

<p><u>MEETING</u></p> <p>PLANNING COMMITTEE</p>
<p><u>DATE AND TIME</u></p> <p>THURSDAY 18TH DECEMBER, 2014</p> <p>AT 7.00 PM</p>
<p><u>VENUE</u></p> <p>HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ</p>

Please find enclosed additional papers relating to the following items for the above mentioned meeting.

Title of Report	Pages
ADDENDUM TO THE REPORT ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL:	1 - 30

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PLANNING COMMITTEE MEETING

Thursday 18th December 2014, 7.00PM

AGENDA ITEM 7

ADDENDUM TO REPORT OF THE ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL

Pages 19-102

Reference: B/04309/14

**Address: Land between Sweets Way and Oakleigh Road North,
London, N20**

Under Section 1.3 Public Consultations and Views Expressed

Second Consultation November 2014

Additional objection letters received from 16 neighbouring properties all objecting to the proposal. Twelve of these letters are proforma letters from occupiers of Barrydene on Oakleigh Road North.

In summary the letters object to the proposal on the following grounds:

Proforma Letters

- Proposal too dense for area, providing terraced housing with no space for garages or refuse storage;
- Existing infrastructure should be reused to safeguard trees;
- Proposed flats should be removed from scheme, as sufficient flats provided; on other consented schemes in area and will create parking problems in area.

Officer Response -The density of the scheme is considered acceptable in accordance with London Plan Density guidelines. The ration of houses to apartments with over 2/3 of the proposed accommodation being in the form of single family dwelling houses is considered appropriate for this location. The layout of the scheme is designed to accord with current urban design guidance to allow greater natural surveillance and has been redesigned to safeguard the majority of the trees on the site.

Other Objections

- Proposal will make area over populated ;
- Safe pedestrian, cycle routes should be provided in scheme;
- Proposal would exacerbate existing parking problems due to increase in number of residents, the displacement of existing commuter parking on this estate and other proposed developments in area;
- New Community building undesirable;

- Existing housing suffering from social problems and existing housing should be upgraded before permission granted for new development.

Officer Response – The density of the proposal is considered acceptable in this location. The proposal would incorporate a safe pedestrian/ cycle route through the development, the proposed community building replaces an existing facility and is considered appropriate in this location. A development cannot be expected to solve existing problems which are unrelated to the development. The proposal proposes various off site highway works to mitigate the impact of the proposal on surrounding infrastructure.

Lawsons Timber Merchants:

Additional correspondence received objecting to the proposal accompanied with supporting documents from Ilex Chartered Landscape Architects and Brasier Freeth Chartered Surveyors. Supporting Shadow Diagrams also submitted showing shadowing of proposed properties at different times of the year.

In summary the letters and supporting information object to the proposal on the following grounds:

- Potential conflict between Lawsons activities and new houses resulting in future noise complaints;
- Due to the close proximity of retained trees to the proposed houses and in some cases due to the location of retained trees in rear amenity areas, the future pressure to fell these trees will be high, increasing the potential conflict between the timber merchant and the proposed houses;
- Proposal should be amended to provide a green corridor/ footpath along the boundary.

Officer Response – The application was accompanied by a noise impact report which identified suitable mitigation measures including the provision of an acoustic fence and noise mitigation measures for properties adjacent to the boundary. These matters are secured by condition. All trees on site are protected by Tree Preservation Orders and as such consent would be required for their removal.

Consultation Responses from Statutory Consultees and Other Bodies

Greater London Authority (GLA)

Representations received advising of the following:

'London Plan policies on affordable housing, housing, urban design, inclusive design, trees, transport, and climate change are relevant to this application. The application is generally acceptable in strategic planning terms; however it does not yet comply with the London Plan, for the reasons set out below, but the possible remedies set out below could address these deficiencies.

- **Affordable housing:** *The viability assessment, together with the results of an independent review commissioned by the Council, should be shared with the GLA before the application is referred back to the Mayor. The affordable housing mix should be secured by a section 106 agreement, and a review mechanism should be considered to account for any future uplift in values over the life of the development.*
- **Housing:** *The housing unit size is supported. The residential density of the proposal is within the London Plan density matrix and is acceptable. The provision of play space is in line with London Plan policy; however the detailed proposals should be secured by condition.*
- **Urban design:** *The layout, massing and height of the proposals are supported. The residential quality of the scheme should be secured by suitable condition.*
- **Inclusive design:** *Any reserved matters application should demonstrate that there is a clear demarcation between the carriageway and footway in areas with vehicle movement, and should ensure that wheelchair accessible units are scattered throughout the development, including a range of unit sizes and tenures. Blue Badge spaces and electric vehicle charging points (EVCPs) should be secured by condition.*
- **Trees:** *Although the loss of moderate quality trees is regrettable, it is accepted that the layout of the scheme has been designed to minimise this loss, and overall the number of trees on the site will increase.*
- **Transport:** *The applicant should consider reducing car parking provision to between 1.2 and 1.3 spaces per unit; Blue Badge spaces and electric vehicle charging points (EVCPs) should be secured by condition; highway improvements to the A1000 High Road/Friern Barnet Lane junction should be secured through the section 106 agreement and implemented prior to the occupation; identified improvements and maintenance requirements on links, crossings and bus waiting areas should be secured by section 106/section 278; a contribution should be sought towards Legible London wayfinding signage; a section 106 contribution should be secured for any necessary upgrades to bus stops; eight visitor cycle parking spaces should be provided; a construction logistics plan should be secured by condition; and a concierge service should be considered to manage the flow of delivery vehicles.*
- **Climate change:** *The carbon dioxide savings meet the target set within Policy 5.2 of the London Plan; however further information should be provided on the PV provision before compliance with London Plan energy policy can be verified. The commitment to meet Part L 2013 carbon and fabric targets by efficiency measures alone and the commitment to meet a 35% carbon reduction from on-site PV should also be conditioned. Climate change adaptation proposals meet London Plan policy requirements.'*

Officer Response- The comments received from the GLA are broadly in line with the Officer Committee Report and support the recommendation to

approve the application. Supporting information will be sent as requested in the event of a Committee resolution to approve the application. The level of car parking accords with Barnet's parking standards and is considered appropriate to this location. Correspondence has taken place between the applicant and the GLA concerning carbon reductions and the GLA have confirmed that the proposal is considered acceptable in this regard.

Pages 103-197

Reference: B/05378/14

Address: Northway House, 1379 High Road, London, N20 9LP

Page 105 - Section 1(c)

- Wording in recommendation 1 (c) of the heads of terms should be amended from "2 x three bedroom five person flats" to "2 x three bedroom six person flats".

Page 106 - Section 1(i)

- Replace "The Strategic Level Residential Travel Plan" with "Full Residential Travel Plan"

Page 114 - Condition 19

- Replace "New build element of the development (which includes 48 new Dwellings)" with "New build element of the development (which includes 52 new dwellings)"

Page 117 – Condition 29

- Replace "Before the development hereby permitted commences (other than for Ground works and Site Preparation Works)" with "Prior to the first occupation of the development hereby approved"

Page 119 – Condition 35

- Insert plan numbers "1590_0110, 1590_0111, 1590_0112, 1590_0113"

Page 132 - Section 1.3

- The following wording should be amended from "Transport for London (TfL): No response received" to "Transport for London (TfL): The application site is situated on A1000 High Road, which forms part of the Strategic Road Network (SRN). In summary, while TfL supports the principal of the residential development on this location; it does not consider that adequate mitigation measure is provided to relief highway and traffic impact to the adjacent Strategic Road Network (SRN) and Transport for London Road Network (TLRN) with excessive amount of parking.

Full responses to the points raised by TfL are provided in the main body of the committee report".

- The following wording should be amended from “London Fire and Emergency Planning Authority: No response received” to “London Fire and Emergency Planning Authority: have responded to the consultation and confirmed that they have no objections to the proposal”.
- The following wording should be amended from “2 responses objecting to the proposal were received from residents” to “6 responses objecting to the proposal were received”.
- The following text should replace the summary of objections in the bullet points:
 - Proposal would add unacceptably to the existing traffic and congestion in the area.
 - Concern that the proposal would result in residential development in proximity to a neighbouring business that deals with the testing of music equipment and therefore sufficient noise mitigation should be put in.
 - Surrounding road network is not suitable for the additional vehicles the development would generate.
 - The noise and vibration report is based on BS 4142:1997 but the current standard is BS 4142:2014. The proposal should be considered against current standards and should be considered invalid.
 - Development would add unacceptably to the vehicles and traffic in the area and exacerbate the existing access and congestion problems in this location.
 - Junctions in the area would be significantly adversely affected by the development.
 - Proposal would be detrimental to highway and pedestrian safety.
 - Scale, size, height and detailed design of the proposed buildings are harmful to the character of the area.
 - Concern with the scale and design of the proposal
 - The proposal would impact adversely on neighbours
 - Trees, including trees which have been covered by a Preservation Order have been cut down in preparation for the development.

Amenities of neighbouring occupiers:

- Development would cause a significant and unacceptable overlooking and loss of privacy.
- Proposal would lead to constant and unacceptable noise and disturbance.
- Development would be overbearing and sited too close to their property.
- Development would have an unacceptable visual impact and cause loss of outlook.
- Development would cause unacceptable losses of daylight and sunlight.
- Proposal would cause light pollution.

- Proposal would not protect the amenities of neighbouring occupiers.
- Proposal would have adverse environmental impacts and increase air pollution in the area to the detriment of health and safety.
- Proposal would impact upon their parking facilities to the detriment of resident's amenities.
- Construction works the development would result in would have an unacceptable impact on their amenities.

Other objections raised:

- Proposal is not compliant with planning policies and should be refused.
- Proposal would result in an unacceptable loss of office space that is detrimental to local employment provision and contrary to development plan policies on this matter.
- The uses proposed are not appropriate for the area.
- Proposal would be detrimental to existing and future residents.
- Proposal would be detrimental to local amenity and the local community.
- That account needs to be taken of the other approved and proposed developments taking place in the surrounding area.

Full responses to the material planning considerations raised are provided in the main body of the committee report. In summary, subject to the controls and mitigation provided by the conditions and planning obligations recommended, the proposal is found to be acceptable and compliant with the relevant development plan policies in all the relevant regards.

Page 138 – Section 2.2

- Delete duplication of “Socio-Economic Assessment (Including Open Space Proximity Assessment and Employment Impact) by Barton Willmore”

Page 164 – end of Section 3.7

- Insert the following text: “Objections to the application have been received from a number of neighbouring businesses. The concerns identified by neighbouring businesses are acknowledged and have been taken into full account in the assessment of this application and the recommendation made by officers to grant consent for the development proposed (subject to conditions and the completion of a Section 106 Agreement in accordance with the Heads of Terms at the start of this report).”

Given the particularly extensive objections raised by businesses on the development proposed the comments from these respondents are summarised in full and responded to (*response in italics*) directly below for clarity. In several cases the issues raised are explored in further detail in the relevant parts of this report. In summary, subject to the controls in place under the conditions and planning obligations recommended, the development is considered to be acceptable and compliant with the objectives of all relevant planning policies.

9 Pollard Road

Comment: Proposal would add unacceptably to the existing traffic and congestion in the area and particularly impact adversely on the junction of Totteridge Lane

Response: *This has been addressed in the relevant section of this report*

Aurora Leasing Limited, 2 Downland Close

Comment: The noise and vibration report is based on BS 4142:1997 but the current standard is BS 4142:2014. The current submission is therefore considered to be invalid and an updated report and sound assessment is required and the LPA sound impact assessment needs to be re-evaluated in light of the changes to the current BS4142:2014 standard.

Response: *The council's environmental health department have stated that "The latest BS4142 does make a significant change to the way noise is assessed from associated mobile equipment and could now be used in this case possibly with respect to some of the commercial mobile noise. Whether the private road could be assessed is debatable however assuming that it is, there would still be unlikely to be an impact and therefore a change to our consideration of the application. This is due to the calculation time: the averaging period is still an hour for the daytime and this would result in there being the same effect as the monitoring carried out previously- there would be little change to the results and to the resultant requirements for mitigation. Averaging over an hour reduces the significance of noisy equipment/lorries/machinery. During the night time the averaging period is now 15 minutes and no longer 5 minutes so the effect of noise from lorries/machinery would be averaged out over the 15 minutes and again the impact would be reduced. So, the new BS 4142, in my opinion, would have no effect in this development. We have set a high level of mitigation due to the prevailing noise climate and based largely on the BS 8233 standard. Interestingly, this standard was updated this year too and as a result it is more lenient in mixed use noisy environments such as this case. BS 8233 is similarly appropriate for usage in this development as it concerns internal average noise levels in buildings and outside amenity space as well as individual short term event noise (such as passing traffic). It is used in cases of mixed use commercial and industrial noise and traffic noise. The updated version has been taken into account as well as the old guidance and it is worth noting that the council have used the standards to ensure that the best possible level of noise mitigation is used in the building with reference to both the older standards and the new". Based on the comments received, the noise and vibration information submitted is considered to sufficiently address noise and vibration. Furthermore, it is considered that the applicant has provided a thorough assessment of noise and vibration information and reference to BS 4142:1997 in submitted documentation is not considered to invalidate the application.*

Units 3-4 Downland Close

Comment: Objections to application B/05674/13 and B/00421/13 dated 20 March 2013, 26 February 2014 and 27 February 2014 should be considered in determining this application

Response: *The previous objections raised have been considered in this report*

Comment: The noise and vibration report is based on BS 4142:1997 but the current standard is BS 4142:2014. The proposal should be considered against current standards.

Response: *The has been addressed in the section above*

Comment: Concern that the proposal would result in residential development in proximity to the neighbouring business that deals with the testing of music equipment and that this arrangement should not result in restrictions on the operations of the existing business.

A1 Dairies Limited, 1 Downland Close

Comment: Objections to application B/05674/13 dated 18 January 2014, 28 February 2014 and 09 April 2014 should be considered in determining this application

Response: *The previous objections raised have been considered in this report*

Comment: Concern with the accuracy of the red line boundary of the site, in respect of ownership. Are also concerned with the process of establishing boundaries of the site and believe that a further boundary review should be undertaken.

Response: *Objections have been received that the application relates partly to land outside the ownership and control of the applicant. While these concerns are noted the A Certificate of Ownership on the application form submitted has been signed by the applicant's Agent (Barton Willmore). By doing this they have confirmed that on the day 21 days before the date of this application nobody expect the applicant was the owner of any part of the land or building to which the application relates (in this context 'owner' is a person with a freehold interest or a leasehold interest with at least 7 years left to run). The applicant has confirmed that they are satisfied that the land which falls within the current red line boundary falls under their ownership and that the correct Certificate of Ownership has been completed as part of the application. It is not for the Local Planning Authority to mediate and seek to resolve potential boundary and land ownership disputes. As such, the submission of further information on this matter as part of the application is not warranted. In the circumstances of this proposal it is considered that the submission made is sufficiently clear on the matter of site ownership for the purposes of registering and considering the planning application. It is not appropriate or necessary for the Local Planning Authority to interrogate the position adopted by the applicant on this matter any further.*

Comment: The gas supply pipes in Downland Close are not mains supplied, therefore the assumptions in the utility report are inaccurate and the LPA should ensure that the development allows for adequate gas supply reinforcement without infringing on adjoining neighbours.

Response: *Officers consider that the current submission is sufficient to enable a full and robust assessment of the proposal.*

A1 Self Storage, 2 Downland Close

Comment: Objections to application B/05674/13 dated 20 January 2014, 28 February 2014 and 09 April 2014 should be considered.

Response: *The previous objections raised have been considered in this report*

Comment: The noise and vibration report is based on BS 4142:1997 but the current standard is BS 4142:2014. Assessment should be made in line with BS 4142:2014 to ensure that the amenity of nearby residents is not disturbed and complies with BSI standards. The current submission is therefore considered to be invalid and an updated report and sound assessment should be submitted.

Response: *This has been addressed in the section above*

Michael Gerson (Investments) LTD

Comment: The noise and vibration report is based on BS 4142:1997 but the current standard is BS 4142:2014. The current application is invalid and an updated report and sound assessment is required.

Response: *This has been addressed in the section above*

Comment: Believe that the current application has an invalid certificate of ownership as the red line boundary is not in line with the view of their boundary expert

Response: *This has been addressed in the section above*

Addressing comments made in relation to previous application (B/05674/13)

Michael Gerson Investments Limited, 2 Downland Close:

In summary the objections raised comprise that the:

Comment: Proposed development is contrary to planning policies, guidance and established practices. Approval of the application would send a message that there is no place for B8 and B2 land uses in Whetstone.

Response: *As with all planning applications, it is necessary to strike a balance between the competing needs for employment and residential uses. The London Plan has identified a severe shortfall of housing in London, which is anticipated to get worse in the coming years. The proposal makes a useful contribution to new housing provision and the applicant has provided an appropriately justified case for the development sought (as set out in the various sections of this report in more detail). The proposal is found by officers to be acceptable and compliant with planning policies in all relevant regards. It is therefore not considered that there is a justifiable basis on which to refuse the planning permission.*

Comment: Revisions made to the scheme do not address the concerns they have raised about the development proposed.

Response: *Officers consider that the scheme proposed provides an appropriate response to the sites constraints and find the application to be acceptable and compliant with the relevant development plan policies.*

Comment: Proposal is a threat to the continuation of the growing employment generating businesses on their sites and further investment in and intensification of these uses. As such the proposal is incompatible with the existing adjacent users, design principles and planning policies and guidance.

Response: *No evidence has been provided to demonstrate that the development proposed would prejudice the continuation, redevelopment or expansion of neighbouring businesses. The scheme has been carefully designed to take account of neighbouring businesses and includes appropriate assessments and extensive measures to mitigate potential issues, such as noise, vibration, highway safety and air quality impacts, in an appropriate manner. In the event that future proposals were to come forward for consideration at neighbouring commercial sites an assessment of the conditions which existed at that time would need to be undertaken and appropriate mitigation, to suitably control any additional impacts (such as noise and disturbance), applied.*

Comment: Proposal would prejudice the amenities enjoyed by the occupiers of the neighbouring sites (1-4 Downland Close and 1411 High Road) which include unrestricted operating hours, lack of proximity to residential neighbours, site vehicle handling capacity with maximum load weights, large power and gas supplies, high floor loadings, high clearance heights and security with well lit and well surveyed boundaries.

Existing businesses at their sites have unrestricted access at all times and can operate in a very intensive manner, which includes significant traffic movements (including very large vehicles), vehicles which can generate significant noise and light pollution, a range of noisy commercial activities, air pollution (from commercial vehicle exhaust), bright illumination (including floodlights), visual intrusion, pest control measures and high intensity CCTV surveillance. Such activities are not compatible with the proposed development and the scheme would threaten their ability to continue to

operate in this way. The proposal would be contrary to planning policies in this regard and includes no suitable mitigation for these impacts.

Response: *The new residential dwellings proposed are considered to have been provided with a design and mitigation that would ensure that their future occupiers have an appropriate level of amenity and living conditions (as set out in various parts of this report in greater detail). The conditions imposed require various measures, in accordance with the requirements of the Barnet Local Plan and the NPPF, to ensure that the activities occurring at the neighbouring commercial sites can take place without creating unacceptable living conditions for the future occupants of the more sensitive residential dwellings proposed. As other sections of this report set out no evidence has been provided to demonstrate that the development proposed would prejudice the continuation, redevelopment or expansion of neighbouring businesses. The scheme has been carefully designed to take account of neighbouring businesses and includes appropriate assessments and extensive measures to mitigate potential issues. By creating a living environment that meets with reasonable expectations for future residents, the submission ensures both types of use could co-exist alongside one another without prejudicing the ongoing use of commercial uses near the site.*

Comment: Nuisances to neighbouring residential occupiers which arise from housing being permitted in close proximity to a noise source carry no weight with magistrates when action is being taken under the Environmental Protection Act 1990 and a business is being penalized.

Response: *Officers are satisfied that the mitigation measures employed as part of the proposed development fully recognise and address the noise conditions that currently exist at the site. This mitigation also takes account of the potential for future growth of the businesses at neighbouring sites and the associated noise impacts. With such mitigation the scheme is found to create an acceptable living environment for future occupiers and is found to be adequate in this respect.*

Comment: Existing uses at their sites create the noise, smells, vibration and other environmental impacts that would be expected from 'B' Class uses. Northway House has acted as a buffer between the houses in St Margaret's Avenue and the uses to the north and west of the applicant's site, but the current proposal would compromise this and introduce residential uses much closer to their site. The loss of the existing uses at the site and the buffer they provide with neighbouring properties is unsustainable.

Response: *The new residential dwellings proposed are considered to have been provided with a design and mitigation that would ensure that their future occupiers have an appropriate level of amenity and living conditions (as set out in various parts of this report in greater detail). The application is therefore found to be acceptable in this respect. Officers also note that the development proposed would be expected to create a greater buffer between properties in St Margaret's Avenue and the businesses neighbouring the application site than currently exists at present (without resulting in any unacceptable*

impacts on either in its own right). It is therefore not considered that the scheme would result in any demonstrable harm or conflict with planning policy in this respect.

Comment: Proposal creates a situation where residential users are overlooking and in direct view of their secure site. This causes a loss of privacy and security and prejudices their ability to operate sensitive and high value shipments.

Response: *The neighbouring businesses already experienced a significant degree of overlooking from the application site (when it was in use), due to the design of the existing building (Northway House). Officers consider that the design of the proposed development is such that it would not increase the level of overlooking and loss of privacy at neighbouring properties to such an extent that any additional demonstrable harm would result. It is therefore not considered that a refusal of planning permission on this basis would be justified.*

Comment: Proposing housing in such close proximity to commercial uses creates alienation and conflict which encourage trespass, vandalism and theft. The design of the proposal is contrary Secure by Design initiative and the scheme would create tensions between residents in the new development and workers on their site.

Response: *The Design and Access Statement submitted shows how the scheme has been designed in accordance with Secure by Design principles. The proposal has been examined by the Metropolitan Police Service who have not raised any objections to the proposal or requested that conditions are placed on any grant of consent. Officers consider the design of the proposal to be acceptable and compliant with planning policies on security, crime and design principles more widely.*

Comment: Local Planning Authority should ensure that the measures are implemented within the scheme that guarantee that they and their tenants have unfettered rights to continue to access their commercial properties all day and all year around and have sufficient scope to enable growth and diversified commercial activities, including those that generate noise and visual disturbance outside of normal working hours.

Response: *The measures and guarantee's sought are considered to go beyond what can reasonably be required under planning legislation and planning policy. The scheme is considered to take appropriate account of neighbouring uses and is found to have a suitable design and include adequate mitigation in this respect. It is noted that the measures secured through the conditions recommended include appropriate screening and assume a reasonable level of growth in activity (and the associated noise and disturbance) at neighbouring sites. Any changes at neighbouring sites which require planning permission would need to be assessed on their individual merits, taking account of any relevant material planning considerations at the*

time they are assessed. They cannot be prejudged as part of the assessment of this application.

Comment: Proposal would constitute poor design, provides a poor standard of accommodation and amenities for a high proportion of the new dwellings and proposes residential uses too close to the existing commercial (Class B2 and B8) uses in Downland Close. This is contrary to planning policies.

Response: *Officers consider that the application proposes an acceptable design response that would provide adequate amenities for the future occupiers of all the proposed dwellings and have a suitable relationship with neighbouring properties. The scheme is found to be compliant with development plan policies in all relevant regards.*

Comment: Proposed noise mitigation is inadequate and inconsistently applied.

Response: *The noise mitigation measures included in the scheme (and secured through the conditions recommended) have been specifically targeted to ensure that each unit is provided with acceptable levels of amenity and adequate living conditions. This has been established through an assessment of the conditions at the site and by suitably qualified experts. Environmental Health officers are satisfied that the noise mitigation measures secured by the conditions recommended are adequate.*

Comment: Inadequate information has been supplied on the acoustic buffer proposed and this is shown to be on land outside the applicant's ownership. The screening and buffering proposed is inadequate and the scheme does not address impacts that will arise if windows to the proposed residential properties are opened.

Response: *The submission made proposes a size and location for the acoustic buffer which forms part of the scheme. However, the conditions recommended would ensure that the acoustic buffer, other noise mitigation and screening (including new landscaping and planting) which forms part of the scheme would be delivered within the application site in an appropriate manner that provides sufficient levels of mitigation (in a number of regards including noise, visual impact and privacy). The application is supported by an Environmental Noise and Vibration Survey Report. This demonstrates that the screening and buffering would, alongside the other mitigation proposed, deliver suitable levels of noise of noise attenuation. In terms of windows specifically, there is no reason why they could not be opened for personal preference or for purge ventilation purposes. However, in order to ensure the provision of acceptable living conditions for future residents of the development ventilation systems which enable residents to keep windows closed, should they wish to do so, would be installed where necessary.*

Comment: Proposal lacks community rooms, exercise areas, leisure facilities, rooms designated for relatives or friends to stay when visiting and visitor parking bays and spaces.

Response: *The proposal is considered to deliver suitable and policy compliant facilities for visitors and future occupiers. This includes the delivery of sufficient parking and communal facilities.*

Comment: Application fails to improve the existing junction arrangements, provides no facility for residents to cross the road (so they can remain within the town centre) and would be detrimental highway safety, including pedestrians and cyclists.

Response: *The proposed access arrangements have been carefully considered by the applicant and scrutinised by the Council's Highways Team who consider the proposals to be acceptable. A Crossing Assessment is contained in the Transport Assessment submitted. This identifies that the site has a 'green' classification meaning that the site has good access to local crossing points that are also suitable for disabled pedestrians due to the inclusion of features such as tactile paving.*

Comment: The scheme would adversely affect the operation of roads in the area and increase conflicting movements, contrary to planning policies on these matters.

Response: *The Transport Assessment considers in detail the volume of additional traffic that would be generated by the proposed development. The Council's Highways Team accept that the relatively modest increase in traffic the proposal would generate can be accommodated within the existing highway network with no material effect on capacity.*

Comment: Access into and within the site is poorly designed and includes inadequate parking and delivery facilities. The scheme would increase the hazardous parking conditions which already occur in the area.

Response: *The design of the access into and within the site and the parking and delivery facilities proposed have been carefully assessed and are found to be acceptable and compliant with the objectives of planning policies.*

Comment: Proposal provides inadequate disabled access arrangements.

Response: *The submission demonstrates that sufficient care has been taken in the design of the proposal and that the scheme ensures the provision of acceptable facilities for disabled persons. Conditions have been recommended to ensure the scheme is delivered in an appropriate manner in this respect. This matter is discussed in further detail separate sections of the committee report.*

Comment: Proposal would result in the loss of jobs and employment space. The existing space at the site has been inadequately marketed and has been allowed to fall into disrepair. The Market and Viability Assessment submitted with the application does not demonstrate that the proposal is compliant with planning policies on the loss of employment and non-residential uses and

should be viewed with scepticism by the Local Planning Authority who have visited the site and found it to be occupied.

Response: *The application site is currently vacant and the changes proposed at the site are found to be acceptable and compliant with the objectives of planning policies on employment and non-residential uses.*

Comment: Socio-Economic Assessment provided contains incorrect data and is not sufficiently robust to determine the application.

Response: *A complete Socio-Economic Assessment dated September 2014 has been submitted with this application. Officers are satisfied that sufficient information is available to enable a full and robust assessment of the application.*

Comment: Proposal represents overdevelopment, seeks a density of development not appropriate for this (suburban) location and is contrary to planning policies on these matters. Scale, height, bulk and mass of the proposal represent an overdevelopment and the proposal does not respect the sites constraints or the suburban character of the surrounding area.

Response: *The density of the development is examined in this report. This concludes that the proposal is acceptable and compliant with planning policies on this matter. The various elements of the design of the development more widely are assessed several sections of this report. These all find the proposal to be adequate and compliant with the objectives of planning policies.*

Comment: Barnet House is a more suitable site for conversion to a residential use.

Response: *The Local Planning Authority is required to consider the planning merits of the proposal before it.*

Comment: The proposal is contrary to policies on the sequential test.

Response: *Officers consider that the proposal is compliant with planning policies on the sequential testing of new development. This matter is discussed in further detail in this report.*

Comment: A recent application (with Barnet reference B/00845/13) with similar circumstances was refused on design and character grounds by the Council and the same opinion should hold true for the proposed development.

Response: *Planning applications are required to be considered on the basis of their individual planning merits. This report assesses the proposal from a character and design perspective and finds the proposal to be acceptable and compliant with planning policies in this respect.*

Comment: Extension to A1 Self Storage granted consent under application reference B/00845/13 (at appeal) is a commitment that needs to be considered.

Response: *The application identified has been fully considered as a committed scheme and taken into careful account in the assessment of this proposal in all relevant regards. This includes the impacts of the A1 Storage scheme on the current proposal and the impact of the current proposal on the consented A1 Storage scheme. Specific issues are discussed in full in the relevant sections of this report.*

Comment: The information in the submission in respect of vibration, sound, noise, fire safety, sewerage, planting, traffic accident data, affordable housing, employment data and gas supply contains deficiencies, omissions, distortions and inaccuracies. A new environmental study should be sought because of the changes at the site and the time that has elapsed since the previous report was prepared.

Response: *Officers consider that the current submission is sufficient to enable a full and robust assessment of the proposal.*

Comment: Drawings submitted are misrepresentative of reality and the ownership of land and more detailed plans should be provided.

Response: *The A Certificate of Ownership on the application form submitted has been signed by the applicant's Agent (Barton Willmore). By doing this they have confirmed that on the day 21 days before the date of this application nobody expect the applicant was the owner of any part of the land or building to which the application relates (in this context 'owner' is a person with a freehold interest or a leasehold interest with at least 7 years left to run). A covering letter which accompanies the application specifically identifies that the site boundary has been revised (as part of the plans consulted on in March 2014) to exclude certain areas of land that were previously part of the application site. In the circumstances of this proposal it is considered that the submission made is sufficiently clear on the matter of site ownership for the purposes of registering and considering the planning application and that it is not for the Local Planning Authority to dispute the position adopted by the applicant on this matter.*

Comment: Submission documents show proposed development occurring beyond the application site boundary.

Response: *The application drawings show that the proposed development would be within the site boundary*

Comment: Submission claims that there are 100 existing cycle spaces at the site and this is untrue and inconsistent with previous statements on this matter.

Response: *This comment is noted. However, officers do not consider that it has a significant bearing on the assessment of the current application.*

Comment: Development proposes inadequate new planting and will result in the loss of trees, including trees outside the site.

Response: *These matters are addressed in the relevant sections of this report. Subject to the conditions recommended the proposal is found to be acceptable in these respects.*

Comment: Application should be referred to the Mayor of London.

Response: *Development of the nature proposed is not referable to the Mayor of London. The development does not exceed the criteria set out in the Town and Country Planning (Mayor of London) Orders and as such does not trigger the requirement to be referred to the Mayor of London.*

A1 Dairies Limited, 1 Downland Close:

In summary the concerns raised comprise that the:

Comment: Planning application drawings are misrepresentative of the ownership of the land which forms the application site and the buildability of the proposed development. Applicant's plans advance that they own land which they do not and show development occurring in land which is not within their control or ownership. As such they consider that the incorrect ownership certificate has been completed and therefore the application is invalid.

Response: *These points are responded to in earlier sections of the report.*

Comment: Proposed development would undermine the road they use to access their site and this would interfere with the business on their land.

Response: *The possible structural and engineering implications of the proposal for adjoining land (including the road) are considered to be adequately addressed by the requirements of other legislation in this instance. As other sections of this report set out in greater detail the development proposed is considered to include suitable access arrangements subject to the conditions and planning obligations recommended.*

Comment: Extent of the applicant's ownership has implications for the position and effectiveness of the acoustic wall proposed in the application documents.

Response: *The precise location of the acoustic screen will be agreed pursuant to the conditions recommended. Officers are satisfied that adequate space exists within the application site (as defined in the submission drawings) to accommodate a suitable acoustic screen without a need to incur onto the adjoining land.*

Comment: Information in the Environmental Noise and Vibration Survey Report is lacking in detail and accuracy. They would question the findings of

the report and suggest that the acoustic wall proposed could increase noise to the proposed dwellings rather than reduce it.

Response: *The Environmental Noise and Vibration Survey Report submitted provides a sufficiently robust assessment of the conditions that currently exist and would be experienced on the site following the implementation of the development. The acoustic wall, the full details of which will be agreed under the conditions recommended, would be designed to ensure it provided a suitable level of mitigation for the proposed dwellings.*

Comment: Plans submitted propose parking spaces on land which is located outside the application site identified in the submission.

Response: *This point is responded to in earlier sections of the report.*

Comment: The scheme represents an overly dense development.

Response: *This point is responded to in the relevant sections of this report.*

Comment: Information submitted to the Local Planning authority is inadequate to enable the proper assessment of the application in terms of parking; on site manoeuvring and parking space; on site pedestrian and traffic safety; the proximity of vegetation to residential properties; and the effectiveness of the visual and acoustic screening.

Response: *As the various relevant sections of this report identify the information submitted is considered to be sufficient to enable a full and robust assessment of the proposal. In all regards the application is found to be acceptable and compliant with the objectives of planning policies.*

Comment: Local Planning Authority need to take full account of their business and its nature, as the right to carry on an activity which results in noise which would cause an actionable nuisance (say to a nearby residential occupier in the new development) is capable of being an easement and it therefore vital that the proposed development does not seek to interfere with their land or business and takes full account of their rights.

Response: *As the various relevant sections of this report identify the submission assesses and proposal takes care to ensure adequate amenities are provided for future occupiers of the new dwellings. Full account has been taken of the conditions created by the neighbouring commercial uses. The proposed development is contained entirely within the confines of the application site boundary and will not incur onto or prejudice the ability to access neighbouring land.*

Comment: Information in the Utility Feasibility Report submitted contains inaccuracies.

Response: *The latest information submitted is considered to be sufficient to enable a full and robust assessment of the relevant planning considerations.*

Comment: National Grid have attempted to reduce the electrical and gas supply capacity of their site. They consider that the National Grid should maintain the supply capacity which they originally provided and which is appropriate to their buildings (and note that they have not provided any evidence that they are not obliged to do so) and advance that this is important as industrial tenants are attracted by the electrical and gas supply available at the site. Council should independently verify that the gas supply capacity in Whetstone is sufficient to supply this development whilst maintaining the full supply capacity at their properties and others in the area, as the attempts by National Grid to reduce their gas supply capacity may be connected to the proposed development.

Response: *National Grid commented on application B/05378/14 and did not raise objections on capacity (or other) grounds. National Grid are the recognised statutory undertaker appointed to deal with these matters and it is not considered that any further assessment is required to enable the determination of this application.*

Comment: Proposal may result in increased infrastructure being needed to support the development and the full cost of this should be borne by the applicant and not levied on them, their tenants or the wider community in Whetstone.

Response: *The contributions the development would make through the planning obligations recommended and the Barnet and Mayoral CIL systems are sufficient to mitigate the impact of the proposal on local infrastructure as far as is relevant to the assessment of this planning application.*

Comment: Parking bays for the development should be located not less than 6 feet from the carriageway with Downland Close and that the Council should protect their site boundary and right of way.

Response: *The parking bays proposed are considered to have an acceptable and policy compliant design and are located within the application site boundary.*

Comment: Their previous comments on the application remain fully valid and should continue to be taken into consideration when a decision is made on the application.

Response: *The previous comments by A1 Dairies have been taken into full account in the assessment of this application and the recommendation made by officers.*

Video Equipment Rentals (VER), 3-4 Downland Close:

In summary the concerns raised (on their behalf by Contour Planning) comprise that:

Comment: Proposal would detrimentally affect the operation of their business which moved to the site because of its location away from residential properties and flexibility for expansion which could generate significant additional employment.

Response: *Planning policies encourage developments to make effective use of previously developed land, such as the application site. The scheme proposed is considered to take appropriate account of neighbouring uses and is found to have a suitable design that includes adequate mitigation for the conditions created by adjacent businesses. It is noted that the existing residential properties in St Margaret's Avenue are located approximately 40m from 4 Downland Close and it is understood that no noise complaints having been raised by existing local residents in respect of this to date. The presence of residential properties in the vicinity of the existing businesses does not rule out the alteration and expansion of such businesses in principle. Instead, in the event that proposals for neighbouring sites were to be considered, these would need to be judged on their own individual merits. These cannot be fully anticipated as part of this planning application, but they are likely to include suitable mitigation measures that accord with any relevant recognised standards. It is also noted that the measures secured through the conditions recommended assume a reasonable level of growth in activity (and the associated noise and disturbance) at neighbouring sites.*

Comment: Proximity and design of the proposed development to VER's property and other businesses in this area (including A1 Self Storage) raises concerns about overlooking of their commercial premises (the proposed facades are within 20m of their industrial/commercial buildings) and the submitted noise and vibration assessment is inadequate, does not provide sufficient detail or adequate mitigation to protect the future position and viability of these important local businesses.

Response: *Matters relating to overlooking of neighbouring non-residential properties and the robustness of the Environmental Noise and Vibration Report submitted are addressed in other sections of this report.*

Comment: Noise generated by VER carrying out its operations, which includes testing full concert/festival sound systems (which it expects to increase), and the decision to locate residential properties within 18m of Unit 4 on Downland Close (which they occupy) would be very likely to result in complaints from the future occupiers of these dwellings about noise levels.

Response: *Noise surveys have been conducted in accordance with recognised industry standards to account for the ambient noise conditions found at the site. This included a testing position located immediately adjacent to 4 Downland Close. Having considered these survey results, mitigation measures, including the use of winter gardens on some of the westward facing balconies and acoustic screens along the western site boundary have been recommended to ensure noise conditions for the proposed dwellings and the associated external amenity spaces are at acceptable levels. As referred to above, in the event the current application at 4 Downland Close is*

approved, it will be necessary for suitable noise insulation to be installed (as proposed by the applicant).

Comment: Allowing of residential properties so close to their commercial site, which currently has unrestricted 24 hour operations including the testing of PA systems, increases the potential for noise complaints and potentially litigation against VER for noise nuisance.

Response: *It is considered that the development proposed, as controlled by the mitigation secured, takes adequate account of the potential for businesses neighbouring the site to impact on the amenities of neighbouring occupiers, including noise. Noise surveys have been conducted to account for the ambient noise conditions found at the site. Having considered these survey results, mitigation measures, including the use of winter gardens on some of the westward facing balconies and acoustic screens along the western site boundary have been recommended to ensure noise conditions for the proposed dwellings and the associated external amenity spaces are at acceptable levels.*

Comment: Latest noise surveys ignore potential night time noise disturbance generated in Downland Close since no night time HGV moments were observed on Downland Close during the site visit. Night time activities regularly take place in Downland Close and the noise survey should reflect this and take account of the noise disturbance which could occur (given the close proximity of the proposed residential properties to an active commercial site).

Response: *The Environmental Noise and Vibration Survey Report is considered to provide a sufficiently robust assessment of the noise conditions at the site. Based on this assessment, there is no evidence to demonstrate that HGV movements occur with such regularity and frequency so to be reasonably expected to cause material harm to the future occupants of the proposed residential units.*

Comment: Proposal makes no assessment of the external activities taking place at commercial units in Downland Close (the letter refers to noise surveys the objectors consultant has undertaken but these have not been supplied to the Council at the time of writing), does not take account of the nature of the use being carried out by VER, relies on the premise that windows will be closed at all time as part of its mitigation and is based on insufficient survey information.

Response: *Noise surveys were conducted to account for the prevailing noise conditions experienced at the application site. These surveys would have detected any activities taking place at the commercial units along Downland Close and it is these which have informed the approach subsequently adopted.*

Comment: Noise assessment which accompanies the application does not contain sufficient information to make an informed decision about potential

impacts on both future residents and the operation and future expansion of VER and the wider industrial estate.

Response: *This point is responded to in previous sections of this report.*

Comment: Businesses on Downland Close should have been contacted in respect of when noise surveys were carried out.

Response: *There is no requirement for the applicant to have contacted businesses on Downland Close before the noise surveys took place. The surveys were conducted by a suitably qualified expert in line with recognised practice and industry standards. They are therefore considered to be sufficient to enable the assessment of the application.*

Comment: VER currently have no residential dwellings in such close proximity to them. The commercial units operate throughout the night and day and the flexibility of operations is very important for the businesses. This would be seriously jeopardised by the proposal.

Response: *This point is responded to in previous sections of this report. It is also noted that there are residential properties on St Margaret's Avenue that are approximately 40m from 4 Downland Close. These properties do not benefit from the kind of mitigation measures proposed for the dwellings which form part of this application and have not experienced noise conditions that have led to noise complaints being lodged with the Council to date.*

Comment: Proposal will prevent any future expansion of their business and may restrict the operation of the business to less than current levels. This includes the expansion of their business, proposed in a current planning application (Barnet reference B/01422/13), to enable the testing of equipment in a full stage set up prior to dispatch to clients.

Response: *Of particular note is the intent referred to in the current planning application for 4 Downland Close for noise insulation to be incorporated as part of the enlargement of the neighbouring building. However, further details of this have not been included within the application (B/01422/13).*

Comment: Loss of employment space on an established commercial site, which is of a size and type capable of meeting a local need, would have an adverse impact on office floorspace in Whetstone Town Centre and employment land supply in the wider borough. The proposal would be contrary to development plan policies and national planning guidance on the protection of employment land and education facilities. The loss of employment use at Northway House would have a significant impact on the local community and economy and the scale of employment floorspace proposed is inadequate and the applicant has approached the issue of the loss of employment at the site inappropriately. The marketing evidence supplied by the applicant is inadequate to address planning policies, inconsistent and does not reflect the Council and VER's observations. It is suggested that the

type of space provided in the site are desirable for small and medium sized businesses.

Response: *These points are responded to in the relevant sections of this report.*

Comment: Development of residential accommodation to the rear of Northway House would remove the possibility of providing future employment generating uses in a location which is entirely appropriate for such accommodation.

Response: *The principle of redeveloping the rear of the site to provide new residential accommodation is considered to be entirely acceptable, subject to the more detailed aspects of the proposal being compliant with the relevant planning policies (these are addressed throughout this report).*

Comment: Proposal represents an overdevelopment of the site and would significantly exceed the appropriate density identified in the London Plan for locations such as this. The schemes scale, height, bulk and mass represent an overdevelopment of the site.

Response: *The density of the development is examined in this report. This concludes that the proposal is acceptable and compliant with planning policies on this matter. The various elements of the design of the development more widely are assessed several sections of this report. These all find the proposal to be adequate and compliant with the objectives of planning policies.*

Comment: Position of dwellings so close to an established and well used commercial site has little regard to the living conditions for the future residents of these properties, who would be affected by the noise and light impacts associated with being in such close proximity to an active employment site.

Response: *This point is responded to in other sections of this report.*

Comment: Scheme proposes inadequate screening and the provision of improved buffers and screens and setting the proposed buildings back further from the adjacent businesses would help to reduce the impact of commercial operations at adjoining sites on the residential properties proposed.

Response: *This point is responded to in previous sections of this report.*

Comment: Submission does not address the concerns they raised about overshadowing that would take place from existing commercial properties on residents living on the western part of the application site. It is also noted that unit 4 is proposed for enlargement (under an application which is presently under consideration) and that this should be considered as part of this assessment.

Response: *The concerns that the commercial building to the west of the site would cause overshadowing impacts on the future occupiers of the proposed*

development are noted. Based on the submitted documents, future residents are considered to have a sufficient access to light. This is discussed further in the relevant section of this report.

A1 Self Storage Limited, 2 Downland Close:

In summary the concerns raised comprise that the:

Comment: Proposal is contrary to planning practice as it places housing directly adjacent to land in a B8 and B2 Use Class which operates at all times of the night and day and involves HGV movements. Proposal has no regard to the amenity of existing surrounding land users and fails to protect employers from disastrous long term repercussions.

Response: *These points are responded to in previous sections of this report*

Comment: Proposal is a risk to their ongoing business and the vehicle handling capacity of the site (which attracts customers to their facility).

Response: *No detailed evidence has been provided to demonstrate that the proposed development would have the repercussions advanced. As other sections of this report set out the design proposed takes adequate account of adjacent uses and, subject to the conditions and obligations recommended, it is considered that the development would provide acceptable living conditions for future occupants without prejudicing the operations or amenities of neighbouring businesses.*

Comment: Proposal threatens the continuation of their employment use (which may include 24 hour 7 days a week unattended access for customers) and its wider economic benefits. As such the development is contrary to development plan policy on promoting business activity; maximising job creation; protecting employment land; the potential incompatibility of new development with existing industrial and commercial activities; and anticipated growth in the distribution (warehousing), business service and small business sectors.

Response: *These points are responded to in previous sections of this report.*

Comment: Proposal will make them less attractive to customers who value the current privacy and seclusion of their site.

Response: *The neighbouring businesses already experienced a significant degree of overlooking from the application site (when it was in use), due to the design of the existing building (Northway House). Officers consider that the design of the proposed development is such that it would not increase the level of overlooking and loss of privacy at neighbouring properties to such an extent that any additional demonstrable harm would result. It is therefore not considered that a refusal of planning permission on this basis would be justified.*

Comment: Proposal would be detrimental to the local and small businesses and residents which they provide facilities for.

Response: *These points are responded to in previous sections of this report.*

Comment: Proposal will encourage trespass, vandalism and theft and is contrary to planning policy and guidance on designing safe and secure environments. The development would foster feelings of alienation and fear.

Response: *These points are responded to in previous sections of this report.*

Comment: Proposal will reduce the security of their staff as they will be more easily observed (from the development).

Response: *Natural surveillance is recognised by Secure by Design principles as a means to help reduce instances of crime. More widely these points are responded to in previous sections of this report.*

Comment: Proposal would increase the risks arising from potential terrorism, as terrorists have been known to use and raid self storage facilities.

Response: *The Metropolitan Police Service has been consulted on the application and they have not raised any objections or requested that conditions are imposed in relation to these issues. In the circumstances of this case it is not considered that a refusal of planning permission on terrorism related grounds would be justified.*

Comment: Proposal has no regard to the impact of their business on the amenities of the occupiers of the proposed dwellings. This includes impacts on privacy and the right to quiet enjoyment which will arise from traffic, artificial lights (including flood lights and flashing beacons), CCTV cameras, noise (from vehicle movements, alarms, sirens, reversing beepers and the activities associated with the facilities at the site) and vibration associated with the operation of their business. This is especially the case in summer when residents will want to open their windows.

Response: *The new residential dwellings proposed are considered to have been provided with a design and mitigation that would ensure that their future occupiers have an appropriate level of amenity and living conditions (as set out in various parts of this report in greater detail). The conditions imposed require various measures, in accordance with the requirements of the Barnet Local Plan and the NPPF, to ensure that the activities occurring at the neighbouring commercial sites can take place without creating unacceptable living conditions for the future occupants of the more sensitive residential dwellings proposed. As other sections of this report set out no evidence has been provided to demonstrate that the development proposed would prejudice the continuation, redevelopment or expansion of neighbouring businesses. The scheme has been carefully designed to take account of neighbouring businesses and includes appropriate assessments and extensive measures to mitigate potential issues. By creating a living environment that meets with*

reasonable expectations for future residents, the submission ensures both types of use could co-exist alongside one another without prejudicing the ongoing use of commercial uses near the site.

Comment: Proposal would be contrary to policies which seek to keep noise sensitive uses away from existing noise creating uses. The sound and vibration study submitted deals with time periods far too short to be representative of the traffic on Downland Close which can be sporadic in nature.

Response: *Planning policies do prohibit residential development in the vicinity of noise creating development in principle. Provided appropriate mitigation is delivered, as would be the case in this instance, such uses can co-exist alongside one another. The noise assessment submitted with the application has been found to provide a sufficient basis for the determination of this application by Environmental Health Officers.*

Comment: Scheme does not take account of the biological and ultrasonic pest control methods they use and the distress they can cause to residential pets.

Response: *The presence of pest control measures which may cause distress to pets is not a matter which is controlled by the planning system and such measures could be introduced on a site for a variety of reasons without any reference to the planning system. It is not considered that the possible impacts of such measures on the future occupiers of the proposed dwellings or their pets would constitute justifiable grounds for the refusal of planning permission in the circumstances of this case. It is also noted that through the planning obligations recommended reasonable steps have been put in place to ensure the future occupiers of the proposed dwellings are aware of the nature of the uses in place at neighbouring sites prior to them purchasing a dwelling.*

Comment: The proposal includes no or inadequate screening and buffering.

Response: *These points are responded to in previous sections of this report.*

Comment: Submission documents present inaccurate information and do not enable an adequate assessment of the proposal.

Response: *Since the original submission was made the applicant has changed a number of the application documents to correct inaccuracies. Officers consider that the current submission contains sufficient information to enable the full assessment of the proposal put forward.*

Comment: Area contains a lack of affordable office space and the submission believes that no serious attempt was made to retain the building for office and employment space, the buildings infrastructure was neglected and the building was not placed on the open market.

Response: These points are partially responded to in previous sections of this report. The proposal is considered to be compliant with development plan policies on office space (loss of the existing and the new space proposed) and is found to be acceptable in this respect.

Comment: Proposal needs to be considered in the context of the planning consent that they have received at their site (Barnet planning reference B/00845/13) for alterations (including enlargement) to the warehousing facilities.

Response: It is considered that the submission takes appropriate account of the proposals potential for impacts on the consent received at the neighbouring site (under Barnet planning reference B/00845/13). The current application (for the Northway House site) is not found to result in any impacts in this respect that would justify a refusal of planning permission. It is also considered that the recent consent at the neighbouring site would not impact unduly on the development proposed under this application.

Comment: Proposal would impact unacceptably on the passive thermosyphonic air heaters proposed as part of the consent they have recently received (under the above reference), as it would deprive the installation of solar radiant energy for the coldest parts of the year rendering it useless and increasing carbon emissions (rather than reducing them). Consider that the proposal is contrary to local, strategic and national planning policies and guidance as a result. State that the assessment of these impacts in the submission documents is fundamentally flawed and assumes that their scheme proposes photovoltaic panels (which it does not). The comments made also find that the proposal would directly impact on their amenity and directly increase their costs as a result of these impacts.

Response: In response to the concerns raised by A1 Self Storage at 2 Downland Close the applicants advisors (Anstey Horne) have prepared an Overshadowing Assessment on behalf of the applicant detailing the extent of any shadow that may be cast on the buildings at this site by the proposed development. The analysis conducted utilised the scaled drawings submitted with the application as well as having regard to the drawings that accompanied the applications at the neighbouring sites. A1 Self Storage at 2 Downland Close has recently benefitted from planning permission (Barnet reference B/00845/13), allowed at appeal, to enlarge and alter the self-storage warehouse building. As part of the planning permission, Thermosyphonic Air Heaters were proposed to be installed on the south facing flank wall of the enlarged warehouse building.

Officers note that there is no technical basis within the BRE Guidelines to evaluate the overshadowing impact of new development on Thermosyphonic Air Heaters or any other thermodynamic systems. Furthermore, whilst the Council's planning policies seek to protect the amenities of the occupiers of neighbouring buildings in general and encourage sustainable renewable energy generation, there is no development plan policy basis on which to

expressly require the protection of thermodynamic systems or other renewable energy technology systems.

Based on the information submitted the magnitude of the impact is likely to be relatively limited. Notwithstanding the impact on the amount of sunlight received by Thermosyphonic Air Heaters approved at the neighbouring site, when the potential adverse impacts of the scheme in this respect are weighed against the significant planning benefits associated with the proposed development, in terms of housing supply, expected employment generation and aesthetic enhancement, it is not considered that the severity of the harm caused is sufficient to warrant a refusal of planning permission.

Comment: Proposal would benefit the applicant financially but be detrimental to them, an established local business and small business catalyst.

Response: *For the reasons set out in various parts of this report it is not considered that the development proposed under this application would result in any material harm to or impacts on neighbouring businesses that would justify a refusal of planning permission.*

Comment: Proposal they have obtained consent for has followed the highest standards of sustainable development in its design, while the applicant's proposal has ignored planning policy on sustainability including housing density, Secured by Design and separation between planning user classes (which they consider to be a fundamental reason for planning legislation).

Response: *These points are responded to in more detail in the relevant parts of this report. In summary the application is found to be acceptable in all relevant regards and to represent a sustainable form of development. Some specific elements of the developments sustainability credentials are discussed in further detail in the relevant section of this report.*

Comment: Proposal represents an overly dense form of development.

Response: *This point is responded to in previous sections of this report.*

Comment: Proposal should undergo substantial alteration creating vertical and physical separation between users types if it is to be even considered in this location (as proposed it should be refused), as without any buffer the scheme will cause the B2 and B8 land to become marginalised or untenable.

Response: *This matter is largely responded to in previous sections of this report. The development proposed is found to not result in any impacts on neighbouring businesses that would justify a refusal of planning permission. As such alterations of the nature identified have not been sought.*

Comment: Their previous comments on the application remain fully valid and should continue to be taken into consideration when a decision is made on the application.

Response: The previous comments by A1 Self Storage have been taken into full account in the assessment of this application and the recommendation made by officers”.

Page 174 - Section 3.10

- Replace “The Strategic Level Residential Travel Plan” with “Full Residential Travel Plan”

Page 189 – Section 3.16

- Replace “dated November 2013” with “dated September 2014”

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