applications in the borough. Until these documents are complete the saved policies within the UDP remain the adopted development plan for the purposes of determining planning applications.

A number of policies were deleted from the UDP in 2009 where they were considered to repeat national regulations or requirements which are already set out in policies within the London Plan. The following UDP policies that were referred to in the original planning permission decision notice have been deleted and can no longer be used:

GEA – EIA	Repeats National Regulations
GEnergy – Energy Efficiency	Replaced by London Plan 4A.3
Gland – Brownfield Land	Replaced by London Plan 2A.1
GEnv5 – Accessible Environment	Replaced by London Plan 4B.5
GLoc – Reducing Need to Travel	Repeats PPG13
GNonCar – Sustainable Transport	Replaced by London Plan Policies
GH1 – Housing Supply	Replaced by London Plan 3A.5 which increases Barnet target to 20,550 additional homes
GH2 – Dwelling Mix	Replaced by London Plan 3A.5
GH3 – Affordable Housing	Policy H5 is saved
GTCR3 – Town Centre	Replaced by London Plan 3D.1
ENV1 – Energy Production	Replaced by PPS1/22 & London Plan Policies
ENV2 – Energy Efficient Design	Replaced by PPS1/22 & London Plan Policies
ENV7(A) – Air Pollution	Replaced by PPS23 & London Plan Policies
ENV10 – Flood Risk	Replaced by PPS25 & London Plan Policies
ENV11 – Drainage Infrastructure	Replaced by PPS25 & London Plan Policies
D7 – Local Landscape	Replaced by PPS1 & London Plan Policy 4B.8
D8 – Disabled Access	Replaced by PPS1 & London Plan Policy 4B.5
H4 – Housing Mix	Replaced by London Plan Policy 3A.5
H13 – Lifetime Homes	Replaced by London Plan Policy 3A.5

The UDP policies regarding design; residential amenity; affordable housing; transport; parking; cycling; legal obligations; density; community; religious facilities; open space; amenity space; contaminated land; noise; and sustainable development which were used to determine the planning application in 2008 remain adopted development plan policy. The application to extend the planning permission for Stonegrove and Spur Road Estates is therefore considered to still be consistent with the saved UDP policies. Furthermore there are no changes proposed to the development which require a further assessment of the development against these policies.

The following policy areas were not saved in the UDP and are instead reliant on London Plan policies.

- Energy production and design
- Flood Risk & Drainage
- Disabled access and lifetime homes
- Housing mix

These are assessed in the London Plan section below.

Submission Draft Core Strategy and Development Management Policies DPD

The Submission Draft of the Core Strategy has been submitted to the Planning Inspectorate with an Examination in Public anticipated in December 2011. Adoption is expected in 2012. The Core Strategy does not yet comprise adopted development plan policy, however it has undergone several rounds of consultation and is a material consideration without the weight that would be attached to an independently audited policy document.

The Submission Draft version of the Development Management Policies DPD has also been submitted to the Planning Inspectorate. It is anticipated that this document will be jointly examined with the Core Strategy. The DM Policies DPD has undergone one round of consultation. This document does not comprise adopted development plan policy, but is a material consideration without the weight that would be attached to an independently audited policy document.

The redevelopment of Stonegrove remains a core objective of the Core Strategy. Specific reference is made to the development at the following paragraphs:-

4.7.7 "Regenerating our largest and most deprived housing estates forms a central part of Barnet's future. Over 3,000 units will be replaced at Dollis Valley, Grahame Park, Stonegrove - Spur Road and West Hendon."

6.2.1 "We have developed a series of core objectives in order to deliver the LDF vision. These are to manage housing growth to meet housing aspirations - to promote the development of the major regeneration and development areas, priority estates and town centres in order to provide in the range of 20,000 new homes (contributing to a borough total of 28,000 new homes) by 2026 to meet local and regional housing needs; - to regenerate the priority housing estates at Dollis Valley, Grahame Park, Granville Road, Stonegrove - Spur Road and West Hendon to replace 3,000 existing homes with a greater range of accommodation that provides access to affordable and decent new homes;"

7.2.12 "In addition to the delivery from major growth areas of nearly 16,000 new homes it is a major priority to regenerate failed housing estates in Barnet. Major estates at Dollis Valley, Grahame Park, Granville Road, Spur Road - Stonegrove and West Hendon are identified on Map 2 – the Key Diagram. These estates will be subject to long term programmes of regeneration in order to tackle poor quality housing, social isolation and transform these areas into successful mixed tenure places. Stonegrove and Spur Road Stonegrove and Spur Road are two post war interconnected housing estates in Edgware which are being redeveloped as one. Regeneration will create a new neighbourhood linked to its surroundings on the edge of London's Green Belt. Nearly 1,000 new homes will be provided to replace 600 existing ones, a net increase of 400. This programme is well under way and 300 new homes were completed in 2010. The scheme is expected to be completed before 2021."

The Core Strategy continues to support the redevelopment and regeneration of Stonegrove and Spur Road Estates. The draft policies within the Development Management Policies DPD address the same topics and criteria as the UDP policies against which the original application was assessed. It is not considered that the Submission Draft Core Strategy or the Submission Draft Development Management Policies DPD contain any significant alterations as material considerations which would otherwise alter the decision to extend the time limit of the outline permission.

London Plan

The original outline planning application was considered against the policies and objectives set out in the 2008 consolidated London Plan. The 2008 London Plan was recently replaced in July 2011 with the new London Plan. The policies in the replacement London Plan (2011) reflect the key themes of the original plan in relation to housing, density, transport, accessibility, regeneration and sustainability.

The four specific policy areas not saved in the UDP which are reliant on London Plan policies are discussed below.

Energy Production and Design

Policy 5.2 'Minimising Carbon Dioxide Emissions' continues the lean; clean; green approach advocated by the previous plan. Policy 5.6 'Decentralised Energy in Development Proposals' requires evaluation of CHP systems and communal heating to be included in major developments. Finally Policy 5.7 'Renewable Energy' requires a reduction of carbon dioxide emissions from the use of on-site renewable energy generation, albeit the policy now includes the caveat "where feasible".

The planning consent for Stonegrove includes the provision of two district heating networks as the phases are built out, and a single district heating network powered by a single site wide energy centre. The energy centre will contain a combined heat and power (CHP) system. The renewable energy component of the development is to be delivered by a biomass boiler (or any other suitable renewable energy technology which achieves the same carbon saving). All of the flats and homes in the development will be built to Code for Sustainable Homes Level 3. This approach continues to accord with the new London Plan requirements.

Flood Risk and Drainage

London Plan Policy 5.12 Flood Risk Management and Policy 5.13 Sustainable Drainage (2011) relies on the requirements of PPS25. This fundamental components of this document were taken into account in the determination of the original planning permission. The application therefore continues to accord with the new London Plan requirements.

There are also two conditions attached to the planning permission which require additional information to be submitted in respect of drainage and surface water run off. These enable the Council to consider the details for future phases against relevant policy.

Disabled access and lifetime homes

UDP policies on disabled and access and lifetime homes were not saved, in favour of using development plan policy set out in the London Plan.

Notwithstanding this, the development is conditioned to require these components. Condition 55 requires 'all of the residential dwellings to be built to lifetime homes standards'. Condition 56 requires 'a minimum of 10% of the residential dwellings to be built to wheelchair housing standards or easily adaptable for residents who are wheelchair users'. This approach continues to accord with the new London Plan requirements.

Housing Mix

The consideration of housing mix at Stonegrove has been fixed by the implementation of the development through Phase 1, 2 and 3. This establishes the housing mix needed for the remainder of the development. The description of development confirms the demolition of 603 existing residential units, and the delivery of 937 new residential units. It also includes the erection of 138 residential units (31 houses and 107 flats) of which 86 units will be affordable and 52 will be for private sale. Condition 8 states that the development shall not exceed 937 units, whilst condition 53 requires a minimum of 417 affordable units. Finally, as the matter of siting was submitted in detail, this provides a limitation on any material change to housing mix as the footprint of housing development and flatted development has been laid out.

However it is still necessary to test this against development plan policy to determine any "significant" change in policy.

Policy 3.3 'Increasing Housing Supply' of the July 2011 adopted London Plan requires a minimum 10 year target of 22,550 homes to be delivered in Barnet, or 2,255 units per annum. This figure is up from the previous 17,780 Barnet UDP figure demonstrating a growing need for housing in the borough. This development will help meet that need.

Policy 3.4 'Optimising Housing Potential' contains the Mayor's Table 3.2 density matrix. The development remain with the suburban/urban PTAL3 density category.

Policy 3.5 'Quality and Design of Housing Development' introduces a new Table 3.3 relating to minimum space standards for new development. Policy 3.5(D) does provide some flexibility confirming that developments which compromise the delivery of elements of the policy may be permitted if they are demonstrably of exemplary design and contribute to achievements of other objectives of the Plan. Notwithstanding this, the detailed design of units will take place at the reserved matter stage and will allow the Council to assess the plans against the London Plan space standards. For example the flats within Phase 2A, for which the reserved matters were approved in March this year, will either meet or exceed the London Plan space standards.

The objectives of Policy 3.6 'Children and Young People's Play and Informal Recreation Facilities' was considered at the time of the development determination through the previously adopted 2008 SPG Providing for Children and Young People's Play and Informal Recreation. Notwithstanding this, condition 38 of the outline permission requires details of children and toddler play areas to be provided for each phase.

Policy 3.8 'Housing Choice' continues the themes of the previous London plan to meet the needs of Londoners in the housing market. This policy is supported by Policy 3.9 Mixed and Balanced Communities (which has not changed significantly from the previous London plan) and Policy 3.14 'Existing Housing' which confirms (Part B) that the loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities at least equivalent floorspace.

The original report to committee confirms that the redevelopment of the estate will not result in any loss of affordable housing. Overall the proposal will deliver 48% affordable housing by unit number. It considers that the proposal represents a mixed and balanced approach to development as advocated by national, regional and local policy level. The replacement of sub-standard housing with high quality sustainable dwellings with 77 larger affordable family houses represents a significant betterment on current provision. It also confirms that the mix of accommodation was developed with, and endorsed by both the council and Family Mosaic Housing Association. It is not considered that there has been any materially significant change in circumstance since the original consideration.

3.5 Changes to Conditions

Paragraph 30 of the Greater Flexibility for Planning Permissions confirms that the same conditions applied to the original permission do not necessarily need to be attached to the new permission. The primary legislation giving local planning authorities the power to impose such conditions as they see fit (s.70 of the TCPA 1990) is unchanged. Therefore, if appropriate, different conditions could be imposed or some conditions could be removed – for example if some pre-commencement conditions have already been discharged. It proposed that some conditions are removed as they have already been discharged by virtue of implementation, and that a number of 'phasing' conditions be updated to reflect the residual phases 5 to 8. It is proposed that conditions relating to Zone 1 are deleted as this zone has been approved in detail, part implemented, and all relevant precedent and non-precedent conditions have been discharged.

Extension of time limit

Paragraph 29 of the Greater Flexibility guidance confirms that the length of time for which each permission may be extended is covered by ss. 91 and 92 of the Town and Country Planning Act 1990; default periods are set out (3 years), with discretion to grant longer or shorter permissions if this is justified on planning grounds. In this case, and due to the requirements set out in the Principle Development Agreement which require Barratts to complete the development by 2018 (7 years from now), the Council considers that an extension by a further 3 years is reasonable for the purposes of determining the reserved matters for the remaining phases of the development. The wording of Condition 03 is as follows:

"Applications for the approval of the reserved matters for which the outline planning permission relates, as shown on plan entitled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006 shall be made to the local planning authority before the expiration of three years from the date

of this permission and shall be in accordance with the approved Design Code of that zone.”

The wording of Condition 03 will remain the same but by virtue of the grant of new permission, and therefore a new ‘date of the permission’, the new 3 year period will be granted.

Planning Condition 04 attached to the outline planning permission sets the time limit for the planning permission to be implemented and for the development to be begun. The condition states the following:

“The development to which the outline planning permission relates, as shown on plan titled ‘Hybrid Planning Application Boundaries’ ref. 10930_MP_33 Revision E dated July 2006, shall be begun either before the expiration of five 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.”

This condition does not need formal amendment as the development has been implemented and the condition complied with.

Phasing

Condition 05 states:

“The phasing of the development hereby approved shall be carried out in accordance with Phasing Drawing ref: 10930 MP 46 - Rev.C dated 14 January 2008 (or any subsequent amendments to it that have been agreed in writing by the local planning authority).”

The wording of this condition and other conditions where reference is made to the phasing plan, allows updates to the phasing plan to be agreed in writing with the Council. Barratt Homes have provided an updated phasing plan 10930_MP_243-C which replaces 10930_MP_46 Rev.H which was previously approved. The approved and updated plans are provided in **Appendix 1**. The new phasing plan does not alter the number, order or general size of the phases, however some slight changes to phase boundaries are proposed for. The changes are as follows:

- The boundary of Phase 2b is amended to reflect the red line plan submitted with the approved reserved matters. This includes a spur to Kings Drive to enable the access road to be constructed;
- The community centre and Kings Square is moved to Phase 5. This reflects the delivery trigger in the Section 106 agreement (deed of variation dated 1st April 2009) which requires the community centre to be built prior to the occupation of the 407th residential unit;
- Phase 4 is divided into 4a and 4b;
- Phase 6b is extended to include part of Phase 7 to enable the Kings Lane road to be delivered;
- Base plan updated to reflect the approved footprint of Academy Court (Phase 2a).

The proposed changes are acceptable and will not affect the delivery of the regeneration. As a result of this new phasing plan the reference number in a number of conditions needs to be updated. These are set out in the table below.

Reserved Matters Already Approved

Paragraph 22 of the Greater Flexibility for Planning Permissions guidance sets out advice when dealing with already approved reserved matters and confirms that these do not need to be applied for again. They can “simply be referred to in the new decision notice”.

Owing to the approval of reserved matters for Phase 2a (Academy Court) H/04521/09, approved 18th February 2010; Phase 2b (Sterling Court) H/00433/11, approved 16th March 2011; and Phase 3a & 3b (Sterling Green) H/02723/09, approved 19th October 2009 it is proposed to make explicit reference to these approvals (and their conditions) within the new decision notice removing them from any further conditional obligation under the new permission.

The proposed changes to the wording of conditions are set out in the table below. Deleted text is highlighted in strike through and new text is underlined.

No	Topic	Condition	Justification
New	Approved Plans	No development shall take place unless in accordance with the following Approved Drawings: <u>OS Site Plan ref: 10930 MP 30E (Dated Jul 2006);</u> <u>Strategic phasing plan ref: 10930 MP 46C (Dated Jan 2008)</u> <u>Maximum parameter heights ref: 10930 MP 01F (Dated Mar 07)</u> <u>Existing tree plan ref: 10930 MP 26E (Dated Feb 08)</u> <u>SA 001 (Dated Aug 07)</u> <u>SA 002 (Dated Aug 07)</u> <u>SA 003 (Dated Aug 07)</u>	For the avoidance of doubt and in the interests of proper planning.
1	Timing	The development to which the full detailed planning permission relates, as shown on plan entitled ‘Hybrid Planning Application Boundaries’ ref.10930_MP_33 Rev E dated July 2006 shall be begun not later than the expiration of three years beginning with the date of decision.	Condition is no longer needed. The development to which the full planning permission related to has been implemented.
2	Design Codes	Prior to the submission of reserved matters, being scale, appearance and landscaping (hereafter called the reserved matters) for each phase as identified on approved phasing plan ref: 40930-MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority), design codes shall be submitted to and approved in writing by the local planning authority. Each design code and shall be substantially in accordance with the Stonegrove and Spur Road Estate :Design Statement dated August 2007 and	To update the condition to reflect the reference number for the latest phasing plan.

		<p>shall include:</p> <ul style="list-style-type: none"> • 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, 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"; • An assessment against the criteria established by Secure by Design and the Council's SPG "Designing to Reduce Crime" 	
4	Time limit for outline permission	The development to which the outline planning permission relates, as shown on plan titled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006, shall be begun either before the expiration of five years from the date of this grant of outline planning permission shall begin either before the 6th October 2013 or before the expiration of two years from the date of the approval of the last reserved matter, whichever is the later.	To reflect the timing of the original consent.
5	Phasing of the development	The phasing of the development hereby approved shall be carried out in accordance with Phasing Drawing ref: 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority). No development shall commence until the timing of the phasing of the development as shown on this plan has been submitted to and approved by the local planning authority, and shall thereafter be implemented in accordance with the approved scheme.	Condition 5 has previously been discharged. The condition should be updated to reflect the reference number for the latest phasing plan.
6	Development in zones 2 to 8	No development hereby permitted within phases 2 to 8 as shown on the approved phasing plan 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or subsequent amendments to it that have been agreed in writing by the local planning authority) shall take place until details of scale, appearance and landscaping within that phase have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.	To update the condition to reflect the reference number for the latest phasing plan.
7	Reserved Matters	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	To update the condition to reflect the reference number for the latest phasing plan.

		<p>details as approved;</p> <ol style="list-style-type: none"> 1. Environmental Statement dated August 2007 2. Environmental Statement Addendum dated January 2008 3. Environmental Statement Non Technical Summary dated August 2007 4. Planning Statement dated 31 August 2007 5. Sustainability Statement Rev.A dated January 2008 6. Energy Strategy Edition 10 dated February 2008 7. Access Statement dated 31 August 2007 8. Masterplan phasing plan ref: 10930MP46C <u>10930 MP 243-C dated 25 August 2011</u> 9. Maximum parameter heights ref: 10930_MP_01F 10. Tree protection plans references: SA001; SA002; SA003 11. Masterplan layout and access 10930_MP_31 Rev.E 12. Masterplan uses 13. Zone 1 Plans and Elevations. Plan references: 2179-1001-P01; 2179-1002-P101; 2179-1003-P01; 2179-1004-P01; 2179-1005-P01; 2179-1006-P01; 2179-1007-P01; 2179-1008-PO1; 2179-1009-P01; 2179-1010-P01 	
10	Access	<p>The development hereby permitted within phases 2 to 8 as shown on the approved phasing plan ref: 10930MP46C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall not commence until details of vehicular access points into the internal highway layout within the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with Sprunt Drawing 'Masterplan Ground Floor Plans' drawing ref: 10930_MP_31 Rev E and the plan titled 'Access Plans' as contained within the Environmental Statement dated August 2007. The development shall be implemented in accordance with the details as approved.</p> <p>Reason: In order that the development does not prejudice highway and pedestrian safety or the free flow of traffic.</p>	To update the condition to reflect the reference number for the latest phasing plan.
11	Car parking provision and turning spaces	<p>No development shall take place within any phase as identified on approved phasing plan 10930 MP 46 Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) until details of the car parking provision and turning spaces for that phase have been submitted to and approved in writing by the local planning authority. The development shall be</p>	To update the condition to reflect the remaining phases in the development and the reference number for the latest phasing plan.

		implemented in accordance with such details as approved. No dwelling located within phases 2- 4 to 8 as detailed on the approved phasing plan shall be occupied until the car parking and turning space(s) serving that dwelling has been provided in accordance with the approved details.	
12	Traffic Calming measures	Prior to the occupation of any residential units located within phases 2- 4 to 8 as detailed on approved phasing plan ref: 10930 MP 46 – Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority), details of traffic calming measures for managing the road network within a particular zone, in the interests of efficiency, safety and the environment shall be submitted to and approved in writing by the local planning authority and implemented.	To update the condition to reflect the remaining phases in the development and the reference number for the latest phasing plan.
13	Right turn lane	The development hereby permitted within phases 2- 4 to 8 as shown on the approved phasing plan ref: 10930 MP 46 – Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall not commence until details of a right turn lane facility from Stonegrove into the development along with kerb realignments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved prior to the occupation of the buildings within those phases.	To update the condition to reflect the reference number for the latest phasing plan.
14	Median Islands	The development hereby permitted within phase 1 as shown on the approved phasing plan ref: 10930 MP 46 – Rev.C dated 14 January 2008 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall not commence until details of median islands and kerb realignment on Spur Road to enforce 'Left in' and Left out' traffic movements to and from the new development, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved prior to the occupation of the buildings within that phase.	This condition has been discharged and the details approved.
16	Trip Assessment	Prior to the commencement of development a detailed trip assessment is to be submitted and approved by the local planning authority (in consultation with TfL) to enable the junction and bus impacts to be assessed.	This condition has been discharged and the details approved.
18	Installation of petrol/oil interceptors	Notwithstanding the submitted plans, no development shall commence within any phase as identified on the approved phasing plan 10930 MP 46 – Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) until details of a scheme for the installation of petrol/oil interceptor(s) in all car parks located	To update the condition to reflect the reference number for the latest phasing plan.

		within that phase have been submitted to an approved 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.	
20	Off site highway works	No dwelling shall be occupied within any phase of the development hereby approved until the applicant has executed the obligations in relation to the off site highways works to the satisfaction of the local planning authority.	This condition has been met.
22	Storage of cycles	Prior to development of each phase as detailed on approved phasing plan 10930 MP 46 – Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority), details of a scheme for the provision of facilities for the secure storage of cycles for that zone 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 have been provided in accordance with the approved plans.	To update the condition to reflect the reference number for the latest phasing plan.
23	Drainage strategy	The development hereby approved shall not commence until a Drainage Strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority. No discharge of foul or surface water from the site shall be discharged into the public system until drainage works referred to in the Strategy have been completed in the phase in which they are located, being in accordance with the approved phasing plan 10930 MP 46 – Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011.</u>	To update the condition to reflect the reference number for the latest phasing plan.
24	Surface water control measures	No development shall commence until details of <u>Prior to the commencement of each phase</u> a scheme relating to the disposal of surface water drainage and source control measures for the phase in which the scheme will serve shall be submitted to and approved by the local planning authority. The submitted details shall be in accordance with the addendum to the Flood Risk Assessment from RPS ref: JER7306 dated 17 January 2007. No dwelling located within the zone <u>phase</u> to which the scheme relates shall be occupied until the scheme has been implemented in accordance with the approved details.	To clarify the wording of the condition.
25	Provision of car parking	Prior to the occupation of any dwelling located on land to which the full planning permission relates as shown on drawing titled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006, car parking provision as shown on the approved plans shall be provided and be ready for use and shall thereafter be so maintained.	Condition is no longer needed. The development to which the full planning permission related to has been implemented.

26	Cycle storage facilities	The facilities for the storage of cycles on land to which the full planning permission relates as shown on drawing titled 'Hybrid Planning Application Boundaries' ref. 10930_MP_33 Rev E dated July 2006 shall be implemented in accordance with the approved plans and shall be provided before any dwelling hereby approved is occupied.	Condition is no longer needed. The development to which the full planning permission related to has been implemented.
27	Phase 1 Archeological Assessmemnt	Phase 1 of the development hereby permitted, as identified within the approved phasing plan ref: 10930 MP 46 - Rev.C dated 14 January 2008, shall be carried out in complete accordance with the 'Written Scheme of Investigation for Archaeology Evaluation (for the Phase 1 Development)' dated December 2007 prepared by RPS Planning and Development. Any mitigation measures / details of further work as identified within the Evaluation shall be submitted to and approved by the local planning authority and shall be implemented in full prior to any development or demolition commencing within the boundary of Phase 1, or unless otherwise agreed in writing with the local planning authority.	Condition is no longer needed. The development to which the full planning permission related to has been implemented.
28	Landscaping scheme for zone 1	No development shall commence within Zone 1 (the part of the site to which the detailed planning permission relates as shown on drawing entitled 'Hybrid Planning Application Boundaries' ref. 10930_MP_33_Rev E dated July 2006) until a detailed scheme of landscaping relating to that zone 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 and shall be completed during the first planting season following completion of the development located within that zone. This plan shall include the identification of locations for the replacement of trees and shrubs and a schedule of the type, species and maturity of these (including semi-mature trees).	Condition is no longer needed. The development to which the full planning permission related to has been implemented. Condition has been discharged and the details approved.
29	Sample materials for zone 1	No development shall commence within Zone 1 (the part of the site to which the detailed planning permission relates as shown on drawing titled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006) until samples of the materials to be used in the external surfaces and hard surfaced landscaped areas of the development hereby approved have been submitted to and approved by the local planning authority. The development shall be constructed in accordance with the approved materials.	Condition is no longer needed. The development to which the full planning permission related to has been implemented. Condition has been discharged and the details approved.
30	External lighting for zone 1	No development within Zone 1 (the part of the site to which the detailed planning permission relates as shown on drawing titled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006) shall commence until details of a scheme for external lighting, including the phasing of its installation has been submitted to and approved by the local planning authority. No	Condition is no longer needed. The development to which the full planning permission related to has been implemented. Condition has been discharged and the details approved.

		dwelling located within zone 1 shall be occupied until the external lighting which is located adjacent to that dwelling has been provided and is in operation in accordance with the approved scheme.	
31	Landscape masterplan for zones 2-8	<p>No development shall commence within zones 2 to 8 Phases 4 to 8 as identified on plan titled 'Masterplan Zones' reference 10930_MP_10 Rev E dated 23/03/2007 as contained within the Planning Statement (ref: JLH0446) dated 31 August 2007 as shown on the approved phasing plan 10930_MP_243-C dated 25 August 2011 until details of a landscape masterplan for the <u>development site to which the outline planning permission relates (as shown on the plan titled 'Hybrid Planning Application Boundaries' ref.10930_MP_33 Rev E dated July 2006)</u> have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details. This plan shall include the following:</p> <ul style="list-style-type: none"> • The identification of trees which are to be retained; • The identification of locations for the replacement of trees and a schedule of the type, species and maturity of these (including semi mature trees); • The landscape strategy and design objectives for the site as a whole; and; • The palette of landscaping (hard and soft) materials and planting that will inform reserved matters within each phase. <p>Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.</p>	Condition is no longer needed. Condition has been discharged and the details approved.
32	Programme for archaeological work	<p>A programme of archaeological work, relating to the zone phase in which it is located (excluding zone 1) as shown on the approved phasing plan 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930_MP_243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) which is substantially in accordance with paragraphs 8.74 to 8.78 of the Environmental Statement dated August 2007, shall be submitted to approved by the local planning authority before any development or demolition is commenced within the zone to which the programme relates. Any archaeological mitigation / investigation measures or work identified shall be implemented in full accordance with the approved details with the final archaeological report being submitted to and approved by the local planning authority before any development or demolition located</p>	To update the condition to reflect approved phases.

		within the zone <u>phase</u> to which the report relates commences.	
33	Hard and soft landscaping	<p>Prior to the commencement of development for each phase as shown on the approved Phasing Plan the approved phasing plan 10930 MP 46—Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) a scheme for hard and soft landscaping (in general conformity with the Rummey Design ‘Trees, Planting and Biodiversity Strategies’ document Revision A dated August 2007 submitted as part of this planning application) for that phase shall be submitted to and approved in writing by the local planning authority. The details of landscaping shall include the following:</p> <ol style="list-style-type: none"> 1. the position and spread of all existing trees, shrubs and hedges to be retained; 2. details of any proposed topping or lopping of any retained tree; 3. a plan showing the location of, and allocating a reference number to each existing tree which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree; 4. details of the species, diameter (measured in accordance with paragraph (iii) above, and the approximate height, and an assessment of the general state of health and stability, of each retained tree. 5. new tree and shrub planting including species, plant sizes and planting densities; 6. means of planting, staking and typing of trees, including tree guards; 7. existing contours and any proposed alterations such as earth mounding; 8. areas of hard landscape works including paving and details, including samples, of proposed materials; 9. trees to be removed; 10. details of how the proposed landscaping scheme will contribute to wildlife habitat (ranging from ground cover to mature tree canopy), to the satisfaction of the LPA 	To update the condition to reflect the reference number for the latest phasing plan..

		11. Timing of planting with each phase.	
34	Open space strategy for phases 2-8	Notwithstanding the submitted plans, no development shall commence within prior to the commencement of each phase phases 2-8 as shown on the approved phasing plan ref: 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> , (or any subsequent amendments to it that have been agreed in writing with the local planning authority) until an open space strategy has been shall be 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.	To clarify the wording of the condition and update the reference number for the latest phasing plan.
35	Tree protection	Prior to commencement of development in any phase as shown on the approved phasing plan 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing with the local planning authority) temporary fencing shall have been erected around existing trees which are to be retained in accordance with details to be submitted to 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.	To update the condition to reflect the reference number for the latest phasing plan.
38	Play Areas	Prior to the commencement of development within any phase identified on the approved phasing plan 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing with the local planning authority) details of children and toddler play areas to be provided within the zone to which the submission relates shall be 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.	To update the condition to reflect the reference number for the latest phasing plan.
39	Ecology Mitigation and Management Plan	No development shall commence 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	Condition has been discharged and the details approved.

		<p>section 7.120 of the Environmental Statement dated August 2007 as updated by the Addendum dated January 2008 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.</p> <p><u>The development shall be implemented in accordance with the Ecology Mitigation and Management Plan prepared by RPS dated 13th January 2009 (document reference: JPP2146-MP-001F) approved under application H/00239/09 dated 09/03/2009</u></p>	
40	Public Realm Management Plan	<p>No development within each phase as shown on the approved phasing plan 10930 MP 46 – Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing with the local planning authority), shall commence until a Public Realm Management Plan has been submitted to and approved by the local planning authority for that phase. No dwelling located within the phase, shall be occupied until the approved Plan relating to that zone has been implemented in accordance with the approved details.</p>	To update the condition to reflect the reference number for the latest phasing plan.
41	Community building(s)	<p>No development or demolition within Phase 2-4 to 8 as shown on the approved phasing plan ref: 10930 MP 46 – Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall commence until detailed plans of the new community building(s) (including location plans, elevations and floorplans) together with a Community Buildings Phasing Plan setting out when they are to be provided, Access and Management and when they will be available for use have been submitted to and approved by the local planning authority. This plan shall include details of the following: Hours of opening, Uses, Booking arrangements, Pricing structure, Management arrangements; and Monitoring arrangements for the Plan. The buildings shall be constructed in accordance with the approved details and shall be available for first use when stated in the approved Community Building Phasing Plan.</p>	To update the condition to reflect the reference number for the latest phasing plan.
44	Construction Method Statement	<p>Prior to commencement of development hereby approved <u>within each phase as shown on the approved phasing plan 10930 MP 243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing with the local planning authority)</u> a Construction Methods Statement and Environmental Management Plan shall be submitted to and approved in writing by the local planning authority, which is substantially in accordance with paragraph 6.72 of the Environmental Statement dated August 2007. The development shall thereafter be implemented in accordance with the approved details. This</p>	To allow the condition to be applied to the remaining phases of the development.

		<p>statement shall include:</p> <ul style="list-style-type: none"> i) details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway; ii) details of the routing of construction vehicles to the site and access and egress arrangements iii) details of construction lighting and parking; iv) the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works; v) a suitable and efficient means of suppressing, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance; vi) measures to recycle materials on site; vii) a strategy for the timing and operation of construction works to minimise disturbance to adjoining neighbours; viii) details of boundary hoardings and measures to ensure they are maintained in a secure and tidy condition, including details of public art to be displayed on the hoardings; ix) agreement on and continuous assessment of permitted noise levels emanating from the boundary of that phase of development; x) mitigation measures for all plant processors; xi) contractors parking plan; xii) appointment of a Community Liaison Officer together with details of their duties/ tasks and length of appointment; and xiii) demolition method statement. 	
45	Working hours	The works required to implement the development hereby approved shall only be carried out between the hours of 07.30 to 18.30 <u>18.00</u> on Mondays to Fridays and 08.00 and 17.00 <u>13.00</u> on Saturdays, and not at all on Sundays, Bank or Public Holidays, unless otherwise approved in writing by the local planning authority.	To align the condition with established working hours.
46	Desktop study	<p>Prior to the development within phases 2 to 8 <u>as each phase shown on the approved phasing plan ref: 10930 MP 46 - Rev.C dated 14 January 2008 10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local authority) other than for investigative work:</p> <ul style="list-style-type: none"> d) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the LPA. If the 	To allow the condition to be applied to the remaining phases of the development.

		<p>desktop study and Conceptual Model indicates no risk of harm, development shall not commence until the study has been approved in writing by the Local Planning Authority;</p> <p>e) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the LPA prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-</p> <ul style="list-style-type: none"> • a risk assessment to be undertaken; • refinement of the Conceptual Model; and • the development of a Method Statement detailing the remediation requirements. <p>The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority. If the risk assessment and refined Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.</p> <p>f) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.</p> <p><u>Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.</u></p>	
47	Remediation of contamination	Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.	Merged with condition 46.
48	Plant	No building within <u>Phases 4 to 8 as shown on the approved phasing plan ref: 10930 MP 243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority)</u> of the development hereby approved shall be occupied until details of any plant and air conditioning equipment associated with each respective building, and the specific noise levels of any noise	To allow the condition to be applied to the remaining phases of the development.

		generated by reasons of the plant and air conditioning equipment proposed, together with any noise attenuation measures, has been submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the commencement of use of each respective building.	
50	Air quality assessment report for the biomass boiler and CHP plant	Before Phase 2 Prior to commencement of phase 4 as shown on the approved phasing plan ref: 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) commences development , an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler and CHP plant shall be submitted to and approved in writing by the local planning authority. The report shall have regard to the air quality predictions and monitoring results from the Stage Four Report of the Local Authority's Review and Assessment process, the London Air Quality Network, and London Atmospheric Emissions Inventory.	To update the condition to reflect the reference number for the latest phasing plan.
51	Air quality strategy for phases 2 and 8	The development hereby permitted at phase 2 to 8 Prior to commencement of phase 4 as shown on the approved phasing plan ref: 10930 MP 46 - Rev.C dated 14 January 2008 <u>10930 MP 243-C dated 25 August 2011</u> (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall not begin until: a) details of an air quality strategy for monitoring and reporting of the existing air quality of the site and the air quality following completion of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved mitigation strategy.	To update the condition to reflect the reference number for the latest phasing plan.
52	Mitigation effects of wind	No development shall commence until Prior to commencement of phase 4 as shown on the approved phasing plan ref: 10930 MP 243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) a scheme for the mitigation of wind effects as identified in accordance with the Environmental Statement dated 2007 and Addendum 2008 has been submitted to and approved by the local planning authority. No dwelling located within any particular phase phases 4 to 8 as shown on the approved phasing plan ref: 10930 MP 46 - Rev.C dated 14 January 2008 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) shall be occupied until the approved mitigation measures relating to that phase have been installed in accordance with the approved plans and shall thereafter be so maintained unless otherwise agreed in writing with the local planning authority.	To allow the condition to be applied to the remaining phases of the development.

54	Decanting of residents	<p>No development shall commence until a scheme for liaison with existing on-site residents regarding the decanting of those residents during the construction period has been submitted to and approved by the local planning authority.</p> <p>The development shall be carried out in accordance with the approved scheme, unless otherwise agreed in writing with the local planning authority.</p> <p>The development shall be implemented in accordance with the approved Decant Strategy plans 0930 MP 18 RevJ, 10930 MP 19 RevJ, 10930 MP 20 RevJ, 10930 MP 21 RevJ, 10930 MP 22 RevJ, 10930 MP 23 RevJ, 10930 MP 24 RevJ, 10930 MP 25 RevJ approved under application H/00239/09 dated 09/03/2009.</p>	Condition has been discharged and the details approved.
New	Materials	<p><u>Prior to the commencement of development in each phase shown on the approved phasing plan ref: 10930 MP 243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) details and samples of all materials to be used for the external surfaces of the buildings and hard surfaced areas within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved.</u></p>	New condition to ensure adequate appearance to the development.
New	Architectural details	<p><u>Prior to the commencement of development in each phase shown on the approved phasing plan ref: 10930 MP 243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) details of the following for all buildings within that phase shall be submitted to and approved in writing by the Local Planning Authority:</u></p> <ul style="list-style-type: none"> • <u>Balconies and balustrades;</u> • <u>Roof parapets;</u> • <u>Depth of window reveals;</u> • <u>Canopies to entrances;</u> • <u>Rainwater goods.</u> <p><u>The development shall be implemented in accordance with the details as approved.</u></p>	New condition to ensure adequate appearance to the development.
New	Car Parking Management Plan	<p><u>Prior to the commencement of development in each phase shown on the approved phasing plan ref: 10930 MP 243-C dated 25 August 2011 (or any subsequent amendments to it that have been agreed in writing by the local planning authority) a Parking Management Plan detailing the allocation of car parking spaces and charges, on site parking controls and the enforcement of unauthorised parking within that phase has been submitted to and approved by the Local Planning Authority. No dwelling within the phase to which the plan relates shall be occupied until the Parking Management Plan has been implemented.</u></p>	New condition to ensure that car parking is managed and controlled on the development.

3.6 Environmental Impact Assessment

The Greater Flexibility for Planning Permissions guidance confirms that it is up to local planning authorities to seek further information in support of an application for extension of time. For example if the proposal is an environmental impact assessment (EIA) scheme and the local planning authority considers that the environmental statement (ES) submitted with the previous application requires updating, or is no longer sufficient because there is reason to believe that the likely significant environmental impacts have changed.

An environmental statement was submitted with the outline application in August 2007. Further to this, an Addendum to the ES was submitted in January 2008 in response to a request by the Council under Regulation 19 of the EIA Regulations for clarification and supplementary environmental information. The ES and Addendum were subsequently approved with the Outline application. As such, the environmental effects of the scheme have already been deemed acceptable.

Screening Opinion

As part of the application to extend the outline permission, Barratt Homes have formerly requested a Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended).

As no changes to the development are proposed there is no reason why the environmental effects predicted in the 2007/08 ES will have materially changed, irrespective of the passage of time since the ES was prepared, by virtue of the nature of the development, its location, potential cumulative effects and characteristics of potential impacts. The base information that the ES was considered upon remains valid and the main conclusions set out in the ES are considered to remain robust and up to date.

The proposals have been assessed against the requirements of the Environmental Impact Assessment Regulations. It is considered that a separate Environmental Impact Assessment is not required in relation to the application to extend the life of the outline planning permission for the redevelopment of Stonegrove and Spur Road Estates.

3.7 Section 106 Deed of Variation

The original outline planning consent was subject to a section 106 agreement which was completed on the 6th October 2008. A subsequent deed of variation to this legal agreement was approved by the committee on the 26th November 2008 to amend some of the trigger dates for payment of several of the section 106 contributions. The deed of variation was completed on 1st April 2009.

A new deed of variation is now needed to tie-in the original Section 106 Legal Agreement and the April 2009 deed of variation to the new renewed planning permission that will be issued as a result of this application. No changes are

proposed to the contributions or triggers within the section 106 agreement. The agreement will therefore remain in full force and effect in all other respects.

4. EQUALITIES AND DIVERSITY ISSUES

Residents of the Stonegrove and Spur Road Estates were involved in the preparation and design of the masterplan from the outset. Ongoing resident engagement has taken place on the detailed design of each phase of the development to date. Resident participation and engagement has therefore been at the heart of the proposals.

This application to extend the life of the outline planning permission will enable the Council in partnership with Barratt Homes and Family Mosaic to continue to deliver the regeneration of Stonegrove and Spur Road Estates which will provide greatly improved standards of housing for residents. The regeneration scheme will provide a new area of mixed tenure housing that will create a balanced and mixed community and will significantly enhance this location and bring about improvements to the quality of life of existing residents and the wider community.

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

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in its Equality Scheme, and support the Council in meeting its statutory equality responsibilities.

5. CONCLUSION

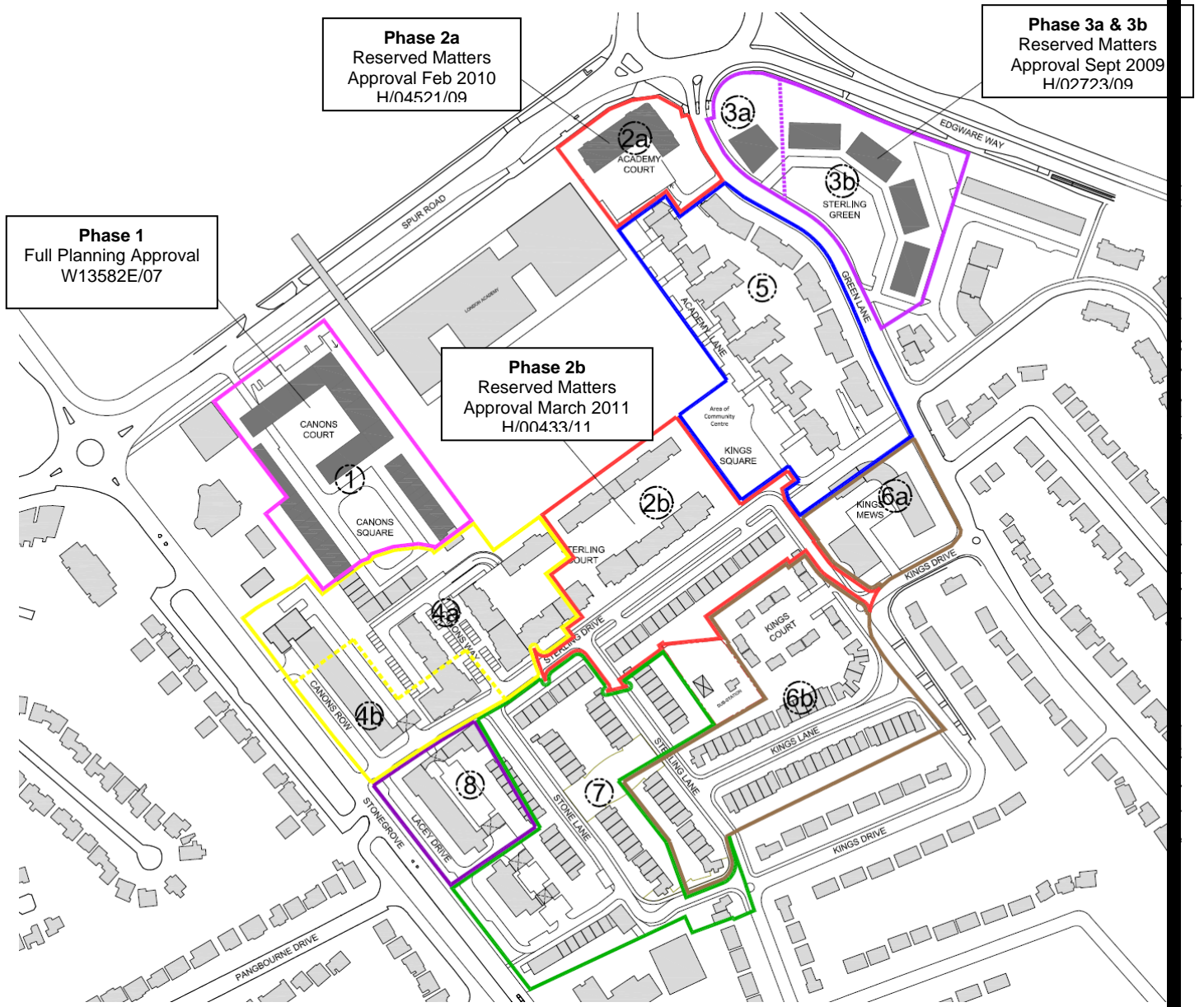
The Government, when introducing legislation to enable planning permissions to be extended, expected Local Planning Authorities to assist the wider economy and the delivery of sustainable development by keeping alive planning applications which would otherwise lapse during the UK recession. The guidance makes it clear that applications to extend planning permissions should not be considered a rubber stamp exercise. However it also makes clear that Local Planning Authorities should be positive and constructive in their approach to determining them. The only test of refusal is where it is considered that there has been a "significant" change in development plan policy or material considerations that would otherwise alter the decision.

The regeneration of Stonegrove and Spur Road Estates is a key priority for the Council and this is reflected in the Council's Three Strands Approach as well as adopted UDP and emerging Core Strategy policies. Planning permission was granted in 2008 to redevelop the estates. The development has by definition been judged to be acceptable in principle by Members at the original committee in 2008. This application to renew the outline planning permission has been assessed against changes in national, regional and local planning policy and it is considered that there are no policy changes which mean permission should not be given to extend the time limit. In addition there are no other material considerations which would indicate

that this application should be determined otherwise than in accordance with the development plan.

The regeneration of Stonegrove and Spur Road Estates is well underway with the first three phases either complete or under construction. The redevelopment will enhance this location and bring about improvements to the quality of life of existing residents and the wider community. A renewal of the outline consent would importantly allow time for the reserved matters for the remaining phases of the regeneration to be submitted. The application to extend the outline planning permission for redevelopment of Stonegrove and Spur Road Estates for a further three years is therefore **recommended for approval**.

Fig. 2 Updated Phasing Plan 10930_MP_243-C showing phases approved to date



APPENDIX 2 – Programme of Development Approved to Date

Outline	Total Units	Social Rented	Shared Ownership	Private Sale	Date Approved	Status
Outline Consent (including Penniwell Close)	999	325	154	520	October 2007	Approved
Phase						
Penniwell Close	62	45	17	0	April 2006	Complete and occupied
Phase 1 (Zone 1)	116	65	13	38	October 2007	Complete and occupied
Phase 3a and 3b (Zone 6)	98	45	17	36	September 2009	Nearing completion
Phase 2a (Zone 5A)	67	0	0	67	February 2010	Under Construction
Phase 2b (part of Zones 2 and 4)	107	107	0	0	March 2011	Approved. Yet to be constructed
Total Units to date (including this application)	450	262	47	141		
Units Remaining	549	63	107	379		

APPENDIX 3 – Relevant Planning Policies

Table 1 – Barnet UDP Policies

UDP POLICY	KEY REQUIREMENT
GSD	Sustainable Development
GMixed Use	Mixed Use – <ul style="list-style-type: none"> Proposals should incorporate a mix of uses. Should consider the character and diversity of the existing area. Potential nuisance. Accessibility by a range of transport.
GBEnv1 & GBEnv2 & GBEnv3	Character & Design & Safe Environment – <ul style="list-style-type: none"> Enhance the quality and character of the built and natural environment. Require high quality design. Provide a safe and secure environment.
GParking	Parking – apply standards to restrain growth of the car and regulate parking.
GCS1	Community Facilities – Adequate supply of land and buildings for community, religious, educational and health facilities.
ENV7	Air Pollution – <ul style="list-style-type: none"> Any possible impacts on air pollution must be mitigated. Minimise impact through siting. Reduce traffic and need to travel.
ENV12	Noise Generating Development – Location of noise generating development and noise sensitive receptors should be carefully considered.
ENV13	Minimising Noise Disturbance
ENV14	Contaminated Land – development on contaminated land will be encouraged subject to site investigations and conditions to require survey and mitigation.
D1	High Quality Design – <ul style="list-style-type: none"> High Quality Design, Sustainable Development, Community Safety.
D2	Character
D3	Spaces – Should enhance the development and be in keeping with the overall area.
D4	Over Development
D5	Outlook – Adequate sunlight, daylight, privacy and outlook.
D6	Street Interest – Produce vibrant streets, avoid blank walls.
D9 & 10	Designing Out Crime & Improving Community Safety – Buildings should be designed to reduce crime and fear of crime. This to be secured through planning obligations.
D11	Landscaping – <ul style="list-style-type: none"> Achieve a suitable visual setting for buildings. Provide attractive and accessible spaces. Contribute to community safety, environmental and ecological quality
D17	High Buildings
M3	Travel Plans – For significant trip-generating developments the council will require the occupier to develop and maintain a Travel

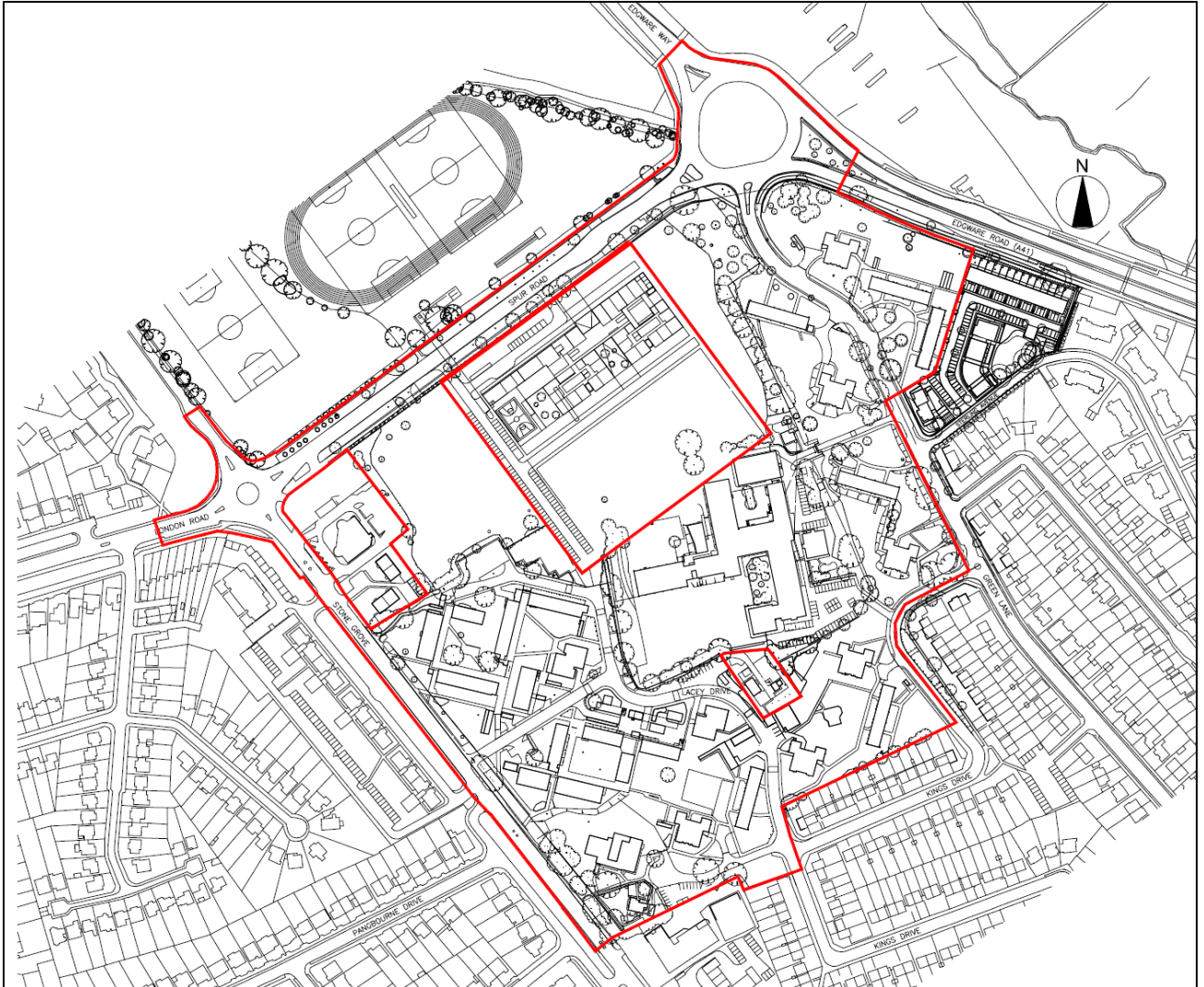
UDP POLICY	KEY REQUIREMENT
	Plan.
M4 & M5	Pedestrians and Cyclists – Widening Opportunities The council will identify additional cycle routes in the location and design of new developments. Developers will be expected to encourage cycling through provision of new facilities.
M6	Public Transport – Use – Developments Should be located and designed to make use of public transport more attractive by providing improved access to existing facilities, and develop new routes and services
M11	Safety of Road Users – The council will ensure that the safety of road users, particularly those at greater risk, is taken fully into account when considering development proposals
M13	Safe Access to New Development – The council will expect developers to provide safe and suitable access for all road users (including pedestrians) to new developments.
M14	Parking Standards – The council will expect development to provide parking in accordance with the London Plan parking standards, except in the case of residential development, where the standards will be: i. 2 to 1.5 spaces per unit for detached and semi-detached houses; ii. 1.5 to 1 spaces per unit for terraced houses and flats; and iii. 1 to less than 1 space per unit for development consisting mainly of flats.
H2	Housing
H5	Affordable Housing – Should negotiate the maximum reasonable amount of affordable housing.
H14	Wheelchair Housing
H16	Residential Development – Character. Integrate with existing patterns of development - <ul style="list-style-type: none"> • Be well laid out • Provide adequate daylight • Provide a safe and secure environment • Maintain privacy • Provide adequate amenity space.
H17	Privacy Standards
H18	Amenity Space Standards
H20	Residential Development – Public Recreational Space – Housing Development should provide proportionate amounts of public recreational space.
H21	Residential Density – Will favourably consider higher densities at Mill Hill East provided they comply with Policy D1 and related to their surroundings.
CS1&2	Community and Religious Facilities & Planning Obligations – Should be appropriately located and secured by planning obligations where appropriate.

Table 2 – London Plan Policies

LP POLICY	KEY REQUIREMENT
3.3	Increasing Housing Supply
3.4	Optimising Housing Potential;
3.5	Quality and Design of Housing Developments;
3.6	Children and Young People’s Play and Informal Recreation Facilities
3.8	Housing Choice;
3.9	Mixed and Balanced Communities
5.1	Climate Change Mitigation
5.2	Minimising Carbon Dioxide Emissions
5.3	Sustainable Design and Construction
5.6	Decentralised Energy in Development Proposals
5.7	Renewable Energy
5.10	Urban Greening
5.12	Flood Risk Management
5.12	Sustainable Drainage
7.1	Building London’s Neighbourhoods and Communities;
7.2	An Inclusive Environment
7.3	Designing Out Crime
7.4	Local Character
7.6	Architecture.

**SITE LOCATION PLAN:
Stonegrove and Spur Road Estates, Edgware, London, HA8 8BT**

REFERENCE: H/03635/11



PLANNING AND ENVIRONMENT COMMITTEE – 18 OCTOBER 2011

REPORT OF THE WEST AREA PLANNING SUB-COMMITTEE

7 SEPTEMBER 2011

SUB-COMMITTEE:

- * Maureen Braun (Chairman)
- * Councillor Eva Greenspan (Vice Chairman)

Councillors:

- | | |
|-------------------------------|------------------|
| * Jack Cohen | * Gill Sargeant |
| * Melvin Cohen LLB | * Agnes Slocombe |
| * Claire Farrier | * Hugh Rayner |
| * Sury Khatri BSc (Hons), MSc | * Darrel Yawitch |
| * John Marshal MA (Hons) | |

*denotes Member present

1. Chessington Court, Charter Way, London, N3 3DT - F/02295/11 (Finchley Church End) (Report of the Assistant Director of Planning and Development Management – Agenda Item 5)

The sub-Committee considered the attached report of the Report of the Assistant Director of Planning and Development Management. The Sub-Committee heard oral representations from Mr Alan Tinger who spoke objecting the application and a response from the applicant.

At the determination stage of the consideration of this application the sub-Committee were unable to reach a decision as the vote was tied. Therefore the Chairman referred the application to the Planning and Environment Committee in accordance with Part 3, Responsibility for Functions Paragraph 5.1 of the Council's Constitution.

RECOMMENDATION –

1. To request the Planning and Environment Committee to determine Chessington Court, Charter Way, London, N3 3DT - F/02295/11

LOCATION: Chessington Court, Charter Way, London, N3 3DT
REFERENCE: F/02295/11 **Received:** 28 May 2011
WARD(S): Finchley Church End **Accepted:** 13 June 2011
Expiry: 08 August 2011
Final Revisions:

APPLICANT: Grainger PLC
PROPOSAL: Construction of a roof extension at Chessington Court to create 8No. new self-contained residential units. Installation of solar panels at new roof level. Formation of 4 garages. Provision of 45 parking spaces following alterations to front landscape. Replacement of existing bin store with new Refuse & Recycling store. New bicycle store to accommodate 56 Bikes.

**RECOMMENDATION: Approve Subject to S106
Subject to a Section 106 Agreement**

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £36,692.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £1,112.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £10,966.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £2,738.50**
Contribution towards the Council's costs in monitoring the obligations of the agreement.
- 7 **Open Spaces (boroughwide) £6,000.00**
A contribution towards the improvement of Open Spaces in the London Borough of Barnet.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: F/02295/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: GE.00, GE.02, GE.03, GE.04, GE.05, GS.00, GS.01, GS.02, DT.00, GA.00, GA.01, GA.02, GA.03, GA.04, GA.05, EX.00, EX.01, EX.02, EX.03, EX.04, GA.00, GA.01, GA.02, GA.03, GA.04, GA.05, Mechanical, Public Health and Electrical Services Installations from Kut, a Sustainability Statement by Metropolis Green REF: 5053/SDCS-1105MP.01 and an Energy Statement by Metropolis Green Ref: 5053/RES-1105MP.01, Summary of Structural Design from Hurst Peirce and Malcolm and a Design and Access Statement.

Reason:

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

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

Reason:

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

- 3 Before the development hereby permitted is occupied the proposed Vehicular and bicycle parking spaces as shown in Drawing No. GA00 submitted with the planning application shall be provided and the access to the parking spaces will be maintained at all time.

Reason:

To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with Policies M13 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

- 4 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

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

- 5 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.

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

Reason:

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

- 7 A Construction Management Plan (Including demolition works) must be submitted to and approved by the Local Planning Authority. This document following approval must be complied with unless previously agreed in writing 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.

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

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

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

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings.

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

Reason:

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

- 11 Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.
It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

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

- 12 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure

of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

- 13 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 14 Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the (units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.

- 15 Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.

- 16 Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before the use commences.

Reason:

To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development.

- 17 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and / or road traffic and / or mixed use noise in the immediate surroundings.

- 18 The rear windows in the Type A flat that is directly adjacent to the Type B flat and which overlooks 1 Chessington Avenue shall be glazed with obscure glass to eye level, 1.7m above the finished floor level, and retained as such thereafter.

Reason:

To preserve the amenities of adjoining occupiers.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows:
- i) The proposed development accords with strategic planning guidance and policies as set out in the London Plan 2011 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant: PPS1 and PPS3
Adopted Barnet Unitary Development Plan (2006): GSD, GBEnv1, GBEnv2, GBEnv3, GBEnv5, GParking, D1, D2, D3, D4, D5, D6, D9, D11, M11, M12, M13, M14, H16, H17, H18, H21, H23, CS2, CS8, CS13, IMP1 and IMP2.
Core Strategy (Publication Stage) 2010: CS1, CS3, CS4, CS5, CS13, DM01, DM02, DM03, DM06, DM14.
 - ii) The proposal is acceptable for the following reason(s): - Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, the existing building, the amenities of any neighbouring property and would not prejudice highway safety or convenience.
- 2 In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the Crossover Team in Environment and Operations Directorate. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of any existing street furniture. This would need to be done by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway from the Crossover Team in Environment and Operations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 3 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development,

recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.

- 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 habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

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

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

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

- 6 The report submitted to the LPA should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control Planning for Air Quality and the Planning Policy; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils' Air Quality and Planning Guidance, revised version January 2007; 5) The report should also have regard to the air quality predictions and monitoring results from

the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network.

RECOMMENDATION III

That if an agreement has not been completed by 01/12/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/02295/11 under delegated powers for the following reason/s:

1) The proposed development does not include a formal undertaking to meet the costs of extra education, libraries, health and social care facilities, open space and associated monitoring costs arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet supplementary Planning Documents - Contributions to Education (2008), Libraries (2008), Health (2009) and Monitoring (2007) and policies H18, CS8, CS2, CS13, IMP1, IMP2 of the Adopted Unitary Development Plan (2006).

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1 and PPS3

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GSD, GBEnv1, GBEnv2, GBEnv3, GBEnv5, GParking, D1, D2, D3, D4, D5, D6, D9, D11, M11, M12, M13, M14, H16, H17, H18, H21, H23, CS2, CS8, CS13, IMP1 and IMP2.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
Policy CS 3 Distribution of growth in meeting housing aspirations
Policy CS 4 Providing quality homes and housing choice in Barnet
Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
Policy CS 13 Ensuring the efficient use of natural resources

Relevant Development Management Policies:

DM01 Protecting Barnet's character and residential amenity
 DM02 Design considerations for development
 DM03 Environmental considerations for development
 DM06 Ensuring a variety of sizes of new homes to meet housing need
 DM14 Parking standards and travel impact

Barnet's Supplementary Planning Guidelines

- Design Guidance Note No.7- Residential Conversions
- Planning Obligations (2006)
- SPD: Sustainable Design and Construction (2007)
- SPD: Contributions towards Education (2008)
- SPD: Contributions towards Libraries (2008)
 - SPD: Contributions towards Healthcare (2009)

Relevant Planning History:

Application:	Planning	Number:	F/02295/11
Validated:	13/06/2011	Type:	APF
Status:	PDE	Date:	
Summary:	APC	Case Officer:	David Campbell
Description:	Construction of a roof extension at Chessington Court to create 8No. new self-contained residential units. Installation of solar panels at new roof level. Formation of 4 garages. Provision of 45 parking spaces following alterations to front landscape. Replacement of existing bin store with new Refuse & Recycling store. New bicycle store to accommodate 56 Bikes.		

Application:	Planning	Number:	F/04924/10
Validated:	20/12/2010	Type:	APF
Status:	WDN	Date:	14/02/2011
Summary:	WIT	Case Officer:	David Campbell
Description:	Construction of a 1no storey roof extension at Chessington Court to create 8no self-contained residential units. Provision of 50 parking spaces following alterations to front landscape, and removal of 24 existing garages. Replacement of existing bin store with new Refuse & Recycling store. New bike store to accommodate 22 bikes. Installation of solar panels at new roof level.		

Consultations and Views Expressed:

Neighbours Consulted: 140 Replies: 8
 Neighbours Wishing To Speak 5

The objections raised may be summarised as follows:

- Overdevelopment
- Out of keeping
- Visual appearance/ Design
- The height of the building
- The hotel was limited to four storeys
- What will happen to the lift, TV aerials and satellite dishes?
- The trees screening the development are not under the applicant's control.
- Financial viability for the two ends is not a reason to grant permission.
- Access

- Increase in traffic
- Insufficient parking
- Reduction in green space
- Health and safety issues concerning access to the roof
- Waste disposal
- Increased overlooking
- Loss of light
- Light pollution
- Loss of a view
- Removal of the garages
- Increased noise and disturbance
- Views of the synagogue will be blocked.
- The extension is not compatible with the existing building

A petition with 38 signatures on it has also been received.

Internal /Other Consultations:

- Traffic & Development - No objections.

Date of Site Notice: 23 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings: The application site is located directly off Regents Park Road close to the A406 North Circular within the Finchley Church End ward. The site is separated from Regents Park Road by a small grassed area and the surrounding area contains other flatted developments such as Chessington Lodge and Beechwood Hall, a synagogue, the Holiday Inn Hotel and numerous single family residential dwelling houses.

The existing building has higher elements on the 'ends' of the building where there is an additional storey of accommodation. The central part of the building is therefore set at a lower level.

Proposal: The application seeks consent for the construction of a roof extension at Chessington Court to create 8 new self-contained residential units, the installation of solar panels at new roof level, formation of 4 garages, provision of 45 parking spaces following alterations to front landscape, replacement of existing bin store with a new refuse & recycling store and new bicycle store to accommodate 56 Bikes.

The additional 8 units would comprise of 5 x 2 bedroom units and 3 x 3 bedroom units. There are 45 existing units and 24 garage parking spaces and 10 undefined parking spaces.

Planning Considerations:

Due to the existing developments in the surrounding area it is considered that the principle of new flatted development is acceptable. National, regional and local guidance have policies that seek to promote the redevelopment of Brownfield sites for residential use providing they are acceptable in terms of character and would not harm the amenities of future occupants or any of the adjoining uses. Policies such as H2, H16, H17 and H18 relate to this in the Unitary development Plan and indicate that the Council will seek to provide additional homes providing that certain criteria has been conformed to.

Design

The design of the building will be discussed in two parts, the 'central element' and the 'ends' of the building where the building is a storey higher.

The principle of 'infilling' the central area is considered to be acceptable. The design of the proposals has been altered since the scheme was last submitted, in that the amount of glazing has been significantly reduced and the materials have been altered. There is also a much stronger correlation between the proposed windows and the windows on the floors below than the previous scheme.

The 'ends' of the building have been set in to reduce the bulk and massing of the new structure as a whole. The council is satisfied that this part of the application is acceptable also.

The council are now satisfied that the proposals are acceptable and will not harm the character and appearance of the existing building and the surrounding area. It is also noted that the Holiday Inn hotel has a timber panelled top floor, and as such it is considered that a similar approach at Chessington Court is also acceptable. There are other examples of tall blocks of flats in the immediate area and as such there are no objections to the principle of adding an additional storey with regards to overdevelopment or being out of character.

It is therefore considered that the proposals are acceptable in terms of design and visual appearance and therefore there are no objections on these grounds.

Amenity and Layout

The Adopted Unitary Development Plan contains a number of policies which seek to protect the amenities of future occupiers of the proposed flats and the existing occupiers of the flats already in the building. A condition has therefore been attached to ensure that the sound proofing of the walls and floors of the proposed units will be 3 decibels above normal building regulations standards. This is considered to be particularly important as the layout of the proposed units would be unlikely to be 'like above like' in terms of the rooms. It is therefore considered this is required to demonstrate that the proposals will not cause unacceptable harm to the amenities of adjoining occupiers.

In terms of the impact on neighbouring properties, the proposed units would be a minimum of 14.5m away from neighbouring boundaries to the rear. There would also be a gap of 40m between the new flats and properties in Kinloss Gardens which is considered to be acceptable. The rear facing windows of flat B are to be obscured glazed and as such are not considered to cause loss of privacy either. The A- type flats which back on to properties in Kinloss Gardens are not considered to give rise to significant increases in loss of amenity, particularly given the amount of overlooking that exists from the existing flats. The flat which gives rise to some concern is the A-Type flat which is next to the B-Type flat on the corner and which would be the closest to 1 Chessington Avenue. A condition requiring these windows to be obscure glazed to eye level has been attached to ensure that no overlooking is caused.

The other flats are considered to be far enough away, and at an angle to 1 and 3 Chessington Court, not to cause loss of amenity through overlooking or loss of light. It is also considered that the trees along the boundary will provide some screening as they do at the moment.

It is also considered that the terraces are acceptable as they would largely overlook the main road and other public areas and provide the flats with amenity space. It is not considered that they would give rise to any loss of amenity.

It is therefore considered that the application is acceptable on these grounds and would not give rise to increased overlooking or loss of light.

Amenity Space

Policy H18 of the Council's Adopted Unitary Development Plan (2006) requires new residential schemes to provide a minimum level of amenity space for new residential units. From the information provided in the design and access statement, the following information can be concluded:

Flat Type	No. of Habitable Rooms*	Amount of Amenity Space Provided (sqm)	Amount of Amenity Space Needed (sqm)
A	4	12.8	20
B	6	11.3	30
C	4	88.5	20

* As defined in the adopted Barnet Unitary Development Plan 2006.

Flat types A and B provide less than the required amount of amenity space. It is acknowledged that the site is not within an area of open space deficiency, is close to a small local park and is within close proximity to shops and services on Regents Park Road. However it is considered to address this shortfall; the council would require a contribution towards the provision of open space within the borough. As can be seen from the above table, Flat type C provides more than the required amenity space needed and therefore is considered to be acceptable on these grounds.

As the scheme stands a contribution towards open space provision has been requested for flat types A and B. It is acknowledged that this is not an area of open space deficiency, but given the shortfall below policy requirements, it is likely that residents will put pressure on local amenity space and therefore a contribution through the section 106 is sought.

Density

The eight additional units which are proposed are considered to be acceptable in terms of density, providing that adequate parking and refuse collection are included with any application which is submitted.

Parking/ Access

It is proposed that the existing 24 garages will be demolished and replaced with 4 garages and 25 parking spaces and the existing undefined parking in the front of Chessington Court will be formalised to provide 20 parking spaces. In total 49 parking spaces are proposed for 53 units compared to 34 spaces at the moment.

The revised parking provision is an improvement on the parking provision available at present and almost 1:1 parking and therefore meets the highway approval. There are no objections to the removal of the garages on planning grounds.

The vehicular and pedestrian access to the site is to be maintained as per the existing access points, however the vehicular access is being widened to 5.5 metres. There are no

objections to this.

The council's Traffic and Development Team have viewed the proposals and have no objections. There are no objections with this part of the application.

Refuse and Recycling

The proposals show the location of a refuse store on the submitted plans but it has been conditioned for further details. There are no objections on this part of the application at this stage.

Section 106 Requirements

Under Policy CS8 of the Adopted UDP (2006) the application is subject to a section 106 agreement which seeks to secure a financial contribution of £36,692 for future education needs generated by the development in the Borough which has been calculated in line with the council's Supplementary Planning Document on Contributions to Education. A contribution of £36,692 is sought to address this requirement.

Under Policy CS2 of the Adopted UDP (2006) the application is subject to a section 106 agreement which seeks to secure the provision of community and religious facilities. A contribution of £1,112 is sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services.

Under Policy CS13 of the Adopted UDP (2006) the application is subject to a section 106 agreement which seeks to secure the provision of healthcare facilities. A contribution of £10,966 is sought for the provision of healthcare services in the borough in line with the council's Supplementary Planning Document on Contributions to Healthcare Services.

As explained above, a contribution towards open space provision will be required. £6,000 is requested, £1,000 for each unit that falls below the required amount.

The payment of a financial obligation of £2738.50 towards the costs of undertaking the work relating to securing the planning obligations is required in line with the Supplementary Planning Document for Planning Obligations.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The planning grounds of objection have been covered in the main report. The other have been addressed below:

- The concerns over the lifts, TV aerials and satellite dishes are not planning matters.
- The principle of developing the two 'ends' has been assessed on their planning merits and found to be acceptable.
- There is not considered to be a detrimental reduction in green space
- Health and safety issues concerning access to the roof is not a planning matter.
- Increased light pollution or loss of a view are not considered to warrant a reason for refusal.
- There is not considered to be a detrimental increase in the level of noise and disturbance as a result of the development.
- Views of the synagogue being blocked is not considered to be a justifiable reason for refusal.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, the existing building or the amenities of any neighbouring property.

It is therefore recommended that the application be **APPROVED**.

SITE LOCATION PLAN: Chessington Court, Charter Way, London, N3 3DT

REFERENCE: F/02295/11



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LOCATION: Mill Hill Golf Club Ltd, 100 Barnet Way, London, NW7 3AL
REFERENCE: H/02883/11 **Received:** 11 July 2011
Accepted: 11 July 2011
WARD: Hale **Expiry:** 10 October 2011

Final Revisions:

APPLICANT: Mr D Beal

PROPOSAL: Extension to the time limit for implementing planning permission H/03099/08 granted 17/11/08 for 'Demolition of existing clubhouse and associated buildings and landscaping of site. Construction of replacement clubhouse, car parking and associated hard and soft landscaping within the existing course on West side of A1. New vehicular access from A1.'

**Approve subject to referral to Secretary of State
Subject to a Section 106 Agreement**

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. **Submission of Documentation** **£0.00**
The Owners shall provide the Local Planning Authority with no less than 30 days prior written notice of the intended date of implementation of the Permission.
4. **Special Site-Specific Obligation** **£190,000.00**
The Owners shall provide the Local Planning Authority with a Bond to the sum of £190,000 prior to implementation of the Permission.
5. **Special Site-Specific Obligation** **£0.00**
Written notice to be served on the Local Planning Authority 3 months prior to the completion of the new club-house building to confirm the date of commissioning of the new building and the date of occupation.
6. **Special Site-Specific Obligation** **£0.00**
Within 4 weeks following the occupation of the new clubhouse, the existing clubhouse and associated buildings as indicated on plan nos 44-437-EX01

shall be removed and the site landscaped in accordance with a specification supplied by and to the satisfaction of the Council's Greenspaces department.

7. **Monitoring of the Agreement** **£750.00**
Contribution of £750 towards the Council's costs in monitoring the obligations of the agreement.
8. **Special Site-Specific Obligation** **£0.00**
All payments to become payable in their entirety within 28 days following a material start of the development implementing the planning permission with prior written notice to the Assistant Director of Planning & Development Management 14 days before implementation of the development.
- 9 **Special Site-Specific Obligation** **£0.00**
The paying of the Council's legal and professional costs in preparing the agreement and any other enabling agreements.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: H/02883/11 under delegated powers subject to the following conditions: -

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

Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: -44 – 437 – 100 rev B; 44 – 437 – 101 rev C; 44 – 437 – 102 rev A; 44 – 437 – 103 rev B; 44 – 437 – 104 rev A; 44 – 437 – 105; 44 – 437 – EX01; 44 – 437 – EX01 Overlay; 44 – 437 – EX02; 44 – 437 – EX03; Design and Access Statement; Baseline Ecological Assessment; Flood Risk Assessment; Sustainability Statement; Transport Statement; Additional Sustainability Letter from HDA to the GLA dated 24/10/08.

Reason:
For the avoidance of doubt and in the interests of proper planning.
3. Before development hereby permitted is occupied, turning space and parking spaces (to include 2 disabled parking spaces) and cycle parking 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. No alterations to the layout or number of vehicle or cycle parking spaces shall be made without the consent in writing of the Local Planning Authority and transport for London.

Reason:

To ensure that parking and associated works and cycle provision are provided in accordance with the standards set out in the London Plan and the Unitary Development Plan in the interests of pedestrian and highway safety and the free flow of traffic.

4. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

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

5. 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.

6. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

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

7. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

9. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

10. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

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

13. No site works or works on this development shall be commenced before temporary fencing has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. 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.

14. The species, size and siting of the replacement tree(s) shall be agreed in writing by the Local Planning Authority and the tree(s) shall be planted within 6 months (or as otherwise agreed in writing) of the commencement of the approved treatment (either wholly or in part). The replacement tree(s) shall be maintained and/or replaced as necessary until the new trees are established in growth.

Reason:

To maintain the visual amenities of the area.

15. No siteworks or works on this development shall be commenced before a method statement detailing precautions to minimise damage to trees in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

Reason:

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

16. Before development commences details on the construction of the grass sedum roof should be submitted to and approved in writing by the Local Planning Authority.

Reason

To protect the wider ecology of the site

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

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

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

Reason:

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

19. No development shall take place until details of a construction management plan, including details of material storage, site huts and hours of delivery have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved Plan.

Reason:

To safeguard residential amenity.

20. Before development commences a Management Strategy should be produced in conjunction with Natural England and should be submitted to and approved in writing by the Local Planning Authority.

Reason

To protect the wider ecology of the site

21. Before development commences a Mitigation Strategy should be produced in conjunction with Natural England and should be submitted to and approved in writing by the Local Planning Authority.

Reason

To protect the wider ecology of the site

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

Reason:

To enable archaeological investigation of the site.

23. No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological recording of the standing historic building (Barn fronting Hankins Lane), in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason:

To enable archaeological investigation of the site.

24. The construction of the site drainage system shall be carried out in accordance with details submitted to and approved in writing by the Planning Authority before the development commences.

Reason:

To prevent pollution of the water environment and to ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system and the amenities of the area.

25. There shall be no raising of existing ground levels on the site within the area liable to flooding.

Reason:

To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

- 26 The proposed caretakers flat in the proposed building should only be occupied by persons employed by the Golf Club and for no other purposes.

Reason

To protect the character and appearance of the area and the purpose and functions of the Greenbelt.

- 27 The premises shall be used for a Golf Clubhouse and no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

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.

- 28 The proposed Clubhouse shall not be open to customers or its members at anytime before 7 a.m. or after 12 p.m. Monday to Sunday.

Reason

To protect the character of the area and amenities of surrounding occupiers

- 29 Before the development hereby permitted commences the applicant shall submit details of the proposed lighting of the site for approval in writing by the Local Planning Authority and Transport for London.

The lighting scheme shall include the provision of lighting from the car-park to the clubhouse. The lighting shall be implemented in accordance with the approved details and shall be maintained thereafter.

Reason

To ensure the development does not prejudice neighbouring amenity or the appearance of the site.

- 30 Before development commences a Travel Plan shall be produced in conjunction with Transport for London, submitted to and approved in writing by the Local Planning Authority no later than 6 months from the development commencing.

Reason:

To encourage sustainable patterns of travel.

- 31 Prior to the commencement of the development, the applicant shall enter into a section 278 agreement with Transport for London to facilitate the removal of the lay-by and associated junction and access works.

Reason:

To ensure pedestrian and highway safety.

INFORMATIVE(S):

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

i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GSD, GBEnv1, GBEnv2, GL1, GParking, HC5, D1, D2, D9, D11, D13, O1, O2, O18, L20, L22, GRoadNet, M11, M12, M13, M14.

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development, with Planning and Climate Change Supplement

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Statement 25: Development and Flood Risk

Planning Policy Guidance Note 2: Greenbelts

Planning Policy Guidance Note 13: Transport

Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation

The Mayor's London Plan: July 2011: 5.3, 7.4, 7.16, 7.17, 7.19

Supplementary Planning Documents - Sustainable Design and Construction

- Monitoring of Planning

Obligations

Relevant Core Strategy Policies: CS5, CS7

Relevant Development Management Policies: DM01, DM03, DM04, DM15, DM16, DM17.

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

The proposal is considered to have an acceptable impact on the character and appearance of the area and would not be detrimental to the amenities of surrounding occupiers. The proposal is considered to comply with national and local Greenbelt policy and all the aforementioned UDP policies and therefore approval is recommended accordingly.

- 2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application

WATER COMMENT

With regard to water supply, this comes within the area covered by the Three Valleys Water Company. For your information the address to write to

- 3 Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter should not discharge to the surface water system.

No sewage or trade effluent, including cooling water containing chemical additives, vehicle wash waters, steam cleaning effluent, or pressure wash effluent, should be discharged to the surface water system.

Any open chemical or refuse storage areas should be surrounded by suitable liquid tight bunded compounds to prevent drainage from these areas discharging into the surface water system. Such areas should be connected to the foul sewer subject to the approval of Thames Water Utilities or its sewerage agent.

Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

Underground or overground pipelines should be adequately protected against leakage particularly by corrosion.

Any above ground oil storage tank(s) should be sited on an impervious base and surrounded by a suitable liquid tight bunded compound. No drainage outlet should be provided. The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipe should be directed downwards into the bund. Guidelines are available from the Environment Agency.

Underground chemical, oil or fuel storage tanks should be constructed of material resistant to attack by the substance stored therein and protected against corrosion. The tank vent pipe should be taken to a sufficient height to prevent an overflow taking place in the event of the tank being overfilled. This type of tank should be filled from the delivery tanker by gravity only.

Surface water from car parking areas should be passed through a suitable type of oil/ grit separator, the design of which shall be to the satisfaction of the Environment Agency. Clean water should not pass through the oil separator. The outlet from the oil separator should be provided with a cut-off valve to prevent flow in the event of the discharge being significantly polluted.

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for dewatering from any excavation or development to a surface watercourse. Contact Consent Department on 08708 506506 for further details.

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is also required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Consents Department on 08708 506506 for further details.

Waste

- Any waste arising from these works must be removed by a Registered Carrier and disposed of at an appropriate authorised waste management licensed facility, following the waste transfer or consignment note system, whichever is appropriate.
- Waste arising from demolition must be clearly segregated as to the types for disposal within the approved waste categories.
- Particular attention needs to be given to avoid the comminution of any asbestos as it is removed in the demolition phase so as to avoid contamination of the site from this source.

- 4 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.
- 5 The historic building is of intrinsic archaeological interest and any alteration or demolition of the historic structure should be recorded before it is damaged or destroyed by the development hereby permitted.
- 6 Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the brink of the Deans Brook main river. Consent is also required for any works which will affect the flow of an ordinary watercourse.
- 7 The Mitigation Strategy should set out how the developer will:
 - a) protect slow worms from any harm that might arise during the development work; and,
 - b) ensure that sufficient quality, quantity and connectivity of habitat is provided to accommodate the slow worm population, either on-site or at an alternative site, with no net loss of local reptile conservation status.

This Strategy should also set out the other mitigation measures which will be put in place in order to fully mitigate the potential effects of development on the ecology of the site (for example, in relation to breeding birds) and its surroundings.

For further information the applicant is advised to contact Lisa Walduck, Natural England, London Regional Office, 6th Floor, Ashdown House, 123 Victoria Street, London, SW1E 6DE. Tel - 0300 060 0139.

- 8 The Management Strategy should detail how the development site and receptor sites for slow worms and toads will be managed in the future, including the mechanisms for securing funding to enable this ongoing management. The Management Plan should look to retain existing features where appropriate and link into existing off site biodiversity
- 9 Your attention is drawn to the fact that this decision is subject to a Section 106 Planning Obligation.

RECOMMENDATION III:

That subject to no direction being received from the Secretary of State stating that he wishes to determine the application and upon completion of such legal agreement the Head of Planning and Development Management be instructed to approve planning application reference: H/02883/11 under delegated powers, subject to the following conditions:

RECOMMENDATION IV:

That if the above agreement has not been completed and agreed by the 19th January 2012, the Head of Planning and Development Management REFUSE the application ref: H/02883/11 under delegated powers for the following reasons:

The development does not incorporate a formal undertaking to demolish the existing Clubhouse and associated buildings and the development would therefore constitute inappropriate development, which is not justified by very special circumstances, detrimental to the purpose and functions of the Green belt, contrary to policies GBEEnv1, GGreenbelt, O1 and O2 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development, with Planning and Climate Change Supplement

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Statement 25: Development and Flood Risk
Planning Policy Guidance Note 2: Greenbelts
Planning Policy Guidance Note 13: Transport
Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation

The Mayor's London Plan: July 2011: 5.3, 7.4, 7.16, 7.17, 7.19

Relevant Unitary Development Plan Policies: GSD, GBEnv1, GBEnv2, GL1, GParking, HC5, D1, D2, D9, D11, D13, O1, O2, O18, L20, L22, GRoadNet, M11, M12, M13, M14.

Supplementary Planning Documents - Sustainable Design and Construction
- Monitoring of Planning Obligations

Corporate Documents

- The Three Strands Approach – November 2004.
- A Sustainable Community Strategy for Barnet 2006-2016.
- London Borough of Barnet Corporate Plan 2007/08 - 2010/11

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS5, CS7

Relevant Development Management Policies: DM01, DM03, DM04, DM15, DM16, DM17.

Relevant Planning History:

Planning applications picked up in spatial search

Site Address: Mill Hill Golf Club Barnet Way NW7
Application Number: W01505A
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 22/07/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Advert**
Case Officer:

Site Address: Mill Hill Golf Club Barnet Way NW7
Application Number: W01505B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 10/03/1971
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **erection of refreshment bar store.**
Case Officer:

Site Address: 100 Barnet Way; Mill Hill NW7
Application Number: W01505C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 21/05/1975
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **replacement of storage building**
Case Officer:

Site Address: Mill Hill Golf Club Barnet Way LONDON NW7
Application Number: W01505G
Application Type: Outline Application
Decision: Refuse
Decision Date: 16/03/1993
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of clubhouse and machinery storebuildings, alterations to access and new carpark.**
Case Officer:

Site Address: Mill Hill Golf Club, 100 Barnet Way LONDON NW7
Application Number: W01505H
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 16/11/1995
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Additional board on existing sign fronting Barnet Way.**
Case Officer:

Site Address: Mill Hill Golf Club 100 Barnet Way London NW7
Application Number: W01505D
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 26/05/1976
Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists
Proposal: erection of rear extension to provide additional w.c.
Case Officer:

Site Address: STONEYWOOD LAKE MILL HILL GOLF CLUB BARNET WAY LONDON
NW7 3AJ

Application Number: W12354/00
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 05/04/2001

Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Construction of wall to southern boundary with associated flow control structures emergency spillways, telemetry kiosk and access tracks. Improvements to south eastern and south western margins of the lake.**

Case Officer:

Site Address: MILL HILL GOLF CLUB LTD, 100 BARNET WAY, LONDON, NW7 3AL

Application Number: 03099/08
Application Type: Full Application
Decision: Migrated Code
Decision Date: 17/11/2008

Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Demolition of existing clubhouse and associated buildings and landscaping of site. Construction of replacement clubhouse, car parking and associated hard and soft landscaping within the existing course on West side of A1. New vehicular access from A1.**

Case Officer: Matthew Corcoran

Site Address: MILL HILL GOLF CLUB LTD, 100 BARNET WAY, LONDON, NW7 3AL

Application Number: 03108/08
Application Type: ES Screening Opinion
Decision: ES Not Required
Decision Date: 05/09/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Environmental Impact Assessment - screening opinion.**
Case Officer: Matthew Corcoran

Consultations and Views Expressed:

Neighbours Consulted: 207
Neighbours Wishing To 0
Speak

Replies: 0

No objections were received.

Internal /Other Consultations:

- Mill Hill Resident's Association - No comments received.

- Mill Hill Preservation Society - No comments received, have no objection to the previous proposal in principle
- London Wildlife Trust Barnet Group - No comments received.
- Barnet and Enfield Friends of the Earth - No comments received.
- Environment Agency - No comments received, had no objections to the previous application subject to conditions
- TFL Landuse - No comments received.
- Greater London Authority - The application does not raise any further strategic planning issues.
- Thames Water Devt Control - No comments received, had no objections to the previous application subject to informatives.
- Metropolitan Police Service (H) - No comments received, had no objection in principle to the previous application: Detailed comments have been received relating to crime prevention and community safety
- London Ecology Unit - No comments received.
- Environmental Health - No comments received, had no objection to the previous scheme.
- Traffic & Development - No comments received, had no objection to the previous scheme subject to TFL comments
- Property Services - No objection and comments summarised within body of report
- Green Spaces (inc Allotments) - No comments received.
- Natural England - No comments received. Had no objection to the previous scheme subject to conditions.
- Government Office For London - Will be referred to for formal decision
- English Heritage -Listed Build - No comments received.

Date of Site Notice: 21 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is currently occupied by Mill Hill Golf Club and the course and clubhouse site are both located within the Green Belt . The golf club site accommodates an area of approx 70 hectares. The existing clubhouse site has access from Hankins Lane and south bound A1 entrance.

Background

The application in question is submitted by Mill Hill Golf Club who wish to replace the existing clubhouse with one on the same site as the course. At present the golf course and clubhouse are divided by the A1 Trunk Road. Access to the golf course from the club house is achieved via an underpass which has proved dangerous and inadequate for golfers wishing to use the course. It is argued that having the clubhouse site in isolation from the course is reducing the viability of the club, which in recent years has experienced problems in maintaining the business.

Proposal:

The proposal involves the demolition of the existing clubhouse and associated buildings and landscaping of the site, the construction of a replacement clubhouse, car parking and hard and soft landscaping within the existing course on the west side of the A1 with new vehicular access from the A1.

The site area of the proposed clubhouse, including car parking will cover an area of approx. 0.4 hectares. The existing clubhouse site occupies an area of approximately 2.7 hectares.

The siting of the proposed clubhouse has been chosen to take advantage of as much of the contouring of the course as possible to embed the building within the natural surroundings of the golf course.

The proposed building would be of two storey scale designed in an L-shaped layout. The building would be approx 39m in length, 15.5m deep and 7m high at its highest point. The roof design would be a barrel vaulted grass sedum roof, and elevations would be treated with timber cladding.

The proposal includes 111 car parking spaces and a new access road coming in from the A1 northbound carriageway, approximately 300 meters north of the existing golf club access on the A1 southbound carriageway. The entrance would be located within an existing parking lay-by on the northbound A1 which also accommodates a bus stop.

A Section 106 agreement accompanies the application placing obligations on the golf club to carry out a number of requirements. The draft agreement requires the golf club to demolish and landscape the existing clubhouse building, tractor shed and single storey side addition to the large barn fronting Hankins Lane within a defined time scale after occupation of the proposed clubhouse. The agreement requires the applicant to provide the Council with a Bond to the sum of £190,000 prior to implementation of the planning permission. This would then be released back to Mill Hill Golf Club upon successfully completing the demolition and landscaping of the existing site.

Planning Considerations:

This application is for an extension of time limit for implementation of the application approved under reference H/03099/08. The report from the previous application is included below.

The proposed new clubhouse alone is considered to be a form of inappropriate development within the Green Belt. However it is considered that the applicants have been able to demonstrate very special circumstances to allow the application to be recommended for approval. This is due to the merits of the proposed new building and the accompanying S106 agreement.

Green Belt issues

The application site falls within Metropolitan Green Belt, including the course and existing clubhouse site. National Government advice on land within the Green Belt is provided through Planning Policy Guidance Note 2 (PPG2). Within this it states that Greenbelt land should provide for the following objectives:

- To provide opportunities for access to the open countryside for the urban population.
- To provide opportunities for outdoor sport and recreation near urban areas.
- To retain attractive landscapes, and to enhance landscapes where people live.
- To improve damaged and derelict land around towns.
- To secure nature conservation interests.
- To retain land in agriculture, forestry and related uses.

When considering applications within the green belt, the advice as set out in PPG2 states that the construction of new buildings within Green Belt land is inappropriate development unless it is for the following reasons:

- Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.

With regards to essential facilities, these should genuinely be required for uses of land which preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Planning permission should not usually be granted for new development within the Green Belt, unless it can be justified by very special circumstances. These are considered to have been demonstrated in this case:

- The proposed clubhouse will have a smaller footprint and volume than the existing clubhouse and there will be a reduction in built form overall across the 2 sites.
- The provision of the clubhouse and course on the same site will negate the need for golfers and visitors to use the underpass, thereby providing a more attractive golfing facility which should help to secure its long term future.
- The accompanying Section 106 agreement gives certainty that the existing buildings will cease to be occupied and the buildings demolished and land restored once the development is implemented and brought into use.

The application is accompanied by a Section 106 agreement which requires the golf club to demolish the existing club house and ancillary buildings after the commissioning of the new clubhouse. Given the Green Belt location of the new development it is considered necessary for the club to enter into a legal agreement with the Council to ensure that demolition and landscaping works are carried out on the existing site. Given the current economic climate, for additional safeguarding measures, the legal agreement provides that the golf club will provide the Council with a monetary bond to the sum of £190,000 before development commences. This sum of money is considered to cover the costs of demolition and landscaping of the existing site should the golf club fail to implement such works. When the demolition and landscaping of the existing site is completed to the satisfaction of the Council, the Bond would then be released back to the club.

The proposed new clubhouse building would be no larger in terms of footprint and

floor space than the existing Clubhouse and associated buildings in line to be demolished.

The existing clubhouse, combined with the ancillary buildings to be demolished equate to a total floor area of 1950 square meters. The proposed building would have a total floor area of 1890 sq.m which in terms of floor area would be less than the existing.

In terms of volume comparisons the proposed new building would have an overall cubic volume of 5292 cu.m. Whilst the existing clubhouse and associated structures to be demolished arise to a total of 5810 cu.m. Given this comparison in building floorspace and volume, the proposal is considered to be acceptable in Green Belt policy terms and would contribute towards the future viability of the golf club.

Design

The proposed building would be sited between the 17th green and 18th tee, with access and egress from the A1 which would be approx. 300m north from the existing entrance. The building layout would be L-shaped in form with main facing north-west and south-west elevations overlooking the golf course. Due to the siting of the building and the level changes, when approaching the clubhouse front entrance the building would appear single storey in nature.

Given the open nature and setting of the surrounding area the proposed building has been sensitively embedded within the slopes of the course to partially obscure the building within the grass covered banks.

The proposed barrel vaulted roof will be constructed of a grass sedum material which will offer an aesthetically natural appearance to the building. The elevations will be treated with timber hoardings to assist the building to blend into its natural surroundings

Highways

The proposal involves introducing a new junction and access with the A1 northbound carriageway which would be approx 300m north from the existing entrance on the southbound carriageway on the A1. The site will be accessed directly from the A1, with a deceleration lane leaving the A1 and acceleration lane to join the A1.

The proposed access would be located within the existing layby on the A1, which also serves a Bus Stop. Given the positioning of the Bus Stop in its relative isolation, statistics show that the Bus Stop is highly underused. The loss of this Bus Stop would not result in a significant detrimental impact on use of this Bus Route. The applicants will be required to enter into a Section 278 agreement with Transport for London to agree the new access.

The Applicants will be required to ensure that the building meets the requirements in the Disability Discrimination Act (DDA) 1995 and ensure that entrances are well lit.

Property Issues

The London Borough of Barnet is the freehold owner of the land on both sides of the A1 upon which the golf course and the existing club house are now located. The applicants hold a lease which has 38 years unexpired. It was agreed at the time of the granting of this lease that, should planning permission be granted and implemented for the development of a new club house, a 75 year lease extension will be granted for the land on the west of the A1, and the land on the east (apart from the residential accommodation should the golf club so require) would revert to the Council ownership.

The need for the applicant to seek from the London Borough of Barnet this lease extension as well as landlord's permissions under the existing lease to undertake the various stages of the development and demolition will provide a further degree of monitoring and control over the implementation of the planning permission.

Once the existing clubhouse is vacated and demolished, the Council would seek to block off and restrict the access from the A1 to service vehicles only. The remainder of the site would be secured, whilst allowing access for those residential properties which lie on the Hankins Lane side of the site.

There are no proposals for any alternative use of the existing clubhouse site at this time. Any future proposal for use of the land would need to be compatible with its green belt status and need to maintain openness.

Trees

There are no Tree Preservation Orders on the application site. However, Tree Preservation Orders are not usually placed on land which is Barnet Council Freehold. Mill Hill Golf Club currently maintain and treat all trees within the site.

The location of the proposal would largely be sited within existing brambles and scrub land. However, the development would result in the loss of trees. The application is accompanied by a tree survey which identifies all trees which are proposed to be removed. Whilst the proposal would remove a number of the trees in the course, none of these could be viewed from any public vantage point and none have been identified as having special amenity value which would reasonably warrant the making of a Tree Preservation Orders. The golf club confirm their intention to replace more trees than are to be removed. A condition is attached to the permission requiring the applicant to submit a full arboricultural landscaping scheme and method statement prior to any development commencing in order to ensure a satisfactory appearance to the site. Trees and bushes are to be retained along the boundaries with the A1 to ensure that the site maintains an acceptable appearance and views of the development would be largely restricted by the natural screening and the existing raised banks.

Ecology Issues

National Government advice on Biodiversity in the form of PPS 9 requires local planning authorities to adhere to a number of key principles to ensure that the potential impact of a development is fully considered. PPS9 advises that local planning authorities should prevent harm to biodiversity and geological conservation

interests. If significant harm would take place the local planning authority should be satisfied that the development cannot be reasonably located elsewhere. If no other alternative sites exist, then adequate mitigation measures should be arranged to safeguard the wider ecology of the site.

An Ecological assessment has been submitted to accompany the application. The assessment confirms the golf course and adjoining woodlands as important wildlife habitats taken as a whole ecological unit. Of significance, the proposed development footprint currently supports one species of reptile, the slow worm, which has a level of protection from killing, injuring and taking. The assessment identifies potential mitigation and would be in the form of a translocation scheme within the confines of the golf course.

Natural England have been consulted for the benefit of the application. Whilst they raise no objection in principle, the planning permission would be subject to a number of conditions requesting the golf club to carry out mitigation strategies prior to implementation of the development and in conjunction with Natural England, to be submitted to and approved in writing by the local planning authority. In summary the proposal would not have any long term adverse effects on the overall ecology of the site provided that appropriate mitigation takes place in conjunction with future advice from Natural England.

Sustainability

The Golf Club are committed to ensure the proposed building functions sustainably and is energy efficient. The proposal incorporates a number of sustainable construction methods and energy efficient designs. The building form is designed to be set within the natural banks of the course which would wrap around the building, reducing visibility and also heat loss, retaining warmth in periods of colder climate. The proposed building incorporates a grass sedum roof intended to retain between 40 – 75% of average rainfall. The environmental benefits of this include reducing flooding, improved thermal performance as well as providing a visually sympathetic appearance to the building suitable for its surroundings.

Externally the pavilion elevations will be treated with timber cladding from UK timber suppliers. Insulation to the building would be provided through re-cycled newspaper and sheep's wool. Heat recovery methods would be implemented to the building enabling heat to be retained in hotter periods and is re-circulated around the building.

The proposed site, with large open areas provide for an ideal opportunity to install Ground Source Heat Pumps. The proposal incorporates Ground Source Heat Pumps which would be buried under ground pumping the heated water through pipes under the flooring and around the building. Ground Source Heat Pumps require an amount of electricity to pump the water around the pipes which would be achieved by a Combined Heat and Power Unit.

Rainwater harvesting would be installed to the building to allow water to be re-cycled for use on the Golf Course and water flushing within the proposed building. All lighting within the proposed building will be in the form of low energy and high efficient bulbs.

It is the overall intention of the Golf Club to exceed a 20% reduction in carbon emissions from the total energy usage of the building.'

The application for the extension to time limit for permission H/03099/08.

In considering the application for an extension to time limit for the permission previously granted, it must be assessed whether there have been any changes in policy or circumstance that would warrant refusal of the application.

Changes in Policy

There have been no changes to any national planning policy statements that are considered to significantly affect the proposals, in particular Green belt policy is unchanged since the time of the previously application. Since the time of the previously approved application, a new London Plan has been Adopted. Also, the Council's Core Strategy and Development Management policies are at pre-examination stage and whilst not formally adopted have some limited weight.

Core Strategy policies CS5 (Protecting and Enhancing Barnet's character to create high quality places) and CS7 (Enhancing and Protecting Barnet's open Spaces) are considered relevant.

Development management policies DM01 (Character), DM03 (Accessibility and Inclusive Design), DM04 (Environmental considerations for development), DM15 (Green Belt), DM16 (Biodiversity), and DM17 (Traffic impact) are considered relevant.

It should also be noted that a number of Unitary Development Plan policies have been deleted.

Taking into account these changes in policy context it is not considered that any would warrant refusal of the application.

Changes in Circumstances

The design of the building was previously considered acceptable and this view has not changed. It is not considered that it would harm the character of the area. It would be acceptable in green belt terms, it's impact on highway safety, protected trees and ecology. The sustainability credentials of the scheme would be acceptable. Furthermore, no major development has taken place around the site that would be considered to impact the proposals.

It is considered that no changes in policy have occurred that would warrant refusal of the application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

None received.

4. EQUALITIES AND DIVERSITY ISSUES

The proposal would provide for a new sustainable and highly energy efficient clubhouse building, which is considered an acceptable replacement to the existing clubhouse building. The proposal would offer better quality accommodation for Mill Hill Golf Club, aiding the future viability of a Sports Club within the Borough.

Mill Hill Golf Club encourage community involvement and offer a number of incentives for Barnet residents to utilise their facilities. Barnet residents are able to use the course and club facilities on any weekday between 9.00am and 5.00pm, subject to competitions, with a 40% reduction in the usual green playing fees.

5. SECTION 106 ISSUES

The terms of the Section 106 agreement would be unchanged from that agreed previously.

The agreement sets out a number of requirements the golf club shall need to fulfill when implementing the planning permission. These include -

- The owner shall provide the Local Planning Authority with no less than 30 days written notice prior to the intended date of implementation of the permission.
- Prior to implementation of the permission the owners will provide the Council with a bond to the sum of £190,000.
- The owners shall provide the Council with no less than three calendar months written notice prior to the date of commissioning of the new clubhouse and the estimated date of occupation
- Within 4 weeks of occupation of the new clubhouse, the existing buildings, including clubhouse, tractor shed and single storey side addition to the barn which fronts Hankins Lane shall be demolished and laid to soft landscaping as agreed with the Councils Greenspace Department.
- Contribution of £750 for monitoring of the agreement
- Payment of Councils legal fees
- The Council shall release the owner from the Bond upon complying with the obligations for demolition and re- landscaping of the existing site.

6. CONCLUSION

The proposal, subject to the section 106 agreement, is considered to be an acceptable replacement clubhouse within the greenbelt. The proposal is considered to have an acceptable impact on the character and appearance of the area, wider ecology of the surrounding site and the amenities of any neighbouring resident.

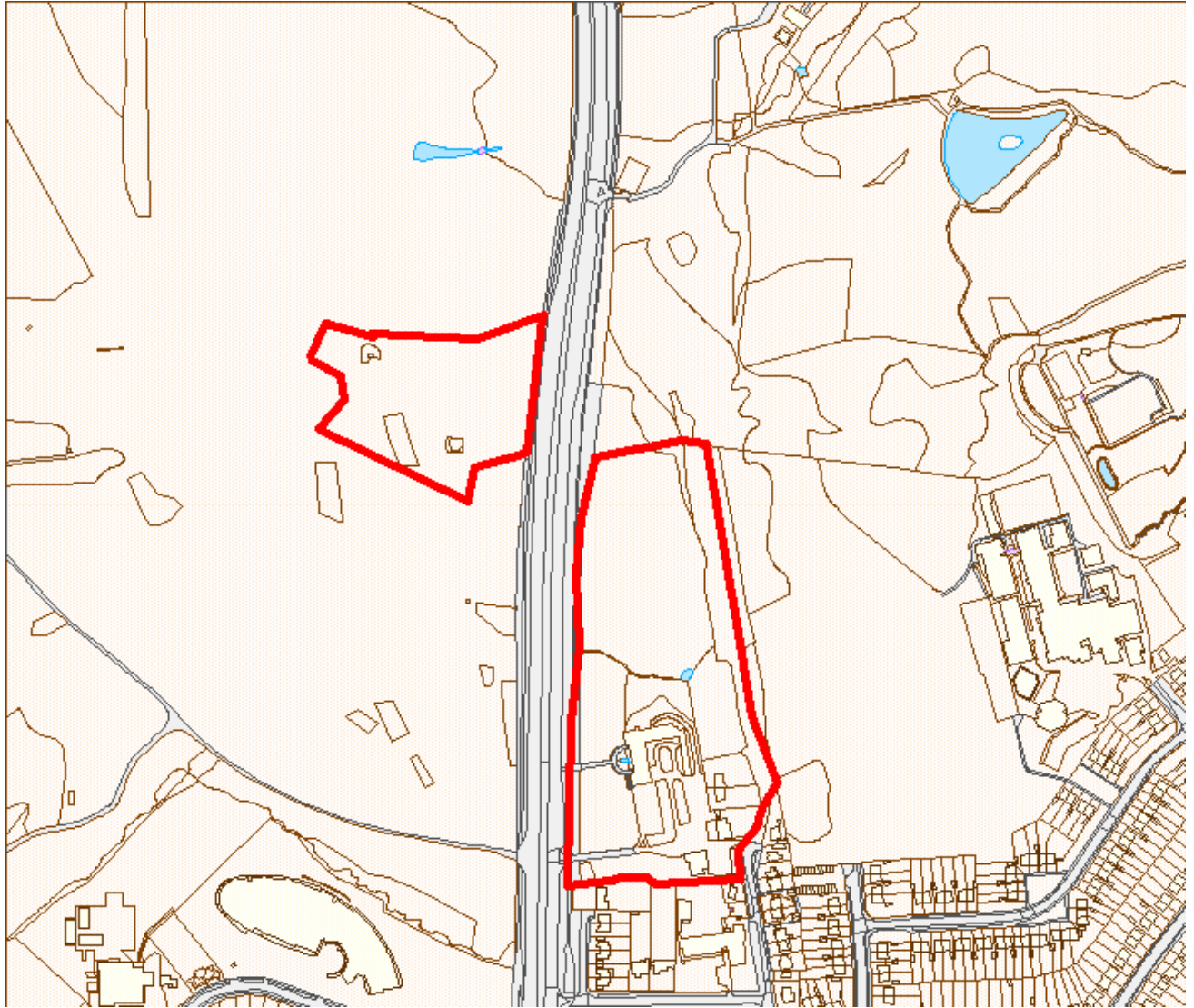
APPROVAL is recommended accordingly.

**SITE LOCATION PLAN:
NW7 3AL**

Mill Hill Golf Club Ltd, 100 Barnet Way, London,

REFERENCE:

H/02883/11



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LOCATION: Middlesex University, Cat Hill, EN4 8HU

REFERENCE: B/00026/11/CNA

Received: 14 July 2011

Accepted: 14 July 2011

WARD: Cockfosters

Expiry: 04 August 2011

APPLICANT: L&Q

PROPOSAL: Demolition of existing buildings and redevelopment of site to provide 272 residential units comprising 178 self-contained flats within 5 x 6-storey blocks with basement parking (Block E - 2 x 2-bed and 22 x 3-bed, Block F - 6 x 1-bed, 14 x 2-bed and 10 x 3-bed, Block G - 6 x 1-bed, 14 x 2-bed and 10 x 3-bed, Block H - 10 x 1-bed, 22 x 2-bed and 2 x 3-bed, Block I 10 x 1-bed, 22 x 2-bed and 2 x 3-bed), 3 x 3 and 4-storey blocks comprising (Block A - 3 x 1-bed and 6 x 2-bed. Block C - 6 x 1-bed and Block D - 3 x 1-bed and 8 x 2-bed) and 94 x 2 and 3-storey terraced single family dwelling houses (40 x 3-bed and 54 x 4-bed), associated car parking space, communal amenity space, landscaping and internal access roads.

RECOMMENDATION:

That the Director of Planning of the London Borough of Enfield be informed that Barnet object to the proposed scheme on the basis that it:

- Fails to justify principle of exclusive residential use for the site.
- Makes no provision for social infrastructure (Health and Education) within Barnet
- Has not responded to the characteristics of the surrounding area in terms of its design approach.
- Would result in the loss of a significant number of trees with a high historic, amenity and biodiversity value
- Would have a significantly detrimental impact upon biodiversity and protected species currently found on site and fails to adequately mitigate or compensate such a loss.
- Is not sustainable development as it does not prudently use natural resources in its development of a distinct and significant area of Greenfield land.
- Fails to provide sufficient information to support findings of the Transport Assessment and Travel Plan.
- Does not satisfactorily demonstrate that on site parking levels are sufficient to avoid overflow parking.

PLANNING APPRAISAL

Site Description and Surroundings:

The site is located at the roundabout junction of Cat Hill and Chase Side. Comprising an area of 4.9 hectares it was in use until June 2011 as the Arts and Design Campus of Middlesex University. It also housed the University's publicly accessible Museum of Domestic Architecture.

Middlesex University are relocating to new facilities at the University's Hendon Campus as part of a rationalisation programme.

University facilities at Cat Hill were located in several large buildings of up to 3 stories in height totalling 16,800m² of D1 (education use) floorspace. At its height the university had up to 2000 students and 200 members of staff using the Cat Hill campus.

The surrounding area is suburban in character with residential properties to the north and west which are largely two storey and semidetached, although there are also a number of three and four (?)storey blocks of flats in the surrounding area. To the south of the site fronting Chase side is Oaktree school with its associated playing fields, beyond this is Oak Hill Park which includes Oak Hill Wood, a local nature reserve. To the east across Chase Side is the Chickenshed Theatre with playing fields to the south and east. Both Oak Hill Park and the Playing Fields are areas of Metropolitan Open Land. The western and southern edges of the site form the boundary with the London Borough of Enfield.

Two vehicular access points from the site open onto Chase Side and Cat Hill. There is existing car parking for approximately 50 vehicles.

Cat Hill (A110) forms the boundary to the north of the site with Chase Side (A111) to the east, these roads meet at a roundabout to the North eastern corner of the site.

Cockfosters and Oakwood tube stations are both approximately 15 minutes walking distance away and the site has an average PTAL rating of 2.

A change in ground levels occurs across the site rising from the undeveloped south west corner to the north eastern corner by the Cat Hill Roundabout.

Surrounding the existing buildings on site is extensive woodland with a significant number of mature trees. These provide a visual screen to most of the existing buildings. A TPO has been placed on the application site covering the majority of these trees.

Two ponds are located within the site, one at the north east corner fronting the Cat Hill/Chase side Roundabout and the second located in the undeveloped south western corner.

The site has not been identified within Enfield's Core Strategy (Adopted in 2010) for specific future development and so the proposals for the campus would be regarded as a 'windfall' application.

Proposal:

The application site has been used by Middlesex University as its Art and Design Campus since the 1970's with the Museum of Domestic Architecture (MoDA) installed on site in 2000. The demolition of the existing buildings on site is proposed following the University vacating the site at the end of the 2010-2011 school year. Art and Design faculties are being combined with media studies and relocated to a new building (The Grove) at the Hendon campus within the London Borough of Barnet. MoDA is being relocated to Beaufort Park also within the borough of Barnet.

272 new dwellings are proposed following the demolition of the existing Middlesex university buildings.

The scheme includes a mix of flats and terraced houses ranging in height from 2-6 storeys. The proposal would achieve a density of 56 units per hectare and 226 habitable rooms per hectare.

A network of estate roads are proposed with a total of 308 car parking places to be located either on street or in basements to the proposed six storey flats.

31% of units (by Habitable Room) are proposed for affordable housing with a 32:78 ratio between Socially rented and Intermediate units.

The redevelopment proposal would include approximately 17,500 sq m of landscaped area incorporating 5,300m² of play space, shared gardens to the flats, and private gardens for all houses.

Barnet Consultation:

Public:

Enfield Council contacted the London Borough of Barnet (LBB) when registering the application and requested a recommendation for an area of public consultation within LBB. A list of 208 addresses was passed to the neighbouring borough including those properties within LBB that would be most likely to experience a significant impact from the proposed development. Respondents were to address their concerns directly to Enfield. A map showing the consultation area can be found at Appendix 2.

Council:

Barnet council's Planning Department was not contacted by the developers of the site prior to the submission of this application.

PLANNING CONSIDERATIONS

Key Concerns

- Principle of Housing Use (Need for Housing / Loss of Employment)
- Impacts upon local social infrastructure (Education, Health etc.)
- Urban Design
- Impact upon Metropolitan Open Land and Views
- Affordable Housing
- Trees
- Ecology
- Sustainability
- Transport & Highways

Principle of Housing Use

Both the University Campus and Museum are to be relocated to sites within Barnet which would result in no net loss of employment to the wider area. However the application site has no designation within Enfield's policy framework and there should not be an immediate presumption in favor of a residential use on site without consideration of alternate or mixed use development that could provide a level of employment to the application site. This issue was raised by Enfield in pre-application discussions.

The applicant has provided evidence from an unnamed external property agent. This agent dismisses the use of the site for future office use due to the poor accessibility of its location and on the basis of vacant nearby office units. They report that several enquiries were forthcoming for the use of a part of the site for both hotel and food store warehouse uses. These were however dismissed as they would only make use of a part of the site. Concerns over traffic generation were considered to make the site inappropriate for 'big box' storage. The residential sector put forward proposals to utilize the entire site and it was therefore concluded that this was the most appropriate use for the site.

Further to the above the Applicant's property agent has provided opinion that the site would not be appropriate for education, care home or community operators due to the location (low public transport accessibility and distance from town centres) and that a mixed use approach to the site could be problematic in terms of finding an acceptable design solution. A private educational use is not considered viable and the site is not considered to be affordable to a public institution.

Both Enfield and Barnet seek to promote employment opportunities and it would appear from the enquiries received by the unnamed property agent that there is a market for such uses even if they would not make use of the whole site. The argument that a mixed use development would prove problematic on grounds of design or compatibility of uses is not sound and indeed if this approach was taken the resulting reduction in residential units would partially reduce the potential impacts upon Barnet's social infrastructure.

It is not considered that on the basis of the evidence provided that the use of the whole site for residential purposes has been justified.

Impacts upon Barnet's Social Infrastructure

Education:

Applying the child yield ratios from Barnet's Contributions to Education Supplementary Planning Document to the proposed development would result in the need for an additional 112 new primary school places and 54 new secondary school places in this site on the borough boundary.

The proposed residential development would therefore generate significant additional demand for school places. Given the location of the site this impact must be considered not only in the context of its impact upon Enfield, but also upon Barnet.

A number of Barnet primary schools are in close proximity to the site. (Trent C of E, Danefield, St Mary's C of E, Monkfrith, Church Hill, Livingstone, and Brunswick Park are all located within 1 mile of the application site.) Within Enfield the only primary school within a mile of the site is De Bohun. In addition none of these necessitate crossing a major road, such as Chase Side, an important safety consideration when trying to encourage parents and younger pupils to walk to school.

Within Barnet there is an identified high priority need for additional places in the east of the borough as most of the schools in this area are already oversubscribed each year. Currently Barnet's Education Service is considering options to create additional places in order to meet current projected demand. This is before any account is taken of the further impact that would result from the development of the Cat Hill site.

Enfield is also looking at options to create additional places in light of projected demand and residential schemes such as Cat Hill and Chase Side Works (Linden Way). Enfield have indicated that it is unlikely that current projections including additional demand created by this development would justify a new school. Consideration would therefore be given to the expansion of an existing school as part of Enfield's revised Primary Strategy. Barnet similarly would not chose to provide a new school so close to the borough boundary and are also looking to expand existing schools.

There is less of a pronounced difference between the level of Secondary school provision between Barnet and Enfield within acceptable travelling distance from the application site, however it is clear that being located on the boundary with Barnet a significant increase in pressure upon Barnet's Secondary School would also result from the development proposals.

No approach was made to Barnet prior to the submission of the application but it is clear from the above that this is a significant concern that would have to be addressed in the form of a S106 contribution towards the cost of providing additional places before the council would be able to support such an application. As this issue has not been addressed by the application it is recommended that Barnet object on the grounds that the proposal fails to provide adequate mitigation for the increase in demand for school places in Barnet that would result from the proposal.

Health Infrastructure:

The future residents of the 272 proposed units would have a significant impact upon the level of use of nearby NHS services both within the London Borough of Enfield and within Barnet. This would be further increased by the proposed closure of the nearby Chase Farm Hospital in

Enfield which is going to be closing both Accident & Emergency and Maternity Wings. With the closure of these services the nearest A&E services would be at Barnet Hospital which would experience a relative increase in patients.

The proposed development would also increase the demand for GP doctors, dentists and other NHS services within both Boroughs.

No pre application discussions have taken place with Barnet and no assessment has been made of impacts upon health provision within Barnet. It is therefore recommended that Barnet object on the grounds that the proposal would fail to provide adequate mitigation for the increase in demand for health care facilities

Urban Design

When considering the acceptability of a proposed development Planning Policy Statement 1 states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area should not be accepted. The statement also points out that although visual appearance and the architecture of buildings are factors in achieving high quality design, securing high quality design goes far beyond aesthetic consideration. It then makes it clear that good design also involves integrating development into the existing urban form and built environment (paragraph 35). It also points out that policies should avoid unnecessary detail and should concentrate on guiding the overall scale, density, massing and height of new development in relation to neighbouring buildings and the local area more generally. It is clear from these points that Central Government views design as a key issue in the assessment of proposals and that the relationship between proposed buildings and existing buildings and spaces is a particularly important aspect of design.

Within the Design and Access Statement the Character of the surrounding area is identified as “..almost entirely residential and suburban with semi-detached two storey houses being the predominant type.” An assessment of the residential area to the west of the application site indicates a density of approximately 22 units per hectare.

The proposed development includes a combination of 94 terraced houses to the south and east of the site and 178 flats in 8 blocks between three and six stories in height to the North. The resulting density is 56 units per hectare.

The proposed development has a predominance of flats (almost two thirds of the proposed units,) this is not a characteristic of the surrounding residential area which is largely semi-detached houses.

The remaining units are proposed as two storey terraced housing. Houses in the locality have plot widths of approximately 10m. In comparison the proposed terraced units are approximately 5m in width. This would result in a significantly finer grain than is characteristic of the surrounding area.

Further to the above the proposed estate roads would result in a cul-de-sac to the south east corner of the site which would result in a development that does not reflect the existing residential street pattern in the locality.

The density proposed, 56 dwellings per hectare, does fall into the range detailed within the Density Matrix of the London Plan for a suburban site with a PTAL of 2-3. This is identified as a

range of between 35 and 60 units per hectare. This is significantly higher than the adjacent residential area which has been calculated at 26 dwellings per hectare. Bearing in mind the density of the surrounding area and the site's actual PTAL level of 2 it is considered that a density towards the lower end of the range would be more appropriate for the proposal.

It can be seen from the above that the proposed development has little regard to the characteristics of the surrounding area. It proposes a scheme of almost twice the density of the immediate residential area, places the majority of units within eight blocks of flats with the remainder in the form of tightly spaced terraced properties and is laid out to incorporate an inward looking cul-de-sac which would result in a residential development which fails to integrate with the local area.

Impact Upon Neighboring MOL and Import Local Views

The existing Middlesex university buildings are no more than three stories in height and as such are largely obscured by the extensive mature trees on site.

The proposed development of the site includes the removal of a significant number of mature trees on site and the erection of five six storey blocks of flats. These are located in a row across the site from the northern to the eastern corner of the site.

It is of great concern to Barnet that no assessment of the likely visual impact of the proposed six storey flats has been undertaken. The site's valuable tree stock is referred to when views from Chase Side and Cat Hill are considered and is expected to screen the proposals from view at close proximity. However views across the Metropolitan Open Land from Oak Hill Park towards the application site have not been considered.

Oak Hill Park drops down from Church Hill Road to Pymmes Brook before levels rise back up towards the application site. Open views toward the site are included under Appendix III as are views of 4 storey East Barnet School for height comparison. At six stories the proposed band of buildings would become a significant feature of views across the Metropolitan Open Land, this would be further exacerbated by the loss of a significant number of trees on the application site which would open up views to the lower stories of the buildings detracting from the wooded character of the area.

It is also clear that views across adjacent Metropolitan Open Land to the east of the site within Enfield would be impacted.

As no investigation is made into the above issue, it is recommended that Barnet object strongly to the height bulk and location of the six storey flatted element of the proposal and the accompanying loss of trees on site.

Quality of New Housing

Lifetime Homes:

All units are designed to achieve Lifetime homes standards.

Wheelchair:

It is noted that the development would result in 29 units (11%) that would be adaptable to accommodate the needs of wheelchair users. The location of these units is not identified within supporting documentation and this should be clarified prior to the scheme being considered for approval.

Size Standards:

The proposed development has been designed to accord with gross internal floor areas in line within the new London Plan.

Amenity Space:

All terraced properties have their own private rear garden space. The five 6 storey blocks of flats have access to semi-private areas of amenity space between the proposed blocks and each flatted unit across the site has access to a private Balcony of at least 1.5m in depth.

Across the site the proposed landscaping scheme would provide several communal amenity areas including children's play space in the form of two Local Areas of Play (LAPs) and a and a 'Fitness Trail' on the western boundary. The combination of private and public amenity spaces proposed would be considered acceptable to meet the needs of future occupants of the site.

Affordable Housing

The proposed development would result in 82 shared ownership units and only 12 units for social housing. This represents a total of 31% by habitable room.

The application includes a Three Dragons assessment which justifies this low level of provision on viability grounds, however these findings have yet to be verified by an external consultant and it takes a site cost based upon the price paid for the land rather than the existing use value.

Considering the low overall percentage of affordable units and the high proportion of shared ownership (which does not accord with strategic planning policies) together with the failure to independently verify the affordable housing assessment it is not possible to determine whether the proposal provides the 'maximum reasonable amount' as required by the London Plan.

Trees

Various trees in the rear gardens of Barnet residents at Mansfield Avenue and Vernon Crescent (along the western boundary of the site) are included in a Tree Preservation Order (internal reference TRE/EB/2); as are a number of trees along the southern boundary with Oak Hill College (TRE/BA/41 and TRE/BA/78); to the south-west of the site is Oak Hill Woods Local Nature Reserve (LNR), which adjoins Oak Hill Park.

A great number of trees within the site boundary are of considerable historic value. The site is originally a part of the ancient woodland of Enfield Chase and was subsequently incorporated into part of the Bohun Lodge, Little Grove and Oak Hill Park estates.

The ancient woodland forms a continuous tract from Oak Hill Woods Local Nature Reserve (LNR), through part of the Oak Hill Theological College land, to the Cat Hill Campus site. The wider area is also characterised by a number of historic fish ponds of which the two ponds on site are examples. (It should be noted that although the ecologist's report failed to discover any Great Crested Newts at either of the pond sites the Greenspace Information for Greater London (GIGL) Database has recorded sitings to the southern pond.)

The Preliminary arboricultural report identifies a number of trees by reference to Compartments. In the absence of greater detail (e.g. of levels and precise tree locations and sizes) it is not possible to accurately assess the full impact that the proposed development is likely to have on trees, but the following is noted:

A number of trees in Fair and Good condition would be felled as a result of the development including some veterans.

Of particular concern is the development of Bourne Gate Grove to the south west corner within an area of ancient woodland. It is unclear exactly how many trees would be affected two mature Oaks are shown as direct losses, though these are recorded to be in poor condition, and the root protection areas (RPAs) of several mature specimens are significantly encroached by built form, roadways, and remodelling of the historic pond. This part of the development destroys the integrity of the ancient woodland and necessitates the reshaping of the pond. It is therefore likely to have significant detrimental impact on ecological habitat.

Block A, C and D would result in the loss of three mature trees, two Oaks identified as being in 'fair' condition and a mature Alder in good condition. Due to the lack of information provided it is unclear how many more trees of value would be lost from their surrounding woodland areas.

Although trees are shown retained along the north of King Henry's Gate it is noted that the road is realigned and lined with parking spaces which encroach within the RPAs of almost all of the identified trees. It is far from clear whether the tree retention as shown is either feasible or likely, though if the roadway is built to adoptable standards, the biological requirements for tree retention and highways engineering appear mutually incompatible.

Copwood Gardens and the western end of Bohun / Vernon Crescent appear to have implications for trees along the western Boundary and there is also likely to be considerable pressure for future treatment of trees from future residents due to shading which is likely to have particular impact in the afternoon.

The proposed railings and gates, trim trail, LAP and Pumping Station are likely to add considerably to the pressure on trees in terms of root severance as well as compaction, during construction, installation and maintenance of services, and future use.

Proposals also have inadequate regard for construction working space throughout.

Trees at the site contribute significantly to public amenity value – contributing to the semi-rural character and appearance of the area, providing screening along the boundaries of the site, and of importance to wildlife which is of especial value given the site's location adjacent to Metropolitan Open Land and its proximity to the Local Nature Reserve and Site of Borough Importance Grade 1 for Nature Conservation

The application fails to take account of either the historic importance of the woodland, or it is of ecological importance both in its own right as habitat and as part of green corridors.

Within the Executive Summary of the preliminary arboricultural report the key strategic issue is given as follows: "...that major woodland blocks will be substantially retained to maximise landscape, arboricultural and ecological benefits..."

It is not considered that the proposals adequately respond to the location of trees of a high amenity value on site and that as a result an unacceptably high number of these trees would be lost. Furthermore it is not considered that trees shown as retained have been safeguarded to a satisfactory extent with significant encroachment occurring to root protection areas from foundations, highways, pavements and fences which would result in root severance eventually

leading to further loss of trees. It is recommended that Barnet objects to the proposed scheme on these grounds.

Ecology

The site is within 30m of Oak Hill Woods Local Nature Reserve and Site of Borough Importance Grade 1 for Nature Conservation.

In addition to the information included in the Extended Phase 1 Habitat Survey, GIGL information supplied to LB Barnet identifies the following protected species within the site or in close vicinity:

- Great Crested Newts within site (southern pond)
- House Sparrow and Common Linnet at Oak Hill College
- Long Eared Bat at Oak Hill College
- Shoulder-striped Wainscot Moth at Oak Hill Woods Local Nature Reserve
- White-letter Hairstreak Butterfly at Oak Hill Woods Local Nature Reserve
- Small Heath Butterfly at Oak Hill Woods Local Nature Reserve
- Soprano Pipistrelle Bat x 2 at Oak Hill Park
- Pipistrelle Bat x 2 at Oak Hill Park
- Noctule Bat at Oak Hill Park
- House Sparrow at Daneland
- House Sparrow at East Barnet School
- House Sparrow at Eaton Avenue
- Hedge Accentor at Belmont Open Space
- House Sparrow at Ashurst Road
- Pipistrelle Bat at Ashurst Road
- Vespers Bat at Belmont Avenue
- Hedge Sparrow at Heddon Court Avenue (LB Enfield)

As noted at paragraph 98 of Circular 06/2005: Biodiversity and geological conservation, “The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat...”.

In accordance with legislative provisions including the Conservation (Natural Habitats, etc) Regulations 2010 (as amended); the Wildlife and Countryside Act 1981 (as amended); and the Natural Environment and Rural Communities Act 2006, the Council needs to ensure that protected species and biodiversity are adequately considered. The Cornwall case confirmed that full environmental information must be submitted and considered prior to planning permission being granted – where there are grounds to believe that a protected species may be present, it is not acceptable to leave required surveys, impact assessments and mitigation measures to be dealt with by way of conditions.

Principal ecological concerns would be that the development would result in links being broken between the existing ancient woodland extending across the proposed development site into Oak Hill Woods and that the remodelling and surrounding of the historic pond with known Great Crested Newts with built form.

Mitigation and Construction Strategy:

Many of the measures in the Mitigation and Construction Strategy (MCS) are vague or incomplete. It is clear that the proposal will have impacts on protected species, and this is acknowledged in the strategy "...it is recognised that impacts cannot be completely avoided". However the mitigation measures proposed are insufficiently detailed to assess whether the favourable conservation status would be affected. Due to this lack of detail it is questionable, whether the local planning authority is in a position to determine the application without significant further work on this issue.

There are distinct differences and incompatibilities between proposals within the Landscape and Open Space Strategy and accompanying Landscape Masterplan and those within the MCS which can not be rationalised.

The landscaping masterplan would result in the replacement of the majority of retained woodland. In particular two LAPs a LEAP, two 'Trim Trails' and various grassed areas are proposed to increase public amenity areas. These would significantly reduce the area of retained woodland whilst adding increased noise and disturbance to wildlife in these areas. Such an approach would appear to be entirely against the key aims of the strategy which include protection and integration of the existing woodland features and veteran trees across the site and protection, preservation and enhancement of native flora and fauna.

Section 2.3 of the MSC details measures to enhance existing woodland areas through glade creation and thickening of the woodland at the site edge.

With the extensive loss of woodland resulting from the landscape scheme the proposal to create glades with diameters 1.5 times the height of surrounding trees would not be beneficial to the increase in biodiversity of the site as intended. The tree canopy would already be significantly interrupted and such a proposal would only further reduce the woodland habitat. As an approach it would only be appropriate to apply as a management technique to woodland in a similar state to that currently existing on site.

The indicated proposals to thicken the woodland at the edge of the site are not demonstrated within the landscaping masterplan which largely focuses the planting of new trees within private and semi-private amenity spaces.

Significant concerns are also raised by the approach of the MSC to Protected species:

Measures to address the Great Crested Newts in the southern pond include clearance within and around the margins along with recontouring. Significant changes to surrounding land-use from woodland to adjoining a highway and residential housing appears to have significant implications both for the habitat within the site boundary and connectivity with adjoining undeveloped land. Whilst surveys undertaken by the developer did not identify the presence of Greater Crested Newts, it should be noted that GIGL records indicate adult females in close proximity to pond 2 in 2009. This should be borne in mind especially given the historic nature of the pond and surrounding woodland, together with the very hot dry conditions this spring and the failure of the survey to undertake terrestrial surveying in accordance with good practice.

The Bluebell mitigation measures propose lifting of the bulbs by excavation / scraping with a toothed bucket. Given the woodland location this has significant implications not only for the bluebells, but also tree roots and micro-organisms (including mycorrhizae) within the area, as

well as potential compaction of soil structure both in the areas from which lifting is proposed to occur and in receptor sites.

No dawn surveying for bats was undertaken and the spacing between surveys is very limited. The lighting associated with the proposed roadway, Block I, and residential housing is likely to affect the bats' activity especially in the vicinity of the Oak Hill College boundary and around pond 2 where bats were detected.

Planning Policy Statement 9 -Biodiversity and Geological Conservation, which is not referenced within the submitted Planning Statement, states that planning should be used to prevent harm to Biodiversity. In developments where harm would occur a key principle of the Statement is that the Local Planning Authority should be satisfied that the development could not reasonably be located on an alternative site that would result in less or no harm.

It is clear from the concerns raised above that the Mitigation and Construction Strategy fails to satisfactorily provide full environmental information to mitigate concerns. It is not acceptable to leave surveys, impact assessments and mitigation measures to be dealt with by way of conditions and Barnet therefore object to the application.

Sustainability

Code:

The proposal will achieve a Code Level of 4 across the site (flats and terraced housing).

Having investigated and dismissed the possibility of incorporating the site in a district heating network the proposal seeks to achieve a reduction in carbon dioxide emissions through the installation of a gas fired Combined Heat and Power plant. In addition photovoltaic panels are proposed on all blocks of flats and some of the terraced houses and Ground source heat pumps would serve 33 of the terraced units.

A total saving of 41% over CO₂ emission standards in the 2010 building regulations is calculated to result from a combination of the above measures and passive design measures.

Subject to the scheme being conditioned to achieve a Code level of 4 Barnet have no objection.

Undeveloped Land:

The site is presented in supporting documentation as 'Brownfield' due to the presence of the buildings and associated roadway belonging to Middlesex university.

Given the fact that one third of the application site is woodland the nature of the site would be more accurately termed 'partial Brownfield'. To the south western corner an area of undeveloped woodland of 0.74ha extends away from the broadly square form of the site. Several examples of mature, good quality trees occur in this area and beyond a level of woodland management at some time in the past this area has been little disturbed since it was a part of the Enfield Chase Woodland.

If an application was considered for this area alone the site would clearly be considered as Greenfield in nature yet its status as undeveloped land has been ignored within the application as it only comprises 15% of the overall site.

The proposal would develop this south western corner with 18 terraced units and their associated gardens, cul-de-sac road and turning head.

It is considered that as a result of the loss of this significantly sized and distinct area of ancient woodland the development would not result in a prudent use of natural resources and is therefore not sustainable development.

Transport & Highways

As with all objections raised against this application the lack of consultation with Barnet prior to submission of the application has resulted in many highway issues that could have been easily dealt with at an earlier stage of the application process. The developer has approached Enfield to provide a scope for the Transport Assessment (TA) and a draft of the assessment was also passed to TfL for comment.

Transport Assessment:

The TA reaches its conclusions on the basis of unsupported, questionable and erroneous data and is not considered to be fit for purpose. It fails to provide an accurate assessment of existing activity on the local highway network or that associated with the previous use, nor does it satisfactorily demonstrate the likely highway impacts of the proposed development or propose and assess adequate mitigation measures.

Manual traffic counts on Cat Hill, Chase Side, Bramley Road and Cockfosters Road were undertaken in July 2009 and 17th December 2010 with additional data collected by an automated traffic counter (ATC) in January 2011. Taken together the issues below result in the information failing to provide a comprehensive and reliable set of traffic data:

1. There is a variation in the timing of the AM peak hour times between the manual counts. 07:45-08:15 being recorded in December 2009 and 08:00-09:00 considered for December 2010. These are not comparable assessment periods and no explanation is provided for the variation.
2. The validity of the count taken on Friday 17th December 2010 is questionable. This was the last day of term at Middlesex University and it is unclear whether the college was running at full capacity on this day. This date also fell in a period of particularly poor weather when motorists were being advised not to use their vehicles.
3. The ATC operated for a five day period which included Wednesday-Friday 5th-7th January and Monday-Tuesday 10th and 11th January. The Middlesex University term only started on 10th January. The first three days of the count would not therefore have included associated traffic.

The site is identified within the TA as having a Public Transport Accessibility Level (PTAL) rating of 3. The location identified as having a PTAL of 3 is however outside of the red line of the application site. Both TfL and LBB Highway Officers have calculated that the majority of the site falls under a lower level of public transport accessibility. The site's PTAL has been identified as 2. This has implications for the parking provision, as discussed below.

Parking:

i) Census

2001 Census data for LBE was reviewed. As the proposed site is located within the Cockfosters area, this was selected as the most appropriate dataset. The ratio car ownership per household for this area is 1.25.

308 car parking spaces are proposed across the site in a combination of partial basements to the six story flats, driveways and on street parking. This would provide 1:1 parking for the site with 36 additional spaces for visitors to the site, (a ratio of 1:1.13).

The reduction in proposed parking ratio (from 1.25 to 1.13:1) is briefly justified by the application of the proposed travel plan. However there is no correlation between this 10% reduction in parking and the targets of the travel plan which includes indicators of a 3% drop in car usage over 3 years and a 6% drop over 5 years.

A smaller census area adjacent to the application site could be assumed to share more car ownership characteristics with the site than the Cockfosters 'ward-wide' data considered in the TA. Adjacent to the application site in Barnet is a Census output area including 115 households (identified as Census Output Area '00ACGC0026'). These 115 Households own between them 170 cars. This indicates a significantly higher ownership ratio of 1.48 cars per unit.

Based on Barnet's census information, the proposed parking for 272 flats should be 402. Therefore the parking for the development would be considered inadequate.

ii) Barnet's UDP Standards:

If Barnet's parking standards are applied to the number and type of units proposed on site a range of between 286 (In a high accessibility area) and 413 (In an area of low accessibility) car parking spaces would be expected to be provided.

The Barnet UDP states that: 'In applying these standards, the council will exercise flexibility by taking account of locality, public transport accessibility and local parking stress. In assessing parking provision, the council will have regard to the likelihood of parking occurring on-street and any detrimental effect on highway conditions and road safety.'

Given that the PTAL is 2 and that the site is not within a Controlled Parking Zone or a town centre; the low accessibility figure of 413 car parking spaces would be considered more appropriate, that is, the total number of proposed car parking spaces should be towards 413 rather than 286.

A simple calculation can be made in the absence of any other assessment. There is a difference in requirement of 127 spaces between the lowest and highest public transport accessibility, PTAL of 1 and 6 respectively. If this difference is divided equally over the range of PTAL scores between 1 and 6 approximately 38 fewer spaces would be required for each numerical increase. The site has a PTAL of 2 and therefore it can be argued that without any other altering factors 375 (413 less 38) spaces would be appropriate.

A slight reduction to this number of spaces could be considered reasonable if the proposals included public transport improvements. No public transport improvements are proposed and the 308 proposed car parking spaces are therefore considered to be inadequate for this

development as they would be likely to lead to parking overspill on adjacent roads, including local roads in Barnet. Potentially, this would lead to overspill of up to 67 cars onto the surrounding streets.

iii) Overspill Parking:

The most likely location for future residents to seek alternate parking would be in Mansfield Avenue and Vernon Crescent, these residential roads in Barnet are in closest proximity to the site and would not require a car user to cross any major roads between parking the car and accessing the new estate. There are no parking controls in these local streets and the significant increase in on street parking that could result from the proposal would be detrimental to the free flow of traffic and the safety of road users and pedestrians within the locality.

iv) Disabled Parking Provision:

The submitted TA does not mention the parking provision for disabled users, however The Design and Access Document proposes that 5% of the total parking be for disabled drivers.

LB Barnet currently encourages the provision of 10% of parking spaces to be for disabled drivers in accordance with Lifetime Homes Standards and the Mayor's 'Wheelchair Accessible Housing Best Practice'. These should be spread out evenly across the site so that they are easily accessible to all the units.

As well as the low number of Disabled parking spaces proposed the dimensions for the disabled parking bays should have an additional 1.2 m width to achieve standard disabled parking dimensions for ease of access. Moreover, details of the gradients for disabled parking spaces should be provided in order to demonstrate that they can provide easy access.

v) Barnet requirements if approval is granted:

If this proposal was approved by LBE then it is considered appropriate to include a Car Parking Management Strategy (CPMS) as a condition as well a S106 agreement to secure a monitoring contribution and other necessary measures in order to prevent overspill parking and to introduce and then implement any appropriate parking controls, subject to consultations. This will help to ensure the free flow of traffic across the adjacent highway network, and maintain an acceptable level of road safety in the local area.

The S106 should also include pedestrian contributions for improvements to paths surrounding the site in Barnet in particular to include improved access and the decluttering of local streetscapes in accordance with policy 6.10 of the London Plan.

As part of the CPMS a parking survey should be undertaken before the development is occupied to establish the local parking stress levels (base data). The surveys should be carried out on a typical day and then repeated at appropriate intervals (such as annually) within an agreed zone which should include all potentially affected roads.

A Parking Monitoring Report should be submitted annually to the Local Planning Authority for approval which includes the comparison against the parking base data. Any increase in the parking on the selected streets shall be identified along with proposed measures to mitigate any increased parking levels. This could include a range of measures, including but not restricted to parking controls on street and / or a car club for the site. Other items that should be considered as part of CPMS would include: how the proposed parking will be allocated between the blocks,

between the size of the dwellings; the location for the disabled parking, visitor parking arrangements, monitoring regime for any parking contraventions within this site.

Local Road Network:

The proposed development would result in a significant impact upon the local road network as a result of the increase in intensity of the use of the site.

During the use of the site by Middlesex University a relatively low level of vehicular activity was associated with the campus. Whilst the Campus accommodated 2000 students and 200 staff it is clear from the report that during both the 2009 and 2010 surveys the 167 car parking spaces were not fully utilized. It must be inferred from this that the majority of trips to and from the site were not made by private car.

Taking the existing car ownership in the local area as 1.48 cars per dwelling would result in 403 cars associated with the proposed 272 dwellings. The increase in intensity of vehicular use would be considered to result in a significant increase of traffic levels on Cat Hill and other Barnet roads in the immediate area.

Cycling and Walking:

The development proposes a total of 302 cycle parking spaces which falls short of the 412 spaces that would be required by the London Plan. All of the proposed spaces are private, which provides security but fails to account for visitor use in the public realm. It is noted that as a part of the associated S106 obligations an improved cycle linkage between the application site and Cockfosters tube station is proposed, though details of the improvement works are not included.

The quality of the streetscape in the local area is poor and in order for Barnet to support the proposal contributions would be sought to improve the pedestrian environment in the local area of the site that is within the borough.

Travel Plan:

An Interim Travel Plan (TP) was submitted with this application and the developer is proposing to use planning conditions or S106 to control the travel plan and its measures. If this application is considered in accordance with LBB's current practices a S106 monitoring contribution would be sought to review the submitted TP.

In line with the TfL guidance 'Travel Planning for new development in London including deliveries and servicing' (2011) a strategic level full TP should be submitted that is ATTrBuTE (version 3) and TRAVL compliant. TfL have confirmed that the TP does not meet the requirements of the ATTrBuTe Test.

The TP should relate to all movements on and off the site (including all trips linked to the residents) but fails to include details of servicing and deliveries to the proposed development.

The action plan accompanying the TP lists the measures that would help achieve the shift towards more sustainable modes of transport. The action plan should however, be broken down to include short, medium and long term actions linked to specific measures.

Sections missing from the Travel Plan include: Securing and enforcement of the TP and Travel plan funding. The section on car usage does not provide enough evidence to substantiate its

assertion that ‘...the requirement to travel by private car is minimal’ and this appears to be directly contradicted by census data for the ward.

No information is given regarding the mode split of the current site use so the impact of the site being converted to residential use on journeys to and from the site is not assessed. A full list of measures to be implemented should be included in the TP, rather than the minimal measures set out. Measures such as a- cycle club and cycle purchase vouchers etc. should be included, these could be linked into the car parking monitoring, with additional incentives required to be provided if on site parking reaches capacity and overflows on to the adjacent local roads.

The elements of the design that support sustainable travel should give specific details, such as the number of parking spaces proposed, including disabled bays (and possible car club bays), number of cycle storage spaces for each dwelling, number of electric vehicle charging points etc.

Highways Conclusion:

It is recommended to LB Enfield that they refuse the application on highways and transport grounds.

There are serious concerns about key aspects of the TA that need to be addressed prior to any possible future submission. As set out above there are also a number of concerns with the submitted TP.

In particular the proposed off-street parking provision is considered to be inadequate and consequently it is the view of LBB that it is highly likely that there will be a significant detrimental impact on nearby local roads, including residential roads in Barnet.

There are also concerns about the traffic survey data and predicted trip generation, and consequently the vehicular trip impact on the highway network; and also about the PTAL noted to be 3 (and part 2) where in fact it is 2.

For these reasons the submitted TA and TP are not considered to be fit for purpose as it fails to provide an accurate estimate the transport impacts of the proposed development or propose adequate mitigation measures.

3. CONCLUSION

The proposed development for this site formerly in educational use fails to justify the use of this site for an exclusive residential use and does not fully consider alternative uses – or a mix of uses – that might be more appropriate for this site on the boundary of two boroughs. The impacts of the development in terms of social infrastructure provision – particularly school places and health provision – have not be fully considered and appropriate mitigation for any impacts experienced in Barnet have not been proposed. In addition the development does not respond to the characteristics of the surrounding area, and would impact upon important views across Metropolitan Open Land within Barnet.

Significant loss of historic trees of high amenity and ecological value would result from the development which would have a detrimental impact upon the Biodiversity of the site including significant impacts upon protected species. Sufficient surveys, impact assessments and mitigation measures have not been provided and may not be dealt with by way of conditions.

The development of a significant and distinct area of Greenfield land as a part of the application site results in a scheme which is not sustainable.

The development would fail to provide a satisfactory level of parking and would result in a high level of overspill parking onto local Barnet Streets. The submitted Transport Assessment is inaccurate and is based on incorrect supporting information, it therefore fails to satisfactorily demonstrate the likely highway impacts. The submitted Travel Plan is inadequate when assessed against TfL's standards and no provision for public realm or Highway improvements to account for impacts within the London Borough of Barnet have been proposed.

It is therefore considered necessary to object to the application on the grounds set out in the report.

Cat Hill Site Plan : B/00026/11/CNA

