

MEETING

PLANNING AND ENVIRONMENT COMMITTEE

DATE AND TIME

TUESDAY 12TH NOVEMBER, 2013

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

TO: MEMBERS OF PLANNING AND ENVIRONMENT COMMITTEE (Quorum 3)

Chairman: Councillor Wendy Prentice
Vice Chairman: Councillor Maureen Braun

Councillors

Jack Cohen	Mark Shooter	Andreas Tambourides
John Marshall	Agnes Slocombe	Jim Tierney
Barry Rawlings	Stephen Sowerby	

Substitute Members

Alison Cornelius	Kath McGuirk	Andrew Strongolou
Claire Farrier	Graham Old	Darrel Yawitch
Andreas Ioannidis	Lord Palmer	
Sury Khatri	Brian Schama	

You are requested to attend the above meeting for which an agenda is attached.

Andrew Nathan – Head of Governance

Governance Services contact: Maria Lugangira 020 8359 2761

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes	
2.	Absence of Members	
3.	Disclosable Pecuniary interests and Non Pecuniary interests	
4.	Public Question Time (if any)	
5.	Members Item (if any)	
6.	Report of the Acting Assistant Director of Planning and Development Management;	
7.	931 High Road, North Finchley, London, N12 8QR - F/02217/13	1 - 92
8.	Merrivale, East Road, Edgware, Middlesex, HA8 0BT - H/04130/13	93 - 114
9.	Phase 3, Millbrook Park (former Inglis Barracks) Mill Hill East, London, NW7 1PZ - H/03860/13	115 - 174
10.	Any item(s) that the Chairman decides are urgent	

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LOCATION: 931 High Road, North Finchley, London, N12 8QR

REFERENCE: F/02217/13

Received: 03 June 2013

Accepted: 07 June 2013

WARD: Woodhouse

Expiry: 06 September 2013

AGENDA ITEM 7

APPLICANT: Berkeley Homes (Three Valleys) Limited

PROPOSAL: Demolition of existing buildings on the site and the construction of new buildings between three and five storeys in height, to provide 84 self contained flats and 11 houses (all Use Class C3), together with associated access, parking facilities, private amenity space, communal amenity space and landscaping.

APPLICATION SUMMARY

Full planning permission is sought by Berkeley Homes (Three Valleys) Limited for the demolition of the existing buildings on the former Metropolitan Police depot site at 931 High Road, North Finchley and the redevelopment of the site to provide new residential dwellings and a range of associated infrastructure. The development proposed would comprise the following key elements:

- 11 new houses (Use Class C3) each with their own private rear garden and accommodation provided over four levels.
- 84 new self contained flats (Use Class C3), each with their own private balcony, terrace or winter garden. These would be provided in two buildings having between five (four storeys and a level of additional accommodation in the roof) and three levels of accommodation.
- A total of 114 off- street car parking spaces.
- 4 new communal gardens with a collective area of approximately 1055m² in size.
- The provision of 12 of the proposed new dwellings as shared ownership affordable housing units.
- The provision of 6 affordable rented affordable housing units at 1230 High Road, Whetstone.

The existing buildings on the site are no longer required by the Metropolitan Police. Their replacement with new residential development of the nature proposed, that provides a high quality design approach which relates acceptably to it's neighbouring properties and is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the occupiers of neighbouring properties and would provide its future occupiers with a good standard of accommodation is considered to accord with policies that seek to optimise the use of sites such as this.

The design and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to the character of the wider area and which provides a suitable residential environment, while not impacting unacceptably on the amenities of neighbouring occupiers. Examples of how these constraints have shaped the design approach include the reduction in the height, bulk and mass of the development proposed away

from the High Road, the positioning houses with private rear gardens and an area of open space on the western most part of the site where Highwood Avenue and Limes Avenue meet (and removing the vehicular access previously proposed in this location) and the use of winter gardens for the flats fronting directly onto the High Road. Such a design approach also helps the development to fit in with its context, as it enables the scheme to respond to the different characters found on this part of the High Road and the suburban residential streets to the west and south of the site. It is considered that the quality traditional approach proposed for the detailed design and appearance of the buildings sought assists further in this regard. More generally the proposal includes a number of measures to achieve a good standard in respect of sustainable design and construction, with the new dwellings all meeting Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site for the number and type of dwellings proposed (114 spaces for 95 units), which reflects the location of the site in an area with a Public Transport Accessibility Level of 2. All vehicular access to and from the site would be from a single point on the High Road. The scheme has been designed to provide appropriate and safe access for all users and would not be expected to result in any significant adverse impacts to the local road network (including when the transport impacts of other committed developments in the surrounding area are taken into account).

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of 61 new trees. The development would result in the removal of a total of 23 trees from the site, of which 4 are covered by a Tree Preservation Order. However it is considered that the replacement planting proposed provides adequate mitigation for this. No trees outside the application site are proposed for removal as part of the works. The means of enclosure and landscaping proposed would assist in creating a design that is not detrimental to the security of the occupiers of neighbouring properties and the Metropolitan Police have not raised any objections to the proposals in this regard.

A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal. The development would also be liable for a charge under both the Mayoral and Barnet Community Infrastructure Levy regimes.

The current scheme is considered to have overcome the reasons for which the Planning and Environment Committee refused the previous application (reference F/00241/08) which it considered for this site (in 2009). The application is found to propose a positive development that would comply with the relevant policies in the development plan and provide high quality new residential accommodation. The proposal is considered to be acceptable and is recommended for approval subject to conditions, following the completion of a Section 106 Agreement in accordance with the heads of terms attached to this report.

RECOMMENDATION: APPROVE THE APPLICATION SUBJECT TO:

Recommendation 1

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

- (a) Legal Professional Costs Recovery
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
- (b) Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
- (c) Affordable Housing – On Site
The provision within the development of 12 Intermediate (Shared Ownership) affordable housing units comprising:

12 x two bedroom four person flats
- (d) Affordable Housing – Off Site
The provision of 6 Affordable Rented affordable housing units at 1230 High Road, Whetstone, N20 comprising:

5 x two bedroom three person flats
1 x two bedroom four person flat
- (e) Amendment to Local Traffic Order
Amendment to the existing Traffic Management Order to prevent future occupiers of the dwellings within the proposed development from applying for or being issued with permits for the North Finchley Controlled Parking Zone and a contribution of **£2000** index linked to cover the cost of making this amendment to the Traffic Management Order.
- (f) Realignment of footway on Limes Avenue and Highwood Avenue
The prevention of the occupation of the proposed dwellings until the realignment of the public footway on Limes Avenue and Highwood Avenue shown in the application drawings (and any associated works) has been completed in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing and a contribution of **£5000** index linked towards the carrying out of these works.
- (g) Enhancement to local bus stop facilities
A contribution of **£15000** index linked towards the improvement of bus stop facilities within 1.5km of the application site.

- (h) Travel Plan
A requirement that the applicant shall enter into a Travel Plan that seeks to reduce reliance on the use of the private car, promotes sustainable means of transport and appoint an appropriately qualified Travel Plan Champion.
- (i) Travel Plan Monitoring
A contribution of **£5000** index linked towards the monitoring of the Travel Plan for the development.
- (j) Town Centre and Public Realm Enhancements
A contribution of **£10000** index linked towards the provision of enhancements and improvements to North Finchley Town Centre and the wider public realm within 1.5km of the application site.
- (k) Employment and Training
The delivery of not less than three apprenticeships connected with the construction and operational phases of the development for residents of Barnet. Of the three apprenticeships, two must be at not less than a Level 2 or 3 (as defined in the National Apprenticeship Service Framework or any subsequent scheme which replaces this) and one must be at not less than a Level 4 (as defined in the National Apprenticeship Service Framework any subsequent scheme which replaces this) or an appropriate equivalent graduate scheme.
- (l) Monitoring of the Section 106 Agreement
A contribution of **£1530** index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Acting Assistant Director of Planning and Development Management approve the planning application reference F/02217/13 under delegated powers and grant planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Acting Assistant Director for Planning and Development Management:

COMMENCEMENT

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

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

PLANS OF THE DEVELOPEMNT

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

2579.100 (Revision P); 2579.101 (Revision P3); 2579.102 (Revision P5); 2579.103 (Revision P6); 2579.104 (Revision P6); 2579.105 (Revision P6); 2579.106 (Revision P5); 2579.107 (Revision P5); 2579.108 (Revision P5); 2579.115 (Revision P5); 2579.116 (Revision P5); 2579.117 (Revision P5); 2579.118 (Revision P5); 2579.119 (Revision P5); 2579.120 (Revision P5); 2579.121 (Revision P5); 2579.122 (Revision P6); 2579.123 (Revision P3); and 2579.124 (Revision P3); 2579.138 (Revision P5)

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

MATERIALS

3. Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence (other than for Groundworks and Site Preparation Works) unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings and the new hard surfaced areas at the site shall have been submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in accordance with such details and samples as so approved before the dwellings approved are first occupied.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the development is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

SITE LEVELS

4. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence unless and until details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with such details as so approved before the dwellings approved are occupied.

Reason:

To ensure that the development is carried out at suitable levels in relation to

the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

MEASURES TO ENSURE PRIVACY

- 5 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason:

To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

6. Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of all privacy screens to be fixed to the proposed buildings. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason:

To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

7. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the insertion of windows, rooflights and external doors in the buildings hereby approved, other than those shown in the approved plans, shall not be undertaken without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential

dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

REFUSE AND RECYCLING

8. Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied details of the:
- i. enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
 - ii. satisfactory points of collection; and
 - iii. details of the refuse and recycling collection arrangements
- shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided in full accordance with the details approved under this condition before the development is occupied and the development shall be managed in accordance with the approved details once occupation of the site has commenced.

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

ACCESSIBILITY

9. Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) details setting out how each of the 95 new residential dwellings (use class C3) within the development will be constructed to meet and achieve the relevant criteria of the 'Lifetime Homes' standard (or the equivalent standard in such measure of accessibility and adaptability for house design which may replaces that scheme) shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include sufficient information to fully demonstrate how each of the new dwellings will be constructed to achieve the 'Lifetime Homes' standard. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan 2011 and policy DM02 of the Barnet Local Plan.

10. Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) details of the location within the development and specification of the 10 dwellings to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. The specification provided for the 10 dwellings shall include sufficient particulars to demonstrate how they will be constructed to be either wheelchair accessible or easily adaptable for residents who are

wheelchair users. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policies 3.8 and 7.2 of the London Plan 2011 and policy DM02 of the Barnet Local Plan.

SUSTAINABILITY

11. The 95 residential units (use class C3) in the development hereby permitted shall all be constructed to achieve not less than Code Level 4 in accordance with the Code for Sustainable Homes (or the equivalent standard in such measure of sustainability for house design which may replace that scheme). No dwelling shall be occupied until formal certification has been issued confirming that not less than a Code Level 4 has been achieved for the residential unit concerned and this certification has been submitted to the Local Planning Authority.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan.

NO TELECOMMUNICATIONS EQUIPMENT

12. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

- The installation of any structures or apparatus for purposes relating to telecommunications on any part of the roof of the buildings hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason:

To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

CONTAMINATED LAND

13. Part 1

Before development commences other than for investigative work:

- a) Further intrusive ground investigation and laboratory testing shall be carried out as recommended in the Geotechnical Desk Study (dated 1st

March 2013 and prepared by Ramboll) submitted with the application.

The ground investigation and analysis carried out must be comprehensive enough to enable:-

- A contaminated land risk assessment to be undertaken.
- Appropriate refinement of the Conceptual Model.
- The development of a Method Statement which details appropriate contaminated land remediation requirements.

The risk assessment and refined Conceptual Model prepared following the intrusive ground investigation and laboratory testing shall be submitted, along with a suitable site investigation report, to the Local Planning Authority and approved in writing prior to the commencement of the development (other than for investigative work).

b) If the risk assessment and refined Conceptual Model submitted and approved under part a) of this condition indicate any risk of harm from land contamination, a Contaminated Land Method Statement detailing the necessary remediation requirements, using the information obtained from the site investigation, and details of the post remedial monitoring to be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to that remediation being carried out on site and prior to the commencement of the development.

Part 2

Where remediation of land contamination on the site is required completion of the remediation detailed in the Contaminated Land Method Statement approved under Part 1 of this condition shall be carried out in full and a report that provides verification that the required works have been carried out in full, shall be submitted to and approved in writing by the Local Planning Authority before the development is first occupied or brought into use.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety and to comply with policy DM04 of the Barnet Local Plan.

BIODIVERSITY

14. Prior to the commencement of the development (other than for Groundworks and Site Preparation Works) details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

Reason:

To ensure that the development represents high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

15. Prior to the commencement of the development or the carrying out of any site clearance works, details comprising a scheme of measures to be put in place to ensure that the clearance of the site and construction of the development hereby approved does not harm or result in the disturbance of breeding birds shall be submitted to the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the approved scheme of measures.

Reason:

To ensure that the development meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policy 7.19 of the London Plan.

WATER AND DRAINAGE

16. The development hereby permitted shall not commence unless and until a Drainage Strategy detailing all on and off site drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority. No foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works and Sustainable Urban Drainage System features identified in the approved Drainage Strategy have been implemented in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

17. The dwellings hereby approved shall have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

18. The only toilets to be installed in the development hereby approved shall be dual flush (6 to 4 litres) toilets and all taps fitted in the development shall be spray or flow restricted taps.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

19. Before the development hereby permitted is first occupied details of the water efficiency measures to be installed in the scheme to ensure that it achieves a water usage standard of not more than 105 litres per head per day shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include sufficient particulars to demonstrate how the water usage standard of not more than 105 litres per

head per day shall be achieved. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

20. No impact piling shall take place in connection with the works approved under this application until a Piling Method Statement detailing all types of piling to be undertaken as part of implementation of the development and the methodology by which such piling will be carried out, including the measures to be used to prevent damage to subsurface sewerage infrastructure and the programme for the works, has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water. Any piling carried out in connection with the works approved under this application must be undertaken in full accordance with the Piling Method Statement approved under this condition.

Reason:

To protect underground sewerage utility infrastructure in close proximity to the application site from piling work associated with the development proposed and to comply with policy 5.14 of the London Plan.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

21. No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

22. Prior to the commencement of the development hereby permitted (other than for Groundworks and Site Preparation Works) a Scheme of Air Pollution Mitigation Measures to be provided in the development to protect the amenities of future occupiers shall have been submitted to the Local Planning Authority and approved in writing. The approved Scheme of Air Pollution Mitigation Measures shall be implemented in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of future occupiers are protected in accordance with policy DM04 of the Barnet Local Plan and policy 5.3 of the London Plan.

23. Prior to the first occupation of the development hereby permitted a scheme detailing the servicing and maintenance regime to be in place for the air pollution mitigation measures installed in the development (as part of condition 22) shall have been submitted to the Local Planning Authority and

approved in writing. The air quality mitigation measures in the development shall be serviced and maintained in full accordance with the approved details in perpetuity.

Reason:

To ensure that the amenities of future occupiers are protected in accordance with policy DM04 of the Barnet Local Plan and policy 5.3 of the London Plan.

24. Prior to the commencement of the development (other than for Groundworks and Site Preparation Works) a full scheme of the measures to be incorporated in the development to mitigate the impact of noise from road traffic and any other relevant sources of noise on the occupiers of the development shall be submitted to the Local Planning Authority and approved in writing. The scheme of measures submitted shall ensure that the levels of noise as measured within habitable rooms of the new dwellings hereby approved shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am and the submission made shall include sufficient details and information to adequately demonstrate how these standards would be met. The development shall be implemented in full accordance with the approved scheme of noise mitigation measures in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

25. Prior to the first occupation of the development hereby permitted details of all acoustic walls, fencing and other barriers to be erected on the site shall have been submitted to the Local Planning Authority and approved in writing. Prior to the first occupation of the development the acoustic walls, fencing and other barriers shown in the approved details shall be erected and installed in their entirety and be maintained as such in perpetuity thereafter.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

26. Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works), a report shall be carried out by a competent acoustic consultant, submitted to the Local Planning Authority and approved in writing which clearly sets out and assesses the likely noise impacts from all the ventilation and extraction plant to be installed as part of the development and the mitigation measures proposed to be used to reduce the noise impacts arising from the ventilation and extraction plant to be installed to acceptable levels. The report submitted shall 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 mitigation measures proposed to reduce the noise impacts arising from the ventilation and extraction plant set out in the report

approved under this condition shall be implemented in their entirety before the development is occupied.

Reason:

To ensure that the amenities of neighbouring properties are protected from noise from the development in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

27. Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

28. The level of noise emitted from the plant installed as part of 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 in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO EXTEND

29. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the buildings hereby permitted shall not be extended in any manner whatsoever without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

To ensure that the development does not prejudice the character of the locality, the amenities of future occupiers of the dwellings proposed and the enjoyment by neighbouring occupiers of their properties in accordance with policies CS5, DM01 and DM02 of the Barnet Local Plan.

DETAILS OF ARCHITECTURAL FEATURES

30. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Groundworks and Site Preparation Works) unless and until details (necessary details specified in brackets) of the following features and elements of the works have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding (annotated plans at a scale of not less than 1:10).
- Roof ridge and hip tiles (annotated plans at a scale of not less than 1:10).
- External windows, winter gardens and doors (annotated plans at a scale of not less than 1:10).
- Dormer windows and rooflights (annotated plans at a scale of not less than 1:10)
- Balustrading to balconies (annotated plans at a scale of not less than 1:10).
- Chimney stacks (annotated plans at a scale of not less than 1:10).
- Door canopies (annotated plans at a scale of not less than 1:10).
- Brick detailing including arches, recessed panels, blind windows, brick aprons and window heads (annotated plans at a scale of not less than 1:10).
- Stone detailing including columns, cills, mullions, banding and copings (annotated plans at a scale of not less than 1:10).
- Rainwater goods (annotated plans at a scale of not less than 1:10).
- Cornices at the eaves (annotated plans at a scale of not less than 1:10).
- Privacy screens (annotated plans at a scale of not less than 1:10).
- Boiler flues and other external air extraction, intake and ventilation points (annotated plans at a scale of not less than 1:10).
- Roller shutters to the undercroft car parking areas (annotated plans at a scale of not less than 1:10).
- Gates at the site vehicular access point (annotated plans at a scale of not less than 1:10).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the development is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

LANDSCAPING

31. Notwithstanding the details shown on the plans submitted and otherwise hereby approved prior to the commencement of the development (other than for Groundworks and Site Preparation Works) full details, including annotated scaled plans, of all proposed boundary treatments, walls, fencing, gates or other means of enclosure to be erected at the site (both to enclose the site and to divide areas within the site) shall have been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first

occupation of the dwellings hereby approved and be permanently retained as such thereafter.

Reason:

To ensure that the development protects the amenities of the occupiers of neighbouring and future properties, provides a safe and secure environment and to protect the character and visual amenities of the site and wider area in accordance with policies CS5 and DM01 and DM02 of the Barnet Local Plan and policies 1.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan.

32. Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of the development (other than for Groundworks and Site Preparation Works) a detailed scheme of hard and soft landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The details of landscaping submitted shall include but not be limited to the following:
- The position of any existing trees to be removed.
 - New tree, hedge and shrub planting including species, plant sizes and planting densities as well as planting for green roofs including herbaceous / climbers / grasses / ground cover plants.
 - Means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser.
 - Existing contours and any proposed alterations such as earth mounding.
 - Areas of hard landscape works including paving, proposed materials samples and details of all techniques to be used to provide conditions appropriate for new plantings.
 - The timing of planting.

Reason:

To ensure a satisfactory appearance and contribution to biodiversity from the development and to protect the amenities of future and neighbouring occupiers in accordance with policies DM01, DM02 and DM16 of the Barnet Local Plan and policies 3.6, 7.19 and 7.21 of the London Plan.

33. All work comprised in the approved scheme of hard and soft landscaping (submitted under condition 32) shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the development, whichever is sooner.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

34. Any trees, hedges or shrubs to be planted as part of the approved landscaping scheme (submitted under condition 32) which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

35. No site works or other works associated with this development shall be commenced before a Method Statement detailing the precautions to be taken to minimise damage to trees adjacent the site, in accordance with British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations*, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the Method Statement approved under this condition.

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

36. No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent the application site have been put in place in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved under this condition shall remain in place until the development hereby consented has been completed.

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

37. Details submitted pursuant to Conditions 4, 31 and 32 (inclusive) imposed by this Planning Permission shall be submitted at the same time.

Reason:

To enable the proper consideration of matters relating to site levels, protective fencing and landscaping in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

38. The development hereby approved shall not be occupied unless and until a Landscape Management Plan, including details of the long term design objectives, management responsibilities and maintenance schedules for the landscaped parts of the site (other than for small privately owned domestic gardens) shall have been submitted to the Local Planning Authority and approved in writing. The management of the landscaping at the site shall be carried out in full accordance with the details in the approved Landscape Management Plan.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan

39. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity spaces provided on the site (as identified in plan number 2579.101 revision P3) shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason:

To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan.

SECURITY AND LIGHTING

40. Prior to the first occupation of the dwellings hereby approved full plans, details and specifications of all external lighting to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development.

Reason:

To ensure that appropriate lighting is provided as part of the development in accordance with policy DM01 of the Barnet Local Plan and policy 7.13 and 5.3 of the London Plan.

41. Notwithstanding the details shown in the plans submitted and otherwise hereby approved prior to the first occupation of the dwellings hereby granted consent details of the security and crime prevention measures to be included within the development shall be submitted to and approved in writing by the Local Planning Authority. The information submitted in this respect shall include (but not be limited to) details in relation to:

- The postal arrangements for communal entrances.
- The measures to be used to prevent unauthorised access to the undercroft parking areas.
- The means of enclosing the site.
- The contribution that the landscaping of the site can make to security and crime prevention.

The development shall be implemented in full accordance with the approved details prior to the first occupation of the development.

Reason:

To ensure that appropriate security and crime prevention measures are provided as part of the development in accordance with policy DM01 and DM02 of the Barnet Local Plan and policy 7.13 of the London Plan.

TRANSPORT

- 42 Before the development hereby permitted is occupied the car parking spaces shown on plan number 2579.102 (revision P5) shall be provided in the development and shall not be used for any purpose other than the parking and turning of vehicles in connection with the development hereby approved.

Reason:

To ensure that satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies CS9 and DM17 of the Barnet Local Plan.

43. Before the development hereby permitted is occupied a Car Parking Management Plan detailing the allocation of car parking spaces, all on site parking controls and charges and enforcement measures to be put in place to deal with any unauthorised parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be managed in accordance with the approved Car Parking Management Plan from the first occupation of the building and in perpetuity thereafter.

Reason:

To ensure that parking is provided and managed at the development in the interests of highway and pedestrian safety and the free flow of traffic in the area and in accordance with policies CS9 and DM17 of the Barnet Local Plan.

44. Prior to the commencement of the development hereby approved a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this Plan. This Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. 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;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;

- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details setting out how the High Road (A1000) will not be used for any all loading and unloading associated with the implementation of the development;
- xi. Details of a community liaison contact for the duration of all works associated with the development.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

45. Not less than 3 months prior to the first occupation of the development hereby permitted a strategic level residential Travel Plan prepared in accordance with all relevant technical and good practice guidance, including the Transport for London document 'Travel Planning for New Development in London' and which is ATTrBuTE and TRAVL compliant and includes the appointing of a Travel Plan Champion shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied and managed in accordance with the approved Travel Plan and the Travel Plan shall be reviewed in accordance with Transport for London's 'Standardised Approach to Monitoring'. The Travel Plan approved shall be implemented and enforceable in accordance with the agreement completed under section 106 of the Town and Country Planning Act (as amended) which accompanies this application.

Reason:

To encourage the use of sustainable forms of transport to the site and minimise transport impacts of the development in accordance with policies DM17 and CS9 of the Barnet Local Plan.

46. Before the first occupation of the development hereby approved details showing suitable parking and storage facilities for 133 bicycles within the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved before the development is occupied and be permanently retained as such thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with Policies CS9 and DM17 of the Barnet Local Plan and Policy 6.13 of the London Plan.

47. Before the development hereby permitted is occupied not less than eleven (11) disabled standard parking spaces shall be provided at the site in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing.

Reason:

To ensure that satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety, the free flow of traffic and the creation of an environment which is accessible to all members of the community in accordance with policies CS9 and DM17 of the Barnet Local Plan

48. Before the development hereby permitted is first occupied full details of the Electric Vehicle Charging facilities to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 23 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further 23 of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation of the development and thereafter be maintained as such.

Reason:

To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

49. Prior to the first occupation of the development hereby permitted a Waiver of Liability and Indemnity Agreement must be signed by the applicant and be submitted to and approved in writing by the Local Planning Authority. The Waiver of Liability and Indemnity Agreement submitted shall indemnify the Council against any claims for consequential damage caused to private roads arising from and/or in connection with the collection of waste by the Council from the premises.

Reason:

To ensure that access to the site is satisfactory and to protect the amenities of the area in accordance with policies CS9 and DM17 of the Barnet Local Plan.

50. Before the development hereby permitted is commenced (other than for Groundworks and Site Preparation Works) full details of the highway works proposed for the realignment of the public footway on Limes Avenue and Highwood Avenue (and any associated works) as indicated on application drawing 2579.101 shall be submitted to the Local Planning Authority and approved in writing. The highway works approved under this condition shall be completed in their entirety in accordance with the approved details before the development is occupied or first brought into use.

Reason:

To minimize the highways impacts of the development proposed, ensure that safe and satisfactory access is provided to the site and to protect the amenities of the area in accordance with policies CS9 and DM17 of the Barnet Local Plan.

Informatives:

The informatives that it is recommended be included on the decision notice in respect of this application are set out in **Appendix 4** of this report.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

Since the adoption of the London Plan in 2011 the Mayor has adopted (in October 2013) 'Revised Early Minor Alterations' to this document. These make a number of changes to policies and other text in the 2011 London Plan. A key objective of these changes is to ensure that the London Plan is consistent with the National Planning Policy Framework. They also seek to update the position on affordable housing (to reflect changes to national policy) and make changes to cycle parking standards. The changes to London Plan as adopted under the 'Revised Early Minor Alterations' have been used as the basis for the assessment of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out below and in **Appendix 1** of this report. In subsequent sections of this report dealing with specific policy and topic areas, there is further discussion, where appropriate, of the key policy background. This is not repeated here or in Appendix 1.

The London Plan and Barnet Local Plan

Appendix 1 examines in some detail the policies in the London Plan and the development plan documents of the Barnet Local Plan of most relevance to this planning application. It also appraises the proposal against these policies. The development plan documents contain a very large number of policies which are to a limited degree relevant and the analysis in Appendix 1 focuses on those which are considered to be particularly relevant to the determination of this application.

In order to present the analysis of the policies in a readily readable form it is set out in a table format. The tables list the policies, describe them and then provide a brief commentary to assess how the proposed development conforms to the requirements of the specific policies. Where appropriate, some policies are combined in order to avoid unnecessary repetition or disjointed discussion.

Officers have considered the development proposals very carefully against the relevant policy criteria and, as Appendix 1 shows, have concluded that that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is therefore considered to comply with the requirements of the development plan.

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance (SPG) and supplementary planning documents (SPD) are material to the determination of the application. **Appendix 1** sets out the SPD's and SPG's which are most relevant to the consideration of this proposal.

National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Officers have concluded that the planning obligations recommended are legitimate and appropriate under these regulations. The applicant has agreed the obligations set out in Recommendation 1.

1.2 Key Relevant Planning History

A full summary of the key planning history of relevance to the site is set out in **Appendix 2** of this report. Of particular significance to the current proposal is an application (Barnet reference F/00241/08) submitted for this site seeking 167 apartments, 10 houses and 1272m² of Use Class B1 (Business) or A3 (Restaurants and Cafes) floorspace in buildings up to 6 stories tall. This application was considered by the Planning and Environment Committee on the 1st July 2009, where the committee decided to refuse the application for the following five reasons:

1. The proposed dwellings would, by reason of their design, density and layout, represent a cramped form of development that fail to provide their future occupiers with acceptable levels of amenity space, outlook, daylight and sunlight to the detriment of their amenities. The proposed dwellings would not therefore constitute a sustainable form of development and be contrary to policies GSD, GBEnv2, D1, D3, D4, D5, H16 and H18 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.6, 3D.13, 4A.3, 4B.1 and 4B.10 of the London Plan (Alterations and consolidations since 2004 published February 2008), Government guidance contained in Planning Policy Statements 1 Delivering Sustainable Development and 3 Housing, the Barnet Supplementary Planning Document Sustainable Design and Construction (February 2008) and the Mayor of London Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation (March 2008).
2. The proposed buildings would, by reason of their design, size, height, bulk, mass, layout and density, result in a cramped form of development and an overdevelopment of the site which would be detrimental to the character and appearance of the surrounding area, contrary to policies GBEnv1, GBEnv2, H16, D1, D2, D3 and D4 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.6, 4B.1, 4B.8 and 4B.10 of the London Plan (Alterations and consolidations since 2004 published February 2008) and Government guidance contained in Planning Policy Statements 1 Delivering Sustainable Development and 3 Housing.
3. The proposed buildings would, by reason of their design, size, height, bulk, mass and siting be overbearing, visually obtrusive and result in an unacceptable sense of enclosure, overlooking and loss of privacy to the detriment of the amenities of the occupiers of neighbouring properties contrary to policies GBEnv2, D1, D4, D5, H16 and H17 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.6, 4B.1, 4B.10 of the London Plan (Alterations and consolidations since 2004 published February 2008) and Government guidance contained in Planning Policy Statements 1 Delivering Sustainable Development and 3 Housing.
4. The proposed development would, by reason of its design, layout and intensified use of the access at the junction of Limes Avenue and Highwood Avenue, create conditions prejudicial to the flow of traffic and highway and pedestrian safety, contrary to policies GBEnv3, GRoadNet, M8, M11, M12 and M13 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.6, 3C.17, 4B.1, 4B.6, 4B.10 of the London Plan (Alterations and consolidations since 2004 published February 2008) and Government guidance contained in Planning Policy Guidance 13: Transport (March 2001).
5. The development does not include a formal undertaking to enter into a travel and traffic management plan, provide a contribution to affordable housing to meet the demand for such housing in the area or financial contributions towards the costs of the additional pressure on existing library facilities that would be caused by the development, the extra

educational costs arising in the borough as a result of the development, ensuring that occupants of the development and their visitors cannot obtain parking permits in the surrounding area or the monitoring of the undertaking, which are necessary for the proposal to be acceptable, contrary to policies GCS1, GRoadNet, GParking, H5, H8, CS2, CS8, M3, M10, IMP1 and IMP2 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.10, 3A.11, 3A.18, 3C.3, 3C.17 and 3C.23 of the London Plan (Alterations and consolidations since 2004 published February 2008) and the Barnet Supplementary Planning Documents Contributions to Library Services from Development (February 2008), Contributions to Education from Development (February 2008), Affordable Housing (February 2007) and Planning Obligations (September 2006).

As the report below sets out in more detail the current application is considered to be acceptable and to have overcome these reasons for refusal.

As part of the consideration of the current application sites context it is of note that an application (Barnet reference F/00236/12) for planning permission to redevelop the former Furnitureland site at 886-902 High Road, situated to the south-east of 931 High Road, was granted planning permission for the provision of 60 apartments and 548m² of Use Class B1 (Business) floorspace in buildings up to 5 stories in height in November 2012. The relevant planning history for that site is set out in Appendix 2.

Appendix 2 also sets out the key planning history for the site at 1230 High Road Whetstone. This is relevant because the current application proposes to make its contribution to affordable housing provision partly through the conversion of 6 shared ownership units at that site into 6 affordable rented units (see the relevant sections of the report below for further details).

1.3 Public Consultations and Views Expressed

Public Consultation

718 local properties and other bodies were consulted on the application by letter and email in June 2013. The application was also advertised on site and in the local press at that time. Following revisions to the design of the scheme and the submission of additional information a further round of consultation (including letters, emails and site and press notices) was carried out in August 2013. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy on the consultation to be carried out for schemes of this nature.

Number of Responses from Residents

43 responses objecting to the proposal were received from residents. **8** of these objectors have requested to speak at committee. No responses supporting the proposal were received.

Comments from Residents

The comments made in objection to the application are summarised under the headings below.

Highways, transport and Parking:

- Quantity of parking proposed is inadequate and should be increased.
- Proposal would be detrimental to highway and pedestrian safety.
- Proposal would exacerbate existing parking problems on the roads surrounding the site and cause a loss of parking for existing residents to the detriment of their amenities.
- 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.
- Surrounding road network is not suitable for the additional vehicles the development would generate.
- When assessing transport impacts account needs to be taken of other developments in the surrounding area and future expected levels of traffic.
- Measures are needed to mitigate the impact of the development. These could include installing traffic lights at the junction of Highwood Avenue and the High Road; introducing a new pedestrian crossing as part of the development; making Limes Avenue and Highwood Avenue a one way road; and installing traffic calming measures in the surrounding area.
- The occupiers of the proposed development should not be eligible for permits to park in the North Finchley Controlled Parking Zone.
- Proposal would not comply with planning policies on highways, parking and traffic matters.

Design and Character:

- Proposal would not comply with planning policies on design and character matters.
- Proposal is overly dense and represents an overdevelopment of the site.
- Proposal is not sympathetic with its context and has an unacceptable relationship with neighbouring properties.
- Proposal is out of keeping with and would have a detrimental impact on the character and appearance of the area.
- Scale, size, height and detailed design of the proposed buildings is harmful to the character of the area.
- Block C has an excessive size and height, is inappropriately sited, would be harmful to the character and streetscene of Highwood Avenue, should not have access directly on to Highwood Avenue and has an unacceptable design. This block should be reduced in size or replaced with houses.
- Proposal could create a canyon effect in the area.
- Proposal should have a more modern design approach.
- Proposal would decrease their safety and increase the security risk to their property.
- Boundary wall for the site along the end of the rear gardens of the even numbered houses in Limes Avenue should be 3m high and landscaping should be provided in this area to deter antisocial behaviour. The wall running along the side the front garden of 30 Limes

Avenue and enclosing the landscaped garden to the south and south-east of this property should be not be more than 1m high with railings on top. The boundary wall along the rear gardens of properties in Highwood Avenue should be increased to 3m high.

Amenities of neighbouring occupiers and users:

- Proposal would not comply with planning policies on protecting the amenities of neighbouring occupiers and users.
- Development would have an unacceptable impact on the amenities and quality of life of the occupiers of neighbouring properties and cause them distress and inconvenience.
- Development would have an unacceptable visual impact and be overbearing, domineering and intrusive.
- Development would cause unacceptable overshadowing and loss of daylight and sunlight.
- Development would cause unacceptable overlooking and loss of privacy.
- Occupiers of the new development would cause unacceptable noise, disturbance and nuisance.
- Proposal would impact upon their parking facilities to the detriment of their amenities.
- Proposal would increase pollution in the area and would cause pollution levels to exceed those permitted under European Union Regulations.
- Building works the development would result in would have an unacceptable impact on their amenities.
- Balconies and stairwells of Block E should be screened to avoid overlooking and it should be a condition that there are no windows in the rear elevation to prevent overlooking from occurring.

Other objections:

- Support the grounds of objection raised by the Finchley Society (set out below).
- Application should be refused unless affordable housing units are provided in accordance with the Barnet's planning policies.
- Aggrieved new development is outside of the town centre which is being left to fall into a state of disrepair.
- Applicant should provide details of how current boundaries will be protected and maintained and guarantees for compensation or rectification in the event that utilities are affected or property is damaged. Example include impacts on drainage, plants and trees, water pressure and the causing of structural damage to property through changes in the water table.
- Consultation on the application was inadequate and the site address used by the applicant should have referred to Highwood Avenue.
- Development would provide a poor standard of accommodation for its future residents.
- Additional residents and vehicles in the borough arising from the development would impact adversely on local services, amenities and infrastructure.
- Development would have a significant environmental impact.
- That the space on the western most part of the site should be opened up to residents in the surrounding area.

- That the submission documents contain inaccuracies and do not take account of other developments in the surrounding area.
- Proposal is not compliant with planning policies.
- That 3D visualisations and a model of the proposal should have been prepared.
- That their previous objections have not been addressed.

Responses by Officers to the points raised are provided in the relevant section of the committee report.

Comments from Local Associations and Societies

Finchley Society:

Have **objected** to the application and **requested to speak at planning committee**. The points they raise can be summarised as follows:

- Current application proposes a better form of development than its predecessors, but it has not fully addressed the Planning and Environment Committee's and Finchley Society's objections to earlier proposals for the site.
- Proposal does not comply with current development plan policy and guidance and should be refused.
- Proposals are not based on an understanding of local characteristics and fail to preserve and enhance local character and respect the appearance, scale, mass height and pattern of surrounding buildings, spaces and streets.
- Buildings sought should be reduced in height and the flats proposed as fronting on to Highwood Avenue (Block C) should be redesigned as houses.
- Proposal would set a precedent, contribute to a canyon effect in the High Road and exacerbate the poor air quality in this area.
- Buildings proposed are too large, bulky, overbearing and intrusive and would have an excessive mass and inappropriate design.
- Proposal would affect the privacy of the occupiers of neighbouring properties.
- Proposal represents an overdevelopment of the site at too high a density and the submission has not addressed the question of density.
- Some of the dwellings proposed do not meet the appropriate space standards.
- Number of parking spaces proposed is insufficient for the size and mix of the development unless a planning obligation is entered into so that future occupiers are not able to obtain parking permits for the North Finchley Controlled Parking Zone.
- Increase in traffic from the development would have a detrimental impact on the congested local road network and parking.
- Intensive nature of the development and the resulting overdevelopment of the site will be detrimental to the adequate delivery of the necessary infrastructure in the borough, including transport, education, social care and health infrastructure. The pressures on infrastructure in the locality from this development would be exacerbated by other schemes already permitted in the area.

Responses by Officers to the points raised are provided in the relevant parts of section 3 of the committee report.

Consultation Responses from Statutory Consultees and Other Bodies

Metropolitan Police Service:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent. The Metropolitan Police Service have made comments about the design approach which would be needed for post boxes associated with communal entrances in the scheme and also for the access points to the undercroft parking areas proposed. A condition has been recommended to ensure that the development addresses these points appropriately.

London Fire and Emergency Planning Authority:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent.

Environment Agency:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed on any consent granted. The Environment Agency have identified that the development is located in an area of serious water stress and pointed out that they expect the scheme to include water efficiency measures to achieve a standard of 105 litres/head/day (equivalent to Code for Sustainable Homes Level 3/4). Conditions have been included in those recommended to ensure this objective is met.

Natural England:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent. Natural England have identified that the application may provide opportunities for biodiversity and landscape enhancements at the site. Conditions seeking enhancements at the site in these regards have been included in those recommended.

Thames Water:

Thames Water has responded to the consultation and not raised any objections to the proposal. They have requested that a condition is imposed on any consent granted to ensure that all piling works carried out as part of the implementation of the development take place in accordance with a method statement which has been previously agreed with the Local Planning Authority (in consultation with Thames Water). This is to prevent and minimise the potential for damage to subsurface sewerage infrastructure in the area. A condition to this effect has been recommended. Thames Water has made a number of other points in respect of waste water and water infrastructure matters and these have been included as informatives.

Transport for London (TfL):

Have responded to the consultation and have made a number of comments on the application. These can be summarised as follows:

- The application site is situated on A1000 High Road, which forms part of the Strategic Road Network (SRN).
- Taking into account the number and mix of dwellings sought the proposed number of car parking spaces (114) is within the London Plan standards.

- The scheme should provide a total of 23 electric vehicle charging points with a further 20% passive provision.
- Disabled parking spaces should be provided in line with London Plan standards.
- The scheme should provide 133 cycle parking spaces.
- They do not entirely agree with the methodology used for selecting the TRAVL survey sites used to estimate the trip generation for the proposal. However, their own assessment indicates that the level of overall trips expected is not significantly different from that which is predicted in the submission. As such no further work is needed.
- They do not accept the mode share estimate which has been used (directly derived from TRAVL sites). 2011 Census data is applicable and it is noted that this shows car share mode is up to 37% in the ward, rather than 22% suggested in the submission. The model split exercise should therefore be revised.
- Recommend that future residents be excluded from eligibility for local parking permits.
- The submission and implementation of a Travel Plan should be secured by a planning obligation and it is recommended that a car club space be provided.
- Request a contribution of up to £15000 toward the upgrade of a bus stop shelter adjacent to the site.
- It is recommended that a contribution toward public realm improvements in the vicinity is secured if needed.
- A Construction Management Plan and Construction Logistics Plan should be submitted for the Local Authority's approval prior to construction work commencing on site. All loading and unloading must take place away from High Road.
- Subject to the conditions identified being met and the issues raised being addressed the proposal would be unlikely to result in an unacceptable impact to the Strategic Road Network.

Responses by officers to the points raised are provided in section 3 of the report, in particular section 3.9.

Highways Agency:

Have responded to the consultation and confirmed that they have no objections to the proposal.

National Grid:

Have responded and identified that National Grid apparatus is located within the vicinity of the site. An informative setting this out has been included in those recommended.

Internal Consultation responses

Traffic and Development Team:

The Traffic and Development Team response is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions and planning obligations they have no objections to the development and find the proposal to be acceptable in respect of traffic, parking and highways related matters.

Environmental Health Service:

The Environmental Health Service response is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions in respect of air quality, contaminated land and noise they raise no objection to the development.

Trees Team:

The Trees Team have confirmed that subject to the imposition of suitable conditions they raise no objection to the development. Tree matters are set out in greater detail in the relevant sections of the report below.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site covers an area of land approximately 0.92 hectares in size situated on the western side of the High Road (the A1000) in the Woodhouse Ward. North Finchley Town Centre is located to the south of the site. The land is bounded to the south by Highwood Avenue, to the west by Limes Avenue and Highwood Avenue and to the east by the High Road.

The site is presently owned by the applicant, Berkeley Homes (Three Valleys) Ltd, and is currently vacant. It is understood that it was previously used by the pan-London Traffic Officer and pan-London Territorial Support Group of the Metropolitan Police. The Metropolitan Police also used the site for the storage of vehicles. In terms of a planning classification the site has a *sui generis* use. The existing buildings on the site predominantly comprise large portal framed sheds and single and two storey office buildings. Various means of enclosure bound the site, including sections of brick wall, fencing and the external walls of buildings.

Access to and from the site took place from the High Road (which is part of the Strategic Road Network) when it was last in use. A second access, on the sites western side, at the junction of Highwood Avenue and Limes Avenue, also exists. The site has a Public Transport Accessibility Level (PTAL) of 2 and is located within the North Finchley Controlled Parking Zone, which operates from Monday through to Saturday between 9am and 5pm.

The application site presently contains 24 trees (1 of which is dead) and areas of grassland, scrub and shrubs. Of the trees on the site 4 (Ash) are protected by a Tree Preservation Order (Reference Number TRE/FI/1A). These are situated on the western part of the site. The site also contains significant areas of hard surface.

The area surrounding the application site varies significantly in its character. From the mainly commercial and mixed-use High Road the built environment rapidly changes to the west, into Limes Avenue, Highwood Avenue and Woodside Grove, to become of a traditional residential suburban character, containing predominantly two storey buildings (some of which have a third level of accommodation in the roof). Highwood Avenue and Limes Avenue contain mostly two storey buildings in use as either houses or flats and the western parts of the application site adjoin the gardens of properties in these residential roads.

Along the High Road the area directly south of the site contains a substantial five storey office building known as Solar House (915 High Road). To the north the High Road contains a three storey building containing a bar, restaurant and residential flats. To the south-east of the application site (on the eastern side of the High Road) the former Furnitureland site (886-902 High Road) is currently being redeveloped to create a building up to five storeys in height containing 60 flats with some ground floor office space (under planning application F/0236/12).

2.2 Description of the Proposed Development

Detailed planning permission is sought for the demolition of the existing Metropolitan Police Depot buildings on the site (a *Sui Generis* Use) and its redevelopment to provide 84 self contained flats and 11 houses (all Use Class C3). A plan showing the layout of the proposed development has been provided at Appendix 3 of this report.

The development is laid out with two blocks containing flats fronting onto the High Road. These blocks would both contain five floors of development, with the top (fifth) floor of development situated within the pitched roof of the buildings. Fronting onto the High Road the ground floors of the blocks provides a level of parking, refuse and recycling facilities. Four levels of residential flats are then situated above this (with the highest level of accommodation in the roof of the buildings).

Each of the blocks fronting onto the High Road would have two wings extending from their rear (west) elevation. These wings would have pitched roofs and contain 3 floors of accommodation including parts of the ground floor in places (there is no accommodation in the roof of the wing elements). Each flat proposed would have its own area of private amenity space in the form of a terrace, winter garden or balcony. Areas are identified within the ground floor of the wings for the storage of cycles and refuse and recycling facilities. In total facilities for storing 133 cycles would be provided on the site.

Where the buildings proposed would face onto the High Road and the eastern end of Highwood Avenue their ground floor level has been designed to include the entrance cores to flats and glazed windows. On Highwood Avenue the windows would be to the ground floor flats in this location. Along the High Road the windows would mainly be to undercroft car parking areas. A number of 'false' doors are also proposed along the length of site frontage to the High Road.

The 11 houses proposed would be located on the more western parts of the site in the form of 3 rows of terraced properties providing accommodation across four floors. In each case the fourth floor of accommodation would be provided in the pitched roof of the building (with rooflights). Each of the houses would have its own private rear garden.

The development includes the provision of four new areas of usable communal open space. The first three of these would be situated to the west of the blocks which front onto the High Road, between the wings which project from their rear. These three spaces would cover areas of approximately 333m², 149m² and 175m². The fourth area of usable communal space is

situated at the most western part of the site and adjoins the junction of Limes Avenue and Highwood Avenue. This space has an approximate area of 400m². The spaces provided would include areas of lawn, trees and hedges, seating and play features (such as boulders and stepping logs). A further area of open space is provided on the northern part of the site. While this is accessible communally (and acceptable in other regards) it has not be classed as 'useable' amenity space as it suffers from significant overshadowing.

The sole point of vehicular ingress and egress at the site as proposed would be provided at the High Road (eastern side of the site). The existing (currently unused) site access at the junction of Limes Avenue and Highwood Avenue on the western part of the site would be closed for both vehicles and pedestrians as part of the proposals. Several points of pedestrian only access would be provided along the length of the sites High Road frontage. A single point of pedestrian only access onto the eastern end of Highwood Avenue is also proposed.

The development includes the provision of a total of 114 off street car parking spaces. 71 of these would be provided in an undercroft on the ground floor of the two blocks fronting onto the High Road. The remainder would be provided as surface level parking spaces. 12 of the car parking spaces created would be provided to a disabled parking space standard.

The detailed architectural approach to the proposed buildings is inspired by the traditional architecture of Finchley. It includes features such as predominantly brick elevations with brick and stone detailing; substantial pitched roofs with slate and clay tiles and brick chimneys; timber framed doors and windows; and bay window structures.

The mix of dwelling types proposed in the building across the site is as follows:

- 3 x three bedroom six person houses (approximately 3% of the dwellings)
- 8 x four bedroom eight person houses (approximately 8% of the dwellings)
- 14 x one bedroom two person flats (approximately 15% of the dwellings)
- 3 x two bedroom three person flats (approximately 3% of the dwellings)
- 42 x two bedroom four person flats (approximately 44% of the dwellings)
- 12 x three bedroom five person flats (approximately 13% of the dwellings)
- 13 x three bedroom six person flats (approximately 14% of the dwellings)

All of the units proposed would meet or exceed the minimum floor space standards for the relevant type of dwelling (specified in Table 3.3 of the London Plan), achieve the relevant Lifetime Homes Standards and meet Code for Sustainable Homes 'Level 4'. 10 of the units would achieve wheelchair accessible standards or be easily adaptable to meet wheelchair accessible standards.

The scheme would provide a total of 12 affordable housing units on site. This equates to 12.6% of the total dwellings proposed. The affordable housing units would be provided as 12 Intermediate (Shared Ownership) units comprising 12 x two bedroom four person flats. The application also proposes to deliver 6 Affordable Rented units at 1230 High Road, Whetstone. These would comprise 5 x two bedroom three person flats and 1 x two bedroom four person flat. This is anticipated to take place through the conversion of 6 units at the site which currently have funding to be Intermediate (Shared Ownership) affordable housing units (with the same mix of dwelling types).

The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping. The development would involve the removal of 23 existing live trees from the site (and 1 additional dead tree). These include the 4 trees (all Ash) on the site covered by a Tree Preservation Order. As later sections of this report set out in more detail the trees which would be removed are not of any significant merit. The landscaping scheme proposed includes the planting of 61 trees.

Most of the eastern boundary of the site would be bounded by the proposed buildings, with planters providing areas of soft landscaping in places. The majority of the remainder of the site would be bounded by lengths of brick wall of varying heights. However, the new area of garden proposed on the western most part of the site would be enclosed by railings along much of its frontage with Limes Avenue and Highwood Avenue.

In addition to the application drawings the submission made includes the following documents:

- Design and Access Statement by BHP Harwood Architects
- Planning Statement by Boyer Planning
- Transport Statement by Glanville Consultants
- Residential Travel Plan by Glanville Consultants
- Noise Assessment by AECOM
- Local Air Quality Assessment by Ramboll
- Daylight and Sunlight Report by Schroeders and Begg
- Sustainability Statement by Berkeley Homes
- Code for Sustainable Homes Pre-Assessments by Berkeley Homes and Trinity Architecture
- Statement of Community Involvement by Berkeley Homes
- Drainage Statement by Glanville Consultants
- Utility Service Assessment by Glanville Consultants
- Extended Phase 1 Habitat Survey by Ecoconsult
- Geoenvironmental Desk Study by Ramboll
- Arboricultural Report and Tree Condition Survey by Ruskins Group
- Development Viability Appraisal Report by Berkeley Homes

Pre-application advice was sought from the Council on the redevelopment of the application site.

3. PLANNING CONSIDERATIONS

3.1 Principle of redeveloping the site for the residential use proposed

For areas such as the application site, which comprise high quality suburbs not identified as locations to which growth will be focused, policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure. As is set out in other sections of this report in greater detail the proposal is considered to be compliant with the objectives of these policies.

The application site has not been identified for any specific use in planning policies, is previously developed and is within walking distance of North Finchley Town Centre and the amenities it offers. It is also noted that the area surrounding the site is partially residential in character and that the principle of redeveloping the land to provide houses and flats was not a reason for the Planning and Environment Committee determining to refuse a previous application of this nature on the site (application reference F/00241/08).

The land has a Public Transport Accessibility Level of 2 and is located approximately 1km from Woodside Park Underground Station and within short walking distance of a number of bus stops. The layout of the roads surrounding the site makes pedestrian movements relatively simple.

Policy CS12 of the Barnet Core Strategy states that the Council will work with the Metropolitan Police to re-model its estate as a basis for an effective and responsive police service in Barnet. In this instance the Metropolitan Police have sold the site (to the applicant) and have previously confirmed that it is no longer required or appropriate as an operational base for pan-London policing purposes. It is also noteworthy that when it was last in use the site had no public contact points and comprised a *sui generis* use which could not be changed to an alternative use without the benefit of a separate planning permission.

While the existing site is not within the use classes specifically protected under Barnet Local Plan policies (Use Classes B1, B2 and B8) it is recognised that the site did previously generate a level of employment and that planning policies seek generally to safeguard existing employment sites that meet the needs of modern business. In this instance the site is currently vacant and, as previously noted, the Metropolitan Police have confirmed that the site is no longer appropriate for its previous use. It is also noted that the applicant is providing to a contribution to employment and training in the borough (set out in greater detail below) through the planning obligations recommended for the application. In such circumstances it is not considered that the loss of the existing use at the site would be contrary to the objectives of development plan policy.

In light of the various considerations outlined the principle of re-developing the site for to provide residential dwellings is deemed to be acceptable, subject to compliance with other planning policies.

3.2 Dwelling mix

Development plan policies require proposals to provide an appropriate range of housing sizes and types, taking account of the housing requirements of different groups. The council's Local Plan documents (Core Strategy and Development Management Policies) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Dwellings with 3 bedrooms and 3 or 4 bedrooms are the highest priority sizes of housing for 'social rented' and 'intermediate' affordable housing respectively.

The mix of dwelling types proposed in the building across the site is as follows:

- 3 x three bedroom six person houses (approximately 3% of the dwellings)
- 8 x four bedroom eight person houses (approximately 8% of the dwellings)
- 14 x one bedroom two person flats (approximately 15% of the dwellings)
- 3 x two bedroom three person flats (approximately 3% of the dwellings)
- 42 x two bedroom four person flats (approximately 44% of the dwellings)
- 12 x three bedroom five person flats (approximately 13% of the dwellings)
- 13 x three bedroom six person flats (approximately 14% of the dwellings)

Of these dwellings 12 would be provided as on site affordable housing units. The on site affordable housing units would be provided as 12 Intermediate (Shared Ownership) units comprising 12 x two bedroom four person flats. The application also proposes to deliver 6 Affordable Rented units off site at 1230 High Road, Whetstone. These would comprise 5 x two bedroom three person flats and 1 x two bedroom four person flat. This is anticipated to take place through the conversion of 6 units at the site which currently have funding to be Intermediate (Shared Ownership) affordable housing units (with the same mix of dwelling types).

The dwelling mix proposed is considered to include an appropriate range of dwelling sizes and types that would make a useful contribution to meeting the needs of the growing and diverse population of the borough. The Housing Development Partnership Team has confirmed that there is likely to be a significant demand for the type of affordable units proposed (including the on and off site contributions to affordable housing put forward) and an independent review of the viability of the scheme (discussed in greater detail below) has confirmed that this is the maximum contribution that it is viable for the development to make to the provision of affordable housing in the borough.

In light of these factors it is considered that, in this instance, the dwelling mix proposed is acceptable and compliant with planning policy.

3.3 Density of development

London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles in chapter 7 of the London Plan and public transport capacity. Developments should optimise

housing output for different types of location within the relevant density range shown in Table 3.2 (set out below). Development proposals which compromise this policy should be resisted.

Table 3.2 Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare)

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150-200 hr/ha	150-250 hr/ha	200-350 hr/ha
3.8-4.6 hr/unit	35-55 u/ha	35-65 u/ha	45-90 u/ha
3.1-3.7 hr/unit	40-65 u/ha	40-80 u/ha	55-115 u/ha
2.7-3.0 hr/unit	50-75 u/ha	50-95 u/ha	70-130 u/ha
Urban	150-250 hr/ha	200-450 hr/ha	200-700 hr/ha
3.8-4.6 hr/unit	35-65 u/ha	45-120 u/ha	45-185 u/ha
3.1-3.7 hr/unit	40-80 u/ha	55-145 u/ha	55-225 u/ha
2.7-3.0 hr/unit	50-95 u/ha	70-170 u/ha	70-260 u/ha
Central	150-300 hr/ha	300-650 hr/ha	650-1100 hr/ha
3.8-4.6 hr/unit	35-80 u/ha	65-170 u/ha	140-290 u/ha
3.1-3.7 hr/unit	40-100 u/ha	80-210 u/ha	175-355 u/ha
2.7-3.0 hr/unit	50-110 u/hr	100-240 u/ha	215-405 u/ha

The application site is in a location with a PTAL of 2. In terms of its ‘setting’ the site is considered to fall within an area of transition using the features identified in the London Plan. The High Road has some urban characteristics, while the surrounding residential roads have strongly suburban characteristics. Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 35 and 170 units per hectare or 150 to 450 habitable rooms per hectare (see table above). Using the approach in the London Plan the 95 dwellings proposed include 329 habitable rooms. As the site has an area of 0.92 hectares this equates to a density of approximately 103 units per hectare and 358 habitable rooms per hectare. The proposal therefore falls within the appropriate density range in respect of the number of units and habitable rooms proposed.

The scheme is considered to comply with the objective of this policy and is found to provide an optimum density of development. The proposal puts forward an acceptable design response which complies with the relevant development plan policies, responds acceptably to the local context and character and takes account of the sites location. Further detail on these specific matters is set out in the report below.

Officers consider the density of development proposed to be acceptable and compliant with the objectives of planning policy. The scheme is not found to represent an overdevelopment of the site.

3.4 Standard of accommodation provided and amenities of future occupiers of the proposed dwellings

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings, outdoor

amenity space and play space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new dwellings. These include requirements to provide high quality indoor and outdoor spaces, set minimum internal space standards for different types of unit and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

The council has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers. The Mayor has also adopted SPG's (entitled Housing and Shaping Neighbourhoods: Play and Informal Recreation) providing detailed guidance on issue related to designing new housing to achieve acceptable amenities for its future occupiers.

Dwelling size

The London Plan and the associated Mayoral SPG document 'Housing' identify a minimum gross internal floor area for different types of dwelling. These are set out below for the types of dwelling proposed in this application. As the documents do not put forward standards for houses with four floors of accommodation (such as those proposed) the standards identified for 3 storey houses have been used.

Minimum Space standards for new development

	Dwelling type (bedroom/persons-bed spaces)	Gross Internal Area (m ²)
Flats	1 bedroom 2 person	50
	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86
	3 bedroom 6 person	95
3 Storey Houses	3 bedroom 6 person	111
	4 bedroom 8 person	133

All of the flats proposed would have a gross internal floor area which meets or exceeded the requirements for a dwelling of that type. All of the houses proposed would have a gross internal floor area which exceeds the requirements for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. An example of a way in which this is achieved is the careful siting an orientation of windows in the proposed buildings. It is considered that each of the dwellings proposed in this instance has an acceptable outlook.

External amenity space provision

All of the houses proposed would have their own private rear garden. In each case this would be of sufficient size (70m² or 85m² depending on the number of habitable rooms in the house concerned) to meet or exceed the requirements of Barnet Local Plan policies and guidance (set out in the Sustainable Design and Construction SPD) on the provision of amenity space for houses.

All of the flats proposed would have access to their own private amenity space in the form of a balcony, winter garden or terrace. In each case this would be of sufficient size to meet or exceed the requirements of Mayoral guidance on the provision of private external amenity areas (5m² for 2 person dwellings with an extra 1m² for each additional bed space) for the different sizes of flat proposed.

Using the Barnet standard of providing 5m² of usable external amenity space per habitable room (including kitchens over 13m² and with rooms over 20m² counting as two rooms) for flats, the development would be required to provide approximately an extra 846m² of external amenity space in addition to the balcony, terrace and winter garden space proposed (which collectively cover an area approximately 894m² in total) to comply with guidance set out in the Barnet Sustainable Design and Construction SPD. The scheme seeks to meet this requirement through the creation of five communal garden areas within the application site. Four of these garden areas provide a sufficient quality of environment to be considered 'usable amenity space' in the sense intended by the guidance. These four spaces would cover an area of approximately 1055m² in total and include areas of lawn, trees and hedges, seating and play features, such as boulders and stepping logs (the precise details of which are to be agreed under the conditions recommended). The design and size of these four gardens is considered to be such that they would provide sufficient external amenity space to exceed the requirements of Barnet guidance for the flats proposed. The proposal is therefore considered to be acceptable in this regard. The scheme includes an additional area of landscaped communal garden, which would also be available to the future occupiers of the dwellings proposed (and cover an area approximately 130m² in size). However, this has not been counted as 'usable amenity space' for the purposes of assessment against the Barnet guidance requirements as it would suffer overshadowing for significant periods of time throughout the year.

London Plan policy 3.6 states that proposals for housing should make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the approach to play space provision requirements in Mayoral guidance the scheme proposed would be expected to provide approximately 231m² of play space. The proposed scheme includes two areas of communal amenity space that would be designed specifically to include play features. These cover a combined area of approximately 500m² in size and the conditions recommended include controls to ensure that the spaces concerned would be implemented in a suitable manner. Subject to these controls the scheme is found to be compliant with London Plan policy 3.6 and acceptable in terms of the provision of play space.

It is noted that comment has been made that the space on the western most part of the site should be opened up to residents in the surrounding area as a public open space. While this point is acknowledged the site is not in a location that has been identified as being deficient in public open space. In circumstances such as this officers do not consider that it would be justified to require a proposal of the nature put forward to deliver a new area of public open space.

Privacy and overlooking

The distance between directly facing windows to habitable rooms in the new dwellings would not be less than 24m. The only exceptions to this are secondary windows to habitable rooms and conditions have been recommended to ensure that these are installed with obscured glass and are fixed shut (or have only a fanlight opening). The distance from a habitable room window to a directly facing private external amenity area (garden, balcony or terrace) within the development would not be less than 22m. As with the window to window distance the only exceptions to this are in circumstances where suitable privacy screening can be provided (and conditions have been recommended to ensure that this is delivered). The proposal would therefore comply with the requirement (as set out in the Barnet Residential Design Guidance SPD) that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden.

Subject to the conditions recommended it is considered that the design and layout of the windows, doors and external amenity areas in the proposal are such that the new residential units would all be provided with an adequate level of privacy and not suffer unacceptable overlooking. The proposal is therefore found to be acceptable in this regard.

Daylight and sunlight

The submission documents include an assessment of the daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. This was carried out by Schroeders Begg Ltd. Using the methodology found in the latest guidance (published in 2011) from the Building Research Establishment (BRE) on how to assess the daylight received in new dwellings (with a measure known as Average Daylight Factors) the evaluation found that all of the habitable rooms assessed would meet the relevant standards. The report also finds that the development would achieve good levels of sunlight using the standards identified in the BRE guidance, with some rooms achieving excellent sunlight availability. The proposal is found to be acceptable in these regards.

Noise and air quality

The design and layout of the buildings and spaces proposed on the site has been heavily influenced by the need to create an acceptable noise and air quality environment for future occupiers of the proposed dwellings. Examples of this include the use of winter gardens to provide the private external amenity space for the flats proposed along the High Road and the positioning of the tallest blocks of flats along the High Road so that they shield the remainder of the site and assist in allowing the provision of new areas of

communal external amenity space and play space with a suitable quality of environment.

In addition to this conditions have been recommended which require the development to be constructed and managed in ways that provide future occupiers of the proposed dwellings with an acceptable noise and air quality environment, as far as is practicable, taking account of the environment and uses surrounding the application site. Examples of measures include the installation of appropriate ventilation equipment and inclusion of adequate sound proofing. The Council's Environmental Health Service has not raised any objection to the scheme, subject to the imposition of the conditions recommended. When account is taken of the mitigation that the conditions recommended would allow, the proposal is found to be acceptable in respect of the noise and air quality environment that it would provide for the occupiers of the dwellings proposed.

Conclusions on the amenities of future occupiers

The scheme is found to be compliant with development plan policy as it relates to the amenities of the future occupiers of the dwellings proposed and the design approach is considered to provide future occupiers with acceptable amenities.

For the reasons set out above Officers consider that the proposal has overcome the Planning and Environment Committee's reason for refusal of the previous application (reference F/00241/08) at the site on the grounds of unacceptable impacts on the amenities of neighbouring occupiers.

3.5 Design and character matters:

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel

comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

The buildings and spaces proposed in the scheme are considered to respond positively to their context and have an acceptable relationship with the neighbouring buildings, streets and spaces, including the properties in Limes Avenue, Highwood Avenue and the High Road. They are also of a suitable design quality in their own right. This position has been achieved in a number of ways.

In general terms the layout proposed results in the parts of the site adjacent to the High Road being developed with the tallest buildings containing flats. The height of buildings proposed along the High Road, which comprises 4 storeys with a pitched roof that would contain accommodation (and result in buildings with five floors of accommodation in total), is broadly consistent with the scale of a number of other existing and proposed buildings along this part of the street. Both the existing Solar House (915 High Road) and the building approved (which is currently under construction) at the former Furnitureland site (886-902 High Road) comprise buildings with 5 floors. The gap between the two buildings proposed on the sites High Road frontage, at the point of the vehicular access, is considered to be of a suitable order that it provides an adequate break in the built form sought and prevents a 'canyon effect' in this part of the High Road. The gap also assists in creating a layout which is generally consistent with the street pattern found in the wider surrounding area. The approach to the ground floor of these buildings is considered to create a better designed and more active length of frontage than the blank wall which runs along much of this length of road at present. This is achieved through the inclusion of features such as entrances to building cores, openings (which are timber framed and glazed) through to the ground floor undercroft car park and additional 'false' entrances.

To the west of the High Road frontage the scale of built form proposed on the site reduces down to buildings with three floors of accommodation for the flats and buildings with four floors of accommodation for the houses. On this part of the site the flats would be in three storey buildings with a shallow pitched roof that would not provide accommodation. The houses are proposed as three storey buildings with an additional fourth level of accommodation provided in the pitched roof. This approach is considered to deliver an acceptable design response that would adequately reduce the size, scale, bulk and mass of buildings proposed away from the High Road and create a scheme that has an acceptable relationship with the parts of the site that have a suburban residential context.

It is noted that a number of responses to the consultation have been received specifically expressing concerns about the impacts arising from proposed buildings around existing properties in Highwood Avenue, particularly the wing of 6 flats which would have a pedestrian access onto Highwood Avenue (Block C). These suggest that the proposed buildings have an excessive size and height, are inappropriately sited and would be harmful to the character and streetscene of Highwood Avenue. It is suggested that Block C should be redesigned so that it does not have any direct access onto Highwood Avenue

(the proposed access would only be for pedestrians), comprises houses and is reduced in size. Officers consider that the buildings proposed on this part of the site have an acceptable design and appropriate relationship to the existing properties in Highwood Avenue. It is found that they would not result in any unacceptable character or streetscene impacts on Highwood Avenue. The size and scale of the new building proposed at the eastern end of Highwood Avenue (Block C) specifically is considered to deliver an acceptable transition between the character of the High Road and the suburban housing in Highwood Avenue. This three storey wing of 6 flats would have a pitched roof and be detailed in a traditional design approach of a suitable quality. Officers do not consider that there is any design or other planning basis for this block not to have direct pedestrian (only) access onto Highwood Avenue or for the principle of flats to be found unacceptable in this location. On this point specifically it is noted that Highwood Avenue already contains examples of properties in use as flats. The impacts of the proposal from a neighbour amenity and transport perspective are assessed in sections 3.6 and 3.9 of this report respectively.

In terms of their more detailed design and appearance, the buildings proposed take an approach inspired by the traditional architecture of Finchley. This includes features such as predominantly brick elevations; substantial pitched roofs with clay and slate tiles and brick chimneys; timber framed doors and windows; bay windows; and the use of brick and stone detailing. Such features are considered to be a positive aspect of the scheme and conditions have been recommended to ensure that the high quality of detailed design shown at this stage is carried on into the implementation of the scheme.

The new buildings within the site include adequate spaces between both themselves and existing surrounding properties, have private rear gardens for each of the new houses, include suitable new landscaped areas and features (see other sections of this report for further detail) and have a significant proportion of the parking proposed in an undercroft beneath the flats fronting onto the High Road. This aspect of the design in particular reduces the impact of the proposed parking on the design of the rest of the site. The scheme is found to provide an acceptable approach to the design and layout of development at the site.

A number of comments have been received about the way in which the site should be enclosed. The application drawings show that the boundary wall for the site along the end of the rear gardens of the even numbered houses in Limes Avenue would be 3m high. They also indicate that the communal garden situated at the east side of the junction of Limes Avenue and Highwood Avenue would be enclosed with 1.2m high railings and hedge. The majority of the remaining parts of the site that would directly adjoin neighbouring properties are shown as enclosed with 2m high wall. Where it fronts onto the east end of Highwood Avenue the site would be enclosed by a wall up to 0.9m in height. The heights proposed for the means of enclosure surrounding the site are found to be acceptable subject to the controls in place on other elements of the design of these structures under the conditions recommended. With these conditions the means of enclosure proposed for the site are found to be compliant with the objectives of development plan policy.

Subject to the conditions recommended the proposal is found to be acceptable and compliant with development plan policies as they relate to design, appearance and character matters. Landscaping matters are addressed in section 3.8 of this report.

For the reasons set out above officers consider that the proposal has overcome the Planning and Environment Committee's reason for refusing the previous application (reference F/00241/08) at the site on the grounds of its design, size, height, bulk, mass and layout and the adverse impacts it would have had on the character and appearance of the surrounding area. It is also recognised that the development proposed under the current application is significantly different from that for which consent was previously refused. Differences include a reduction in the maximum height of built form from 6 floors of accommodation to 5, a changed layout and a substantial reduction in the overall number of new units proposed, from 177 dwellings to 95. The result of these differences is that the design of the development now proposed has improved substantially when compared to the proposal previously considered by committee.

It is noted that concerns have been expressed that the submission made should have included a model and further 3D representations of the scheme. The submission made includes floor plans, elevations and site sections for the development proposed. Officers consider this to be sufficient for the purposes of the assessment of the application. It is also noted that the Design and Access Statement submitted contains 3D visualisations of the proposed scheme.

3.6 Impacts on amenities of neighbouring and surrounding occupiers and users:

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design in new development. More specifically policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. Policy DM04 identifies that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Barnet's Adopted Residential Design Guidance SPD (adopted April 2013) provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users. This includes identifying that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms and a distance of 10.5m to a neighbouring garden, in order to avoid overlooking.

It is noted that objections have been received from a number of parties expressing concerns that the proposed development would be detrimental to the amenities of neighbouring and surrounding occupiers and users in a variety of ways. These include loss of light, overshadowing visual impact, increased noise, disturbance and pollution, overlooking and loss of privacy. Concerns over impacts on the security of neighbouring properties have also been raised. These are responded to in section 3.12 of this report.

Overlooking and loss of privacy

The development proposed does not include windows to habitable rooms which directly face existing habitable windows in neighbouring residential buildings that are set apart a distance of less than 21m. Distances from directly facing habitable windows in the development proposed to a neighbouring properties garden are not less than 12m.

It is recognised that a small number of the dwellings proposed have balconies which could potentially result in a degree of overlooking of neighbouring properties in Limes Avenue and Highwood Avenue if no mitigation were provided. The application proposes to address this through the use of privacy screens in the locations concerned and provides details of how these could be implemented. Given the importance of this issue conditions have been recommended to require the privacy screens to be implemented in full accordance with details that have previously been approved by the Local Planning Authority and maintained as such thereafter. With this condition the development would comply with the specific privacy distances set out in the Barnet Residential Design Guidance SPD. This potential issue is therefore considered to be fully addressed by the controls recommended.

To ensure new windows are not introduced under permitted development which would result in the proposal then causing unacceptable overlooking of neighbouring properties and their gardens conditions have been recommended which removes permitted development rights to carry out such works.

Subject to the controls in place under the conditions recommended it is concluded that the design and layout of the proposal is such that the development would not result in unacceptable levels of overlooking and loss of privacy at the neighbouring properties and would comply with development plan policy and planning guidance in these regards.

Daylight, sunlight and overshadowing

The application is accompanied by an assessment (prepared by Schroeders Begg Ltd.) of the proposals impact on the neighbouring residential properties by reference to the methodologies found in the Building Research Establishment (BRE) publication '*Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice*'. This report concludes that the criteria relating to daylight, sunlight and overshadowing would be met and that there would be no noticeable adverse affects in terms of daylight, sunlight or overshadowing at neighbouring residential properties using the BRE methodology. It is noted that there would be adverse impacts on a small number of windows at neighbouring properties. However, the windows concerned are either windows to non-habitable rooms or secondary windows and it is not considered that a refusal of the application on the basis of such impacts would be justified. Officers accept the findings of the assessment submitted and conclude that the application is acceptable in terms of its impact on daylight, sunlight and overshadowing at neighbouring properties.

Outlook and visual impact

The documents submitted with the application include plans showing the impact of the proposed development from key locations within the area surrounding the site and also show the relationship of the proposed buildings

with neighbouring properties and spaces. It is considered that the design, size and siting of the proposed buildings is such that they would not have an unacceptable visual impact or result in any significant loss of outlook at neighbouring properties including dwellings in Limes Avenue, Highwood Avenue and the High Road. The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

The proposed buildings situated closest to the curtilages of existing neighbouring dwellings would be a proposed terrace house (plot 87) located to the east of the gardens of 16 and 18 Limes Avenue. The minimum distance from the flank wall of the new building to the neighbouring garden in this case is approximately 1m. The siting and size of the proposed terraced house in this case (plot 87) and the length of the gardens at 16 and 18 Limes Avenue is considered to be such that the development would not result in any unacceptable visual impacts or significant loss of outlook at the properties in Limes Avenue. In coming to these conclusions on outlook and visual impact account has been taken of the substantial buildings which exist on the western part of the application site at present and the visual impact these structures currently have on neighbouring properties.

Noise and disturbance

The residential dwellings proposed in the development are of a nature that they would not be expected to generate unacceptably high levels of noise and disturbance to an extent that they would harm the amenities of the occupiers of neighbouring properties (which include residential uses) in the normal course of their occupation. Conditions have been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance and to minimise the amenity impacts arising from the construction of the development more widely. These include the carrying out of the works within certain hours and in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

Air quality

Barnet Local Plan policies seek to ensure that new development is not contributing to poor air quality. It is noted that the part of the application site which is situated alongside the High Road is a location within the borough where European Union Standards for air quality in respect of Nitrogen Dioxide levels are exceeded (other parts of the borough also exceed the relevant standard for finer particulate matter (PM₁₀) but this is not the case here). This is typical of several major roads in the borough and also many other major roads in London more widely.

The application is accompanied by a Local Air Quality Assessment. This report concludes that the operational phase of the proposal would not have any perceptible impacts on Nitrogen Dioxide levels compared to a scenario in which the development was not built. Officers in the Council's Environmental Health Service have carefully assessed the proposal and the submission documents and concluded that the nature of the scheme is such that it would not be expected to result in any significant adverse impacts on air quality (including Nitrogen Dioxide levels) during its operational phase. The same conclusion is reached when the air quality impacts of the development proposed are considered cumulatively with the expected air quality impacts of

other committed developments in the surrounding area. The proposal is therefore found to be acceptable in this regard.

Conditions have been recommended to ensure that the construction of the development does not result in unacceptable air quality impacts. These include the carrying out of the works in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

Conclusions

The proposed development is considered to be acceptable and compliant with the relevant development plan policies as they relate to the protection of the amenities of neighbouring and surrounding occupiers and users.

For the reasons set out above officers consider that the proposal has overcome the Planning and Environment Committee's reason for refusing the previous application (reference F/00241/08) at the site on the grounds of unacceptable impacts on the amenities of neighbouring occupiers.

It is recognised that comments have been received from residents that the applicant should provide details of how current boundaries will be protected and maintained and guarantees for compensation or rectification in the event that utilities are affected or property is damaged (for example impacts on drainage, plants and trees, water pressure and the causing of structural damage through changes to the water table). Officers consider that the controls on the development recommended go as far as the planning system legitimately can in addressing these types of issues. Many of the points made are private matters that are not appropriate for regulation using planning legislation.

3.7 Affordable Housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual residential schemes, having regard to:

- Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.
- Affordable housing targets adopted in line with Policy 3.11.
- The need to encourage rather than restrain residential development (Policy 3.3).
- The need to promote mixed and balanced communities (Policy 3.9).
- The size and type of affordable housing needed in particular locations.
- The specific circumstances of individual sites.
- The resources available to fund affordable housing and maximise affordable housing output
- The priority accorded to family housing provision

It suggests that negotiations should take account of a sites individual circumstances, including development viability, the resources available from registered providers, the implications of phased development and other scheme requirements. It also makes it clear that affordable housing should normally be provided on site and off site contributions to affordable housing will only be accepted in exceptional circumstances.

This approach is reflected in Local Plan policy DM10 which requires the maximum reasonable amount of affordable housing to be provided on site, subject to viability, having regard to a borough wide target that 40% of housing provision should be affordable. Local Plan policy CS4 identifies that on sites which are suitable for the provision of an element of affordable housing the Council may exceptionally accept the provision of off site affordable housing or a commuted payment instead of such provision.

The proposal would provide a total of 12 affordable housing units on site with the following mix of dwellings types:

12 Intermediate (Shared Ownership) units in total comprising:-

12 x two bedroom four person flats

This provision equates to approximately 12.6% of the total dwellings proposed and 10.9% of the total habitable rooms proposed in the development.

In addition to this the application also proposes to deliver 6 Affordable Rented units at 1230 High Road, Whetstone. These would comprise 5 x two bedroom three person flats and 1 x two bedroom four person flat. This is anticipated to take place through the conversion of 6 units at the site which currently have funding to be Intermediate (Shared Ownership) affordable housing units (with the same mix of dwelling types).

To explain and justify this level of contribution Berkeley Homes have submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council then commissioned BNP Paribas to independently review the viability report provided and examine its findings.

Taking account of the costs associated with bringing the development forward, including the associated planning obligations and likely CIL payments, and the value that the applicant would be likely to generate from the scheme, BNP Paribas conclude that proposed contribution represents the maximum reasonable amount of affordable housing that it is financially viable for the development to provide.

While development plan policy identifies that an off site contribution to affordable housing provision will only be acceptable in exceptional circumstances, it has been shown (through the review of the schemes viability) that in this instance the off site contribution proposed results in a greater contribution to affordable housing provision than a solely on-site approach would viably deliver. The proposed approach also ensures that the scheme makes a contribution to both Intermediate (shared ownership) and Affordable Rented affordable housing provision and that it delivers this in parts of the borough (North Finchley and Whetstone) with a significant demand for affordable housing.

For these reasons in this instance the proposed contribution to affordable housing is considered to be acceptable and compliant with the objectives of planning policies. As set out in section 3.2 of this report the mix of affordable dwellings proposed is considered to be acceptable.

3.8 Trees and Landscaping:

Policy DM01 identifies that proposals will be required to include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

The policy also states that trees should be safeguarded and when protected trees are to be felled the council will, where appropriate, require replanting with trees of an appropriate size and species.

The development proposed would result in the removal of all 23 of the existing live trees from the site and one additional dead tree. 4 of these (all Ash trees) are covered by a Tree Preservation Order (TPO). The remaining 20 trees are all classified as either grade C or U using the chart on tree quality assessment found in the BS5837:2012. The scheme includes the planting of 61 new trees to mitigate the trees which would be lost through the proposed works (including the trees with a preservation order protecting them) and also as part of providing suitable landscaping for the development more widely.

It is accepted that the removal of the 23 live trees, including the 4 covered by a preservation order, is unfortunate. However, Officers in the Councils Trees Team have confirmed that in this instance the condition and quality of the trees on the site (including the TPO trees) is such that they would not object to their removal, subject to the provision of suitable replacement planting. Officers consider that the new trees proposed as part of the landscaping works provide acceptable mitigation for the trees which would be lost and that the scheme would in fact enhance the landscaping at the site relative to the current position. Conditions have been recommended to ensure that the trees and wider landscaping implemented would be of a sufficient quality, including new trees of a suitable size and species. Subject to these conditions officers take the view that appropriate consideration has been given to the existing trees on the site.

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting) and provides an appropriate setting for the buildings proposed. Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate design and quality and makes a positive contribution to the area, including assisting in the creation of a safe and secure environment.

The application does not propose the removal of any trees outside the application site. Conditions have been recommended to ensure that

appropriate measures are taken to protect trees in the area surrounding the application site, including the existing street tree found on the eastern side of the junction of Limes Avenue and Highwood Avenue.

Matters relating to access, parking biodiversity and habitat provision are addressed in other sections of this report in full. However, in each of these regards the landscaping proposed is found to be acceptable.

It is concluded that the development provides more than adequate mitigation for the trees which would be lost as part of the works proposed and that the scheme is acceptable and compliant with development plan policy in respect of tree and landscaping matters.

3.9 Transport, parking and highways matters:

Policy context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Major development proposals with the potential for significant trip generation will be expected to be in locations which are, or will be made, highly accessible by a range of modes of transport and supported by a Transport Assessment that fully assesses the transport implications of the development across all modes. Schemes are also required to implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Parking provision

The car parking standards for residential development, as set out in the Barnet Local Plan, recommend a range of parking provision for new dwellings based on the on a sites Public Transport Accessibility Level (PTAL) and the type of unit proposed. For the different types of unit the range of provision is as follows:

Four or more bedroom units - 2.0 to 1.5 parking spaces per unit

Two and three bedroom units - 1.5 to 1.0 parking spaces per unit

One bedroom units - 1.0 to less than 1.0 parking space per unit

For higher PTAL scores the parking requirement would be expected to be at the lower end of the range. For lower PTAL scores parking provision at the higher end of the range would be required. The PTAL Score for the site is 2.

Using the standards set out in the Barnet Local Plan the development proposed generates a car parking provision of between 86.5 to 141 car parking spaces (depending on the PTAL score for the site). The proposed parking provision of 114 spaces is therefore within the range that planning policies would expect to be provided.

Although it is within the appropriate range the proposed parking provision is towards the lower end of what would be expected for a site with a PTAL score of 2. In the absence of any further controls the proposal could therefore result in overspill parking and increased demand for on-street parking spaces in the surrounding area. Observations by Traffic and Development Officers suggest that there is already parking pressure on roads in the vicinity of the site. In light of these circumstances it is considered necessary to restrict the occupiers of the new development from purchasing parking permits within the North Finchley Controlled Parking Zone (within which the application site is located). A planning obligation to this effect has therefore been recommended (including a contribution of £2000 to cover the associated cost of amending the relevant Traffic Management Order).

Conditions have been recommended to ensure that the parking spaces proposed are provided prior to the occupation of the development and allocated and managed in an appropriate way. A condition and planning obligation requiring the provision of a Travel Plan have been recommended. These will assist in encouraging travel by non-car modes of transport. A contribution of £15000 to upgrade a bus shelter adjacent the site (on the A1000) has been agreed with the applicant. This improved facility would also assist in encouraging the use of public transport for journeys associated with the new development and reduce reliance upon the car. Subject to the controls in place under the conditions and obligations recommended the provision of 114 car parking spaces for the development is considered to be acceptable and compliant with the objectives of development plan policy.

Policies require that developments provide 10% of the car parking spaces proposed in a scheme to a disabled parking space standard. The application intends to provide 12 of the 114 spaces proposed to a disabled parking space standard. This is considered to be acceptable and compliant with the requirements of development plan policies. It is noted that Transport for London has recommended that a car club space be provided. However, it is not considered that the provision of this facility is necessary for the development to be acceptable in this instance. As such, while the applicant may choose to include a car club space in the development, no controls to specifically require this have been recommended.

Policies require that developments provide 1 in 5 parking spaces are provided with electric vehicle charging points (EVCP). The applicant has confirmed that 23 (20%) of the 114 parking spaces proposed will be provided with EVCP and that a further 20% of the parking spaces proposed would have passive EVCP provision. A condition has been recommended to ensure that suitable EVCP facilities are delivered as part of the development. Subject to this condition the scheme is found to comply with planning policy in this regard. The applicant has also confirmed that facilities for the parking of 133 cycles will be provided. This level of provision is considered to be acceptable and policy compliant

and a condition has been recommended to ensure it is carried through into the implementation of the scheme.

It is noted that a number of objections have been received that the development has inadequate parking and would result in an unacceptable adverse impacts on the road network surrounding the site and the amenities of neighbouring occupiers. However, for the reasons outlined, it is considered that the proposed development, as could be controlled through the conditions and planning obligations recommended, is acceptable in respect of parking matters.

Access and site layout

A single gated vehicular access is proposed for the development. This would be located on the High Road (A1000) in the same position as the existing vehicular access for the site on this road. The existing access for the site at the junction of Limes Avenue and Highwood Avenue would be closed as part of the works proposed under the application. Having vehicular access to the proposed development solely from a point on the High Road is a key part of the way in which the highways impacts of the scheme on Highwood Avenue and Limes Avenue would be limited. As such a planning obligation has been recommended to ensure these changes are delivered as part of the development. A sum of £5000 is also sought to cover the cost of these works. Council Highway Officers conclude that the layout proposed does not present any defects that would raise a highway safety concern. As such the small increase in traffic that the development is anticipated to generate (see below) is unlikely to have any detrimental impact on highway safety and the proposal is found to be acceptable in this regard.

It is noted that comments have been received which put forward a range of different potential measures to mitigate the transport and highways impacts of the development. These include the:

- Installation of traffic lights at the junction of Highwood Avenue and the High Road.
- Introducing a new pedestrian crossing.
- Making Limes Avenue and Highwood Avenue a one way road.
- Install traffic calming measures in the surrounding area.

It is not considered that such measures are necessary for the development proposed to be acceptable and they do not form part of the proposal under consideration.

The application seeks the provision of all 114 of the parking spaces proposed on communal parts of the site, including spaces at surface level and spaces provided in an undercroft area across the ground floor of the two buildings fronting on to the High Road. Conditions have been recommended to ensure that the parking facilities implemented would be acceptable in the relevant regards.

Provision has been made within the site layout for a refuse vehicle to enter the site off the High Road, make an appropriate turning manoeuvre and exit the site in a forward gear. This approach is found to be acceptable. A condition has been included in those recommended to ensure that appropriate refuse and recycling facilities are delivered within the development.

Pedestrian access to the site would be possible through the main gated (also vehicular) access point on the High Road. In addition to this there would be four further solely pedestrian access points for the site along the length of the High Road. These would provide access to the cores of the buildings in this location. It is also proposed to provide a single solely pedestrian access point for the development from the eastern end of Highwood Avenue. This would provide pedestrian only access to the 6 flats proposed on this part of the site (Block C). It is noted that concerns have been raised about the inclusion of pedestrian access to the site from Highwood Avenue. However, this approach is found to provide an acceptable urban design response that would offer the correct balance between creating a development with a suitable frontage to Highwood Avenue and not encouraging levels of activity in the streets surrounding the site which could be detrimental to the amenities of the occupiers of properties in these roads.

Trip generation

Manual classified counts were undertaken in January 2008 at the application sites High Road access point to ascertain the trip generation for the existing development while it was in use by the Metropolitan Police. The table below summarises the survey results for trips to and from the site during peak hours. The two way trips for the AM Peak (08.00 to 09.00) and PM Peak (17.00 to 18.00) on the public highway at that time were 14 and 9 respectively.

Trip generation for the site while in use by the Metropolitan Police:

Peak Hour	Entry (No. of Vehicles)			Exit (No. of Vehicles)		
	Car	LGV*	MC**	Car	LGV*	MC**
07:00 – 08:00	7	1	0	0	0	0
08:00 – 09:00	8	2	0	3	1	0
09:00 – 10:00	24	2	1	6	1	0
TOTAL	39	5	1	9	2	0
16:00 – 17:00	4	0	0	6	0	0
17:00 – 18:00	1	3	0	5	0	0
18:00 – 19:00	4	1	0	16	2	0
TOTAL	9	4	0	27	2	0

LGV* = Light Goods Vehicles

MC** = Motor Cycles

Source: Count On Us Surveys Conducted Thursday 31st January 2008

A traffic survey was undertaken by the applicant's transport consultant in 2013 to ascertain the peak hours for the local road network at that time. The peak hours occurred between 08:00 and 09:00 during the AM and 17:15 and 18:15 during the PM. The transport consultants have then used the TRAVL data base (which is an accepted tool) to establish peak hour vehicular trip generation for the development proposed. The predicted vehicular trip generation for development in the AM and PM peaks using this method are set out in the table below:

Predicted vehicular trip generation for the proposed development:

Proposed Development Trips	Arrivals	Departures	2-way
AM (8.00 – 9.00)	6	15	21
PM (17.15 – 18.15)	11	8	19

As the site is currently vacant (and therefore there are presently no vehicular movements) the anticipated net change in vehicular trip generation following the development is a net increase equal to the trip generation associated with the proposed development. This is summarised in the table below:

Predicted net change in vehicular trip generation with the development proposed:

Proposed Development Trips	Arrivals	Departures	2-way
AM (8.00 – 9.00)	+6	+15	+21
PM (17.15 – 18.15)	+11	+8	+19

The above analysis shows that there will be a net increase in trips generated by the proposal, particularly when it is compared to the currently vacant site. However, the trip generation by the development is found to be comparable to the two way trips generation by the site when it was in use by the Metropolitan Police. The increase in vehicular trip generation associated with the development proposed also needs to be considered in the context of the existing traffic flows at the site. The traffic survey carried out by the applicant's transport consultants found that on the High Road (A1000) in the vicinity of the site the observed traffic flows were approximately:

- 830 vehicles in a northbound direction and 770 vehicles in a southbound direction during the AM Peak.
- 860 vehicles in a northbound direction and 720 vehicles in a southbound direction in the PM Peak.

When the predicted gain in vehicular trips associated with the development proposed are considered against the vehicular trip generation by the site when in its last lawful use by the Metropolitan Police and in the context of the traffic flows on the High Road it is found that the impact of the additional trips generated by the development is likely to be minimal. The development would not be expected to result in any significant detrimental impacts on the local highway network in this regard. As such the proposal is considered to be acceptable and compliant with the objectives of policies in this respect.

It should be recognised that the transport related assessments carried out as part of this current submission consider the nearby 886-902 High Road site (the former Furnitureland site) as a committed development. The conclusions reached by these assessments therefore take account of the transport impacts resulting from the application approved for that site (which is presently being redeveloped). There were no other committed developments in the vicinity of the application site at the time of the preparation of the submission that were considered to have any significant impact on the public highway.

It is noted that TfL have stated that they do not accept mode share estimates directly derived from TRAVL sites and that that Census 2011 data should also apply (see comments summary above). The trip rate calculation within the submission is carried out using the TRAVL database, which uses real data from development travel surveys. Interrogation of the TRAVL database was completed to determine the most suitable sites for comparison and these sites were agreed with Barnet Highway Officers. TRAVL provides modal share percentages for each peak hour and for every development type separately, and then assumptions are made for total trip generation and mode share. However, the mode share information in Census data does not distinguish between development types and is instead a questionnaire response based measure of 'Journeys to Work', rather than all journeys. Census data therefore only provides a general guide to travel mode share (and a good basis for comparing different locations throughout the UK), but cannot be tailored to accurately estimate all journeys from a specific type of development. Nonetheless the applicant's highways consultant has compared the mode share derived using the TRAVL data base and mode share derived using 2011 Census data for the Ward (as suggested by TfL) and demonstrated that the results are comparable. As such the approach used in the submission is found to be acceptable by Barnet Highways Officers.

Junction capacity analysis

The software program PICADY (which is an accepted tool) has been used by the applicant's transport consultant to assess the impact of the development on the capacity of key junctions in the surrounding highway network. The following junctions were assessed in this way.

- High Road (A1000) / Mayfield Avenue / Highwood Avenue
- Current (and proposed) site access / High Road (A1000)
- High Road (A1000) / Woodside Grove

Traffic conditions at the above junctions were tested for the following different scenarios at both the AM and PM Peaks:

- Base Year (2013)
- Opening Year (2014) – without the development
- Opening Year (2014) – with the development
- Assessment Year (2024) – without the development
- Assessment Year (2024) – with the development

The results of this analysis show that all the junctions assessed will operate with significant capacity in the scenarios considered, both with and without the addition of traffic associated with the proposed development.

Travel and construction management plans

A Travel Plan is included in the documentation submitted with the application. Conditions and obligations are recommended to ensure that an acceptable and policy compliant Travel Plan is provided for the development prior to its occupation and that a Travel Plan Champion is appointed. In order to ensure that the objectives of the Travel Plan are met a monitoring contribution of £5,000 is included in part of the planning obligations recommended.

To mitigate any adverse impacts from construction traffic on the road network surrounding the site a Construction Management and Logistics Plan would need to be prepared and implemented in respect of the proposal. A condition to this effect has therefore been recommended.

Parking, highways and transport conclusions

The Council's Traffic and Development Team have assessed the proposal and consider it to be acceptable in all relevant regards. For the reasons outlined above the current scheme is found to have overcome the traffic and highway safety related reason for which the Planning and Environment Committee refused the previous application it considered for this site. The proposal is considered to be acceptable and compliant with the objectives of development plan policy in relation to parking, highways and transport matters subject to the imposition of the conditions and planning obligations recommended.

3.10 Creating inclusive environments for all members of the community:

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Statements should be submitted with proposals explaining how the principles of inclusive design have been integrated into the development for which consent is sought.

The documents submitted with the application identify a number of ways in which the design of the proposed buildings has been influenced by the desire to make them accessible for all members of the community. The Design and Access Statement provided sets out that all the proposed dwellings would all meet the relevant Lifetime Homes standards. At least 10% of the dwellings proposed (10 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements and 12 of the parking spaces proposed would be provided to a disabled parking space standard.

Conditions have been recommended to ensure that all the proposed dwellings would meet the relevant Lifetime Homes standards, not less than 10% of the dwellings proposed would meet or be easily adapted to meet wheelchair accessible standards, the site would be developed at appropriate levels and 12 of the parking spaces proposed are provided to a disabled parking space standard. Subject to these controls and the requirements in place under other legislation officers conclude that the design and layout of the proposal is such that it is acceptable in terms of creating a development that is accessible, useable, permeable and inclusive for all members of the community.

3.11 Contaminated land and water quality issues:

The Council's Environmental Health Service has confirmed that any potential concerns they may have regarding contaminated land issues are adequately addressed through the conditions recommended in this respect. The Environment Agency has not raised any objection to the proposal or requested that any conditions be imposed on a grant of consent in terms of contaminated land or water quality matters.

Having evaluated the information submitted, it is considered that the proposal is acceptable and compliant with development plan policy in respect of contaminated land and water quality matters, subject to the conditions recommended.

3.12 Safety and security matters:

Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.

The London Fire and Emergency Planning Authority and Metropolitan Police Service have not raised any objection to the proposal or requested that conditions are placed upon any grant of consent. The Metropolitan Police Service have made comments about the design approach which would be needed for post boxes associated with communal entrances in the scheme and also for the access points to the undercroft parking areas proposed. A condition has been recommended to ensure that the development addresses these points appropriately.

It is recognised that responses to the consultation have been received from residents suggesting that the proposal would have an adverse impact on the security of their property. Officers consider that the approach proposed to the means of enclosing the site (as set out in section 3.5 of this report) combined with suitable landscaping (as would be controlled through the conditions recommended) would ensure that the scheme did not have an adverse impact on the security of neighbouring properties. It is also noted that the Metropolitan Police have not identified any concerns in this regard.

The design and layout of the development proposed is considered to be such that, as controlled through the conditions recommended it would provide a safe and secure environment. The proposal is therefore deemed to be acceptable in respect of providing a safe and secure development with an environment which reduces opportunities for crime and the fear of crime.

3.13 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding. The Environment Agency has responded to the consultation and has not raised any objection to the proposal or requested any conditions be placed on a grant of consent in respect of flood risk matters. Notwithstanding this a condition has been included in those recommended to ensure that appropriate drainage infrastructure and systems are installed as part of the development.

Thames Water has responded to the consultation and not raised any objections to the proposal. Thames Water have requested that a condition is imposed on any consent granted to ensure that all piling works carried out as part of the implementation of the development take place in accordance with a method statement which has been previously agreed with the Local Planning Authority (in consultation with Thames Water). This is intended to minimise the potential for damage to subsurface sewerage infrastructure in the area and a condition to this effect has been included in those recommended. Thames Water has made a number of other points in respect of waste water and water infrastructure matters and these have been included as informatives.

Although they have not objected to application the Environment Agency has noted that the development is located within an area of water stress and stated that they would expect water efficiency measures to be used in the development. Conditions have been recommended to ensure that water use by the development is minimised and a water usage of not less than 105 litres per head per day is achieved. Subject to these conditions the development is found to be acceptable in this respect. Both businesses potentially supplying water to the development (Affinity and Thames Water) have been consulted on the application and neither has raised any objections to the development in relation to water supply matters or on any other grounds.

The proposal is considered to be acceptable and compliant with planning policies on flooding and water infrastructure matters, subject to the conditions recommended.

3.14 Energy, climate change, biodiversity and sustainable construction matters:

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

Residential developments are currently required to achieve a 25% reduction in carbon dioxide emissions when compared to a building constructed to comply with the 2010 Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

Proposals are expected to comply with the guidance set out in the council's SPD in respect of the level of the 'Code for Sustainable Homes' that is achieved. The council's adopted Sustainable Design and Construction SPD requires that developments of the nature proposed commit to a Code Level 4 or above against the Code for Sustainable Homes.

Carbon dioxide emissions

The application is accompanied by a Sustainability Strategy and a Code for Sustainable Homes Pre-Assessment. These documents set out the applicant's commitment to achieving Level 4 under the Code for Sustainable Homes and demonstrate how this could be achieved. As part of reaching this level under the Code for Sustainable Homes the dwellings proposed will need to achieve an improvement of 25% over the Target Emission Rate under the

2010 Building Regulations. Such an improvement is adequate for the scheme to comply with the requirements of policy on the reduction of carbon dioxide emission. A condition has been recommended to ensure that the development achieves this level of carbon dioxide reductions as a minimum. Subject to this condition the proposal is found to be acceptable and policy compliant in respect of reducing carbon dioxide emissions.

The submission indicates that on site renewable energy generation technologies will not be used in this instance. It is accepted that the introduction of such technologies is not particularly well suited to this scheme and that policy compliant reductions in carbon dioxide emissions can be achieved without their use. As such the scheme is found to be acceptable in this regard.

Other aspects of sustainable design and construction

A Sustainability Statement, prepared by the applicant, has been submitted with the application. This identifies a number of sustainable design features that the proposal would incorporate to develop in a sustainable way, mitigate and adapt to climate change, conserve resources and minimise pollution. These include elements such as measures to reduce water consumption, the provision of appropriate recycling facilities, the inclusion of energy efficiency measures, the use of appropriately sourced materials and the installation of facilities for cyclists.

The submission also includes a preliminary Code for Sustainable Homes assessment for the scheme. This makes it clear that the proposal could meet Code for Sustainable Homes Level 4. It is considered that the details provided in the submission are acceptable in this regard and that the application would result in a development which reaches an appropriate standard in respect of sustainable design and construction matters. To ensure that the commitment to reaching Code Level 4 and certain other key elements of developing sustainably are carried through to implementation conditions on these aspects of the proposal have been recommended. Such an approach allows a degree of flexibility as to the precise sustainable design and construction measures to be incorporated in the development, while ensuring that, taken in the round, the scheme achieves an appropriate level of sustainability.

To address policies on urban greening specifically the development includes areas of planting and soft landscaping at a ground level, including new areas of communal amenity space and private rear gardens for each of the houses proposed. Conditions have been recommended to ensure that the site is appropriately landscaped at the implementation stage of the development (landscaping is addressed in greater detail in section 3.8 of this report).

Biodiversity matters

Natural England has responded to the consultation on the application and confirmed that it does not have any objection to the proposal. However, it has advised that the council should consider requesting biodiversity enhancements in relation to both bats and birds. Conditions have been recommended to ensure that the scheme implemented provides on site biodiversity enhancements in respect of bats and birds. It would be expected that this include features such as the installation of bat and bird boxes and the use of appropriate landscaping.

Although it was not raised as an issue by Natural England the existing site contains areas which could provide suitable habitats for nesting birds. A condition has therefore been recommended to ensure that suitable measures are taken to prevent unacceptable impacts on nesting birds during the construction phase of the development.

The tree and wider landscaping conditions recommended are considered sufficient to ensure that this aspect of the scheme makes appropriate contributions to biodiversity and provides suitable levels of habitat.

Subject to the controls in place under the conditions recommended and the requirements in place under other legislation the proposal is found to be acceptable and compliant with policy on biodiversity and nature conservation matters.

3.15 Environmental Impact Assessment Regulations:

The development for which consent is sought is not considered to be of a description identified in Schedule 1 of the Regulations (Town and Country Planning (Environmental Impact Assessment) Regulations 2011). However, the development is considered to be of a description identified in column 1 of Schedule 2 of the Regulations. The development described in the submission is deemed to fall within the description of 'urban development projects'. The site identified in the plans accompanying the application is not considered to be in or partly in a sensitive area as defined in Regulation 2. As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 0.5 hectares. The area of development identified in the information submitted exceeds this threshold. The proposal is therefore Schedule 2 development.

The characteristics, location and the impacts of the development proposed are described in significant detail in other sections of this report and so are not repeated here. Having considered the characteristics of the development, the location of the development and the characteristics of the potential impacts of the proposal (the criteria set out in Schedule 3 of the Regulations) it is concluded that in each of these respects and taken in totality the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations. It is considered that the proposal is not a major development which is of more than local importance, is not a proposal situated in (or partially within) a particularly environmentally sensitive or vulnerable location and is not a development with unusually complex or potentially hazardous environmental effects. This is considered to support the conclusion that the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations.

Taking account of the criteria set out in Schedule 3 of the Regulations and all other relevant factors it is considered that the development described in the information accompanying the application would not be likely to have significant effects on the environment, in the sense intended by the Regulations. Therefore an Environmental Impact Assessment is not necessary and an Environmental Statement, in line with the Regulations, is not required to be submitted with the application.

3.16 Planning obligation matters:

Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.

In accordance with development plan policies the following obligations are required to be secured through a legal agreement with the developer. It is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure that is necessary to support the scheme.

Amendment to Local Traffic Order

A planning obligation has been recommended to ensure that an amendment is made to the existing Traffic Management Order to prevent the future occupiers of the dwellings within the proposed development from applying for or being issued with permits for the North Finchley Controlled Parking Zone. A contribution of **£2000** to cover the administrative costs of making this amendment to the Traffic Management Order is also sought. This matter is discussed in greater detail in section 3.9 of this report.

Realignment of footway on Limes Avenue and Highwood Avenue

Under the works proposed in the scheme the existing access for the site at the junction of Limes Avenue and Highwood Avenue would be closed. A contribution of **£5000** to cover the cost of carrying out these works is sought. This change and the associated realignment of the public footway would result in the sole vehicular access for the site being from the High Road. Having vehicular access for the proposed development solely from a point on the High Road is a key part of the way in which the highways impacts of the development on Highwood Avenue and Limes Avenue would be limited. As such a planning obligation requiring these works to be completed in an appropriate manner before the development is brought into use has been recommended.

Enhancement to local bus stop facilities

In accordance with planning policies which seek enhancements to public transport infrastructure and to encourage travel by non-car modes of transport the application would provide a contribution of **£15000** to upgrade a bus shelter adjacent the site. Alongside the other measures which the scheme would include (see section 3.9 of this report for further detail) this obligation is considered to ensure that the application would include appropriate measures to encourage travel by non-car modes of transport.

Travel Plan and Travel Plan Monitoring

In accordance with policy DM17 of the Local Plan the applicant is required to enter into a Travel Plan for the development that seeks to reduce reliance on the use of the private car and promotes sustainable means of transport.

A contribution of **£5,000** is required towards the monitoring of the Travel Plan for the development to enable the Council to continue to examine the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives in accordance with policy DM17 of the Local Plan.

Affordable Housing

In accordance with policy 3.12 of the London Plan and policies CS4, CS15 and DM10 of the Barnet Local Plan Officers recommend that a Section 106 Agreement be used to secure the following number and mix of affordable housing unit types and sizes:

12 Intermediate (Shared Ownership) affordable housing units at 931 High Road (the application site) comprising:

12 x two bedroom four person flats

6 Affordable Rented affordable housing units at 1230 High Road, Whetstone, N20 comprising:

5 x two bedroom three person flats

1 x two bedroom four person flat

Affordable housing matters are discussed in greater detail in section 3.7 of this report.

Town Centre and Public Realm Enhancements

In accordance with development plan policies on providing enhancements to town centres and the public realm the application would provide a sum of **£10,000** towards enhancements and improvements to North Finchley Town Centre and the wider public realm surrounding the site. This obligation would ensure that the application made an appropriate contribution to enhancing North Finchley Town Centre and the surrounding area.

Employment and Training

In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would deliver three apprenticeships connected with the construction and operational phases of the development for residents of Barnet. Of the three apprenticeships delivered two would be at not less than a Level 2 or 3 (as defined in the National Apprenticeship Service Framework or any subsequent scheme which replaces this) and one would be at either not less than a Level 4 or an appropriate equivalent graduate scheme. Alongside the other planning benefits which the application would deliver this obligation is considered to provide adequate mitigation for the loss of employment generating floor space the development would result in.

Monitoring of the Section 106 Agreement

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore requires the payment of

£1530 towards the costs of undertaking the work relating to securing the planning obligations recommended in line with the adopted Supplementary Planning Document for Planning Obligations.

3.17 Barnet Community Infrastructure Levy

The proposed development is liable for charge under the Barnet CIL (at a rate of £135 per square metre). Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Barnet CIL at the time applications are determined. The applicant has stated that the existing floorspace on the site has been occupied lawfully for 6 of the last 12 months. As such it is possible that only additional floorspace generated by the development (less the area of undercroft car parking proposed) would be potentially liable for charge under Barnet CIL. Taking account the relief from a CIL charge which the affordable housing element of the scheme could be eligible for the development might be expected to generate a Barnet CIL charge of **£360196**.

3.18 Mayoral Community Infrastructure Levy

The proposed development is liable for charge under the Mayoral CIL (at a rate of £35 per square metre). Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Mayoral CIL at the time applications are determined. The applicant has stated that the existing floorspace on the site has been occupied lawfully for 6 of the last 12 months. As such it is possible that only additional floorspace generated by the development would be potentially liable for charge under Mayoral CIL. Taking account the relief from a CIL charge which the affordable housing element of the scheme could be eligible for the development might be expected to generate a Mayoral CIL charge of **£113501**.

4. EQUALITIES AND DIVERSITY ISSUES

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The new buildings proposed as part of the application would be required to comply with current legislative requirements in respect of equality and diversity related matters, for example access for the disabled under Part M of the Building Regulations. In addition to this the conditions recommended for the application would ensure that in several regards the buildings constructed would exceed the minimum requirements of such legislation. Examples of this would include all the proposed residential units being constructed to meet the relevant Lifetime Homes standards, the provision of level or appropriately sloping access within the site, not less than 10% of the residential units proposed being constructed to be wheelchair accessible or easily adaptable for residents who are wheel chair users and the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report).

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The design of the proposed buildings is such that they would be an improvement over the existing buildings on the site, in terms of achieving equality and diversity objectives. The development would therefore have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. 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. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised are all considered in the appraisal and analysis set out in the relevant parts of the main body of the report report.

6. CONCLUSION

Full planning permission is sought by Berkeley Homes (Three Valleys) Limited for the demolition of the existing buildings on the former Metropolitan Police depot site at 931 High Road, North Finchley and the redevelopment of the site to provide new residential dwellings and a range of associated infrastructure. The development proposed would comprise the following key elements:

- 11 new houses (Use Class C3) each with their own private rear garden and accommodation provided over four levels.
- 84 new self contained flats (Use Class C3), each with their own private balcony, terrace or winter garden. These would be provided in two

- buildings having between five (four storeys and a level of additional accommodation in the roof) and three levels of accommodation.
- A total of 114 off- street car parking spaces.
 - 4 new communal gardens with a collective area of approximately 1055m² in size.
 - The provision of 12 of the proposed new dwellings as shared ownership affordable housing units.
 - The provision of 6 affordable rented affordable housing units at 1230 High Road, Whetstone.

The existing buildings on the site are no longer required by the Metropolitan Police. Their replacement with new residential development of the nature proposed, that provides a high quality design approach which relates acceptably to it's neighbouring properties and is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the occupiers of neighbouring properties and would provide its future occupiers with a good standard of accommodation is considered to accord with policies that seek to optimise the use of sites such as this.

The design and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to the character of the wider area and which provides a suitable residential environment, while not impacting unacceptably on the amenities of neighbouring occupiers. Examples of how these constraints have shaped the design approach include the reduction in the height, bulk and mass of the development proposed away from the High Road, the positioning houses with private rear gardens and an area of open space on the western most part of the site where Highwood Avenue and Limes Avenue meet (and removing the vehicular access previously proposed in this location) and the use of winter gardens for the flats fronting directly onto the High Road. Such a design approach also helps the development to fit in with its context, as it enables the scheme to respond to the different characters found on this part of the High Road and the suburban residential streets to the west and south of the site. It is considered that the quality traditional approach proposed for the detailed design and appearance of the buildings sought assists further in this regard. More generally the proposal includes a number of measures to achieve a good standard in respect of sustainable design and construction, with the new dwellings all meeting Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site for the number and type of dwellings proposed (114 spaces for 95 units), which reflects the location of the site in an area with a Public Transport Accessibility Level of 2. All vehicular access to and from the site would be from a single point on the High Road. The scheme has been designed to provide appropriate and safe access for all users and would not be expected to result in any significant adverse impacts to the local road network (including when the transport impacts of other committed developments in the surrounding area are taken into account).

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of 61 new trees. The development would result in the

removal of a total of 23 trees from the site, of which 4 are covered by a Tree Preservation Order. However it is considered that the replacement planting proposed provides adequate mitigation for this. No trees outside the application site are proposed for removal as part of the works. The means of enclosure and landscaping proposed would assist in creating a design that is not detrimental to the security of the occupiers of neighbouring properties and the Metropolitan Police have not raised any objections to the proposals in this regard.

A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal. The development would also be liable for a charge under both the Mayoral and Barnet Community Infrastructure Levy regimes.

For these reasons (set out in greater detail in the main report) the current scheme is considered to have overcome the grounds on which the Planning and Environment Committee refused the previous application (reference F/00241/08) which it considered for this site (in 2009).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, APPROVAL subject to conditions is recommended, as set out in the recommendations section at the beginning of this report.

APPENDIX 1: KEY POLICY CONTEXT AND ANALYSIS

Table 1: Analysis of the proposals compliance with London Plan (2011 and 2013) Policies

Policy	Content Summary	Extent of compliance and comment
1.1 (Delivering the strategic vision and objectives for London)	Strategic vision and objectives for London include managing growth and change in order to realise sustainable development and ensuring all Londoners enjoy a good and improving quality of life.	Compliant: The proposal is considered to constitute sustainable development and section 3 of the main report sets out in more detail how the proposal would comply with the relevant development plan policies.
2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); and 2.8 (Outer London: Transport)	<p>Work to realise the full potential of outer London recognising and building upon its great diversity and varied strength by providing locally sensitive approaches.</p> <p>Seek to address constraints and opportunities in the economic growth of outer London so that it can rise above its long term economic trends.</p> <p>Recognise and address the orbital, radial and qualitative transport needs of outer London.</p>	<p>Compliant: The proposal is considered to demonstrate the influence of these policies and would comply with their key relevant objectives.</p> <p>These include the creation of new homes which meet the requirements of development plan policy, the use of measures encouraging travel by non car modes of transport and the commitment to planning obligations providing contributions to the enhancement of the public realm in North Finchley Town Centre and the delivery of 3 apprenticeships.</p>
2.18 (Green infrastructure: the network of open and green spaces)	Development proposals should incorporate appropriate elements of green infrastructure and enhance London's green infrastructure.	Compliant: Subject to the conditions recommended the proposal would provide appropriately designed soft landscaped areas and areas of open green amenity space.
Policy 3.1 (Ensuring equal life chances for all)	Proposals should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposal involving the loss of such facilities without adequate justification should be resisted.	Compliant: The proposal would not result in the loss of any facilities and services that meet the needs of particular groups and communities. The former users of the site, the Metropolitan Police, have sold the site and have previously confirmed that it is no longer required or appropriate as an operational base for pan-London policing purposes. It is also noteworthy that the previous use of the site by the Police comprised a <i>sui generis</i> use that had no public contact points.
3.2 (Improving health and addressing health inequalities)	New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles.	As controlled by the conditions and obligations recommended the proposal would be designed, constructed and managed in ways that promote healthy lifestyles. Examples of this include measures to ensure the provision of a suitable air quality and noise conditions within the development and facilities to encourage cycling.
3.3 (Increasing housing supply)	Boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target. For Barnet the target is 22,550 over the next 10 years with an annual monitoring target of 2,255.	Compliant: The proposal would provide 95 new dwellings contributing towards strategic housing targets for Barnet and London.
3.4 (Optimising housing potential)	Development should optimise housing output for different types of location taking into account local context and character, the London Plan design principles and public transport capacity. Proposals which compromise this policy should be resisted.	Compliant: The application site is in a location with a PTAL of 2. In terms of its 'setting' the site is considered to fall within an area of transition with some urban (the High Road) characteristics and some strongly suburban (the surrounding residential roads) characteristics using the features identified in the London Plan. The London Plan density matrix would therefore suggest a range of somewhere between 35 and 170 units per hectare

		<p>or 150 to 450 habitable rooms per hectare. The scheme proposes a density of approximately 103 units per hectare and 358 habitable rooms per hectare. As such it falls within the appropriate density range in respect of the number of units and habitable rooms proposed.</p> <p>The scheme is considered to comply with the objective of this policy and is found to provide an optimum density of development. The proposal puts forward an acceptable design response which complies with the relevant development plan policies, responds acceptably to the local context and character and takes account of the sites location. Further detail on this matter is set out in section 3 of the main report.</p>
3.5 (Quality and design of housing developments)	<p>Housing developments should be of the highest quality internally, externally and in relation to their context and wider environment, taking account of the policies in the London Plan.</p> <p>The design of all new housing should incorporate the London Plan minimum space standards and enhance the quality of local places, taking account of physical context; local character; density; tenure and land use mix; and relationships with and provision of open spaces.</p>	<p>Compliant: The application is considered to demonstrate the influence of these policies and compliance with their key objectives.</p> <p>The design approach proposed takes suitable account of its context, the character of the area, the developments relationships with neighbouring buildings and spaces and provides a scheme of the appropriate design quality.</p> <p>The new dwellings proposed would all achieve the relevant London Plan minimum space standards and, as controlled by the conditions recommended the scheme would be of a sufficiently high quality internally, externally and in relation to their context and the wider environment.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
3.6 (Children and young people's play and informal recreation facilities)	<p>New housing should make provision for play and informal recreation based on the child population generated by the scheme and an assessment of future needs.</p>	<p>Compliant: The proposal provides sufficient quantities of space for play and informal recreation (approximately 231m² required to comply) and conditions have been recommended to ensure that the space provided is implemented in a manner which meets the objectives of this policy. The provision of amenity and open space at the site is discussed in greater detail in section 3 of the report.</p>
3.8 (Housing choice)	<p>Londoners should have a genuine choice of homes that they can afford and which meet their requirements, including:</p> <ul style="list-style-type: none"> • New developments should offer a range of housing sizes and types in the highest quality environments. • All new housing should be built to Lifetime Homes standard. • 10% of new housing is designed to be wheelchair accessible, or easily adaptable for wheelchair users. 	<p>Compliant: The proposed development is considered to provide an appropriate mix of dwelling types and sizes for this location.</p> <p>All of the units would be built to achieve the Lifetime Homes Standard and not less than 10% of the units would be designed to be wheelchair accessible, or easily adaptable for wheelchair users. Conditions have been recommended to ensure that these elements of the proposal are carried through to implementation of the development.</p>
3.9 (Mixed and balanced communities); 3.10 (Definition of affordable housing); 3.11 (Affordable housing targets); 3.12	<p>Communities mixed and balanced by tenure and household income should be promoted across London.</p> <p>The maximum reasonable amount of affordable housing should be sought for individual schemes. In determining this regard needs to be had to current and future requirements for affordable</p>	<p>Compliant: The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 12 on site Intermediate (shared ownership) affordable dwellings and 6 off site Affordable Rent dwellings (at 1230 High Road, Whetstone) is the maximum contribution that it is financially viable for the development to make. This assessment and its conclusions have been independently verified. The use of a partially off site</p>

<p>(Negotiating affordable housing on individual private residential and mixed use schemes); and 3.13 (Affordable housing thresholds)</p>	<p>housing, adopted affordable housing targets, the need to encourage rather than restrain residential development, the need to promote mixed and balanced communities, the size and type of affordable housing needed, the specific circumstances of individual sites, the resources available to fund affordable housing and the priority accorded to family housing provision.</p> <p>Negotiations should take account of a sites individual circumstances, including viability, the resources available from registered providers, the implications of phased development and other scheme requirements.</p> <p>Affordable housing should normally be provided on-site. In exceptional cases, where it can be demonstrated robustly that this is not appropriate in terms of the objectives of the policies of the London Plan, it may be provided off site.</p> <p>60% of total affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to the provision of affordable family housing.</p> <p>Boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes.</p>	<p>contribution to affordable housing is considered to be acceptable in this instance as it would result in a greater contribution to affordable housing provision in the borough than a solely on-site approach. As proposed it would also assist in meeting other affordable housing policy objectives. This issue is addressed in greater detail in section 3 of the main report, in particular section 3.7.</p> <p>The scheme is considered to be compliant with policies on the creation of mixed and balanced communities.</p>
<p>3.16 (Protection and enhancement of social infrastructure)</p>	<p>London requires additional and enhanced social infrastructure provision to meet the needs of its population.</p> <p>Proposals which would result in a loss of social infrastructure in areas of defined need for that type of infrastructure without realistic proposals for re-provision should be resisted. The suitability of redundant social infrastructure for other forms of social infrastructure for which there is a defined need should be assessed before alternative developments are considered.</p>	<p>Compliant: Alongside the infrastructure which would be delivered through the financial contributions that the scheme is required to make under the Barnet and Mayoral Community Infrastructure Levy systems, the conditions and planning obligations proposed are considered to ensure that the development would provide the social infrastructure necessary for it to be acceptable. The proposal would not result in the unacceptable loss of social infrastructure.</p>
<p>4.12 (Improving opportunities)</p>	<p>Strategic development proposals should support local employment, skills development and training opportunities.</p>	<p>Compliant: The heads of terms recommended for the Section 106 Agreement which would accompany the application include a requirement for the applicant to deliver 3 apprenticeships at a mix of levels.</p>

<p>5.1 (Climate Change Mitigation); and 5.2 (Minimising carbon dioxide emissions)</p>	<p>Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy.</p> <p>The Mayor will seek to ensure that developments meet the following target for CO₂ emissions, which is expressed as year improvements on the 2010 Building Regulations:</p> <p>2010 to 2013: 25% (Code for Sustainable Homes level 4).</p> <p>Major development proposals should include a comprehensive and appropriately detailed energy assessment to demonstrate how these targets are to be met within the framework of the energy hierarchy (Be lean, be clean, be green).</p>	<p>Compliant: The proposal is accompanied by adequate assessments and includes a range of measures to mitigate climate change and reduce carbon dioxide emissions in accordance with the requirements of this policy. Conditions have been recommended to ensure that these are carried through into implementation. The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives.</p>
<p>5.3 (Sustainable design and construction)</p>	<p>Development proposals should demonstrate that sustainable design standards are integral to the proposal and have been considered from the start of the design process. Submissions should show how the requirements of the relevant guidance have been met.</p>	<p>Compliant: The proposal includes a range of elements and measures to achieve an appropriate level in respect of sustainable design and construction, provide an acceptable standard of environmental performance and adapt to the effects of climate change. This includes the new dwellings achieving Code for Sustainable Homes level 4. These matters are outlined in detail in section 3 of the main report.</p> <p>The development is considered to demonstrate the influence of this policy and compliance with its key objectives. Conditions have been recommended to ensure that this is carried through to implementation.</p>
<p>5.6 (Decentralised energy in development proposals)</p>	<p>Development should evaluate the feasibility of combined heat and power (CHP) systems and where they are appropriate also examine the opportunities to extend the system beyond the site boundary.</p> <p>Energy systems should be selected in the following hierarchy, connection to existing heating or cooling networks; site wide CHP network; communal heating and cooling.</p>	<p>Compliant: The submission demonstrates how the development proposed would achieve acceptable reductions in carbon dioxide emissions and have good sustainability credentials more widely, without the inclusion of CHP systems (which are not proposed for use in the development). Conditions have been recommended to ensure that the suggested measures are adopted at implementation and as controlled the proposal is considered to be acceptable in this instance.</p>
<p>5.7 (Renewable energy); and 5.9 (Overheating and cooling)</p>	<p>Within the framework of the energy hierarchy proposals should provide a reduction in expected carbon dioxide emissions through the use of on site renewable energy generation where feasible.</p> <p>Proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this has been achieved.</p>	<p>Compliant: The submission demonstrates how the development proposed would achieve acceptable levels of carbon dioxide emissions and have good sustainability credentials more widely, without being reliant upon on site renewable energy generation.</p> <p>The submission includes measures to reduce the potential for overheating and reliance on air conditioning.</p> <p>The proposal is considered to demonstrate the influence of these policies and compliance with their key objectives.</p>

5.10 (Urban greening); and 5.11 (Green roofs and development site environs)	<p>Development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm.</p> <p>Proposals should be designed to include roof, wall and site planting to deliver as wide a range of the objectives associated with such planting as possible.</p>	Compliant: The proposed development incorporates several areas of new soft landscaping on the site. Details of these would be controlled through the conditions recommended to ensure that they achieve as many of the objectives of this policy as are practical.
5.12 (Flood risk management); and 5.13 (Sustainable drainage)	<p>Proposals must comply with the flood risk assessment and management requirements of set out in the NPPF and associated guidance over the lifetime of the development.</p> <p>Proposals should utilise sustainable urban drainage systems unless there are practical reasons for not doing so and should aim to achieve Greenfield runoff rates and ensure that surface water runoff is managed as close to its source as possible in line with the drainage hierarchy. Drainage should be designed and implemented in ways that deliver other objectives of the London Plan.</p>	<p>Compliant: As conditioned the proposal is considered to demonstrate the influence of these policies and compliance with their key objectives.</p> <p>The proposal is accompanied by a Drainage Statement. This has been submitted to the Environment Agency who have responded and not raised any objections to the proposal or requested that any conditions are imposed on a grant of consent.</p> <p>Conditions have been recommended to ensure that the drainage infrastructure provided as part of the development meets the requirements of this policy.</p>
5.14 (Water quality and wastewater infrastructure); and 5.15 (Water use and supplies)	<p>Proposals must ensure that adequate waste water infrastructure capacity is available in tandem with development.</p> <p>Development should minimise the use of mains water and conserve water resources.</p>	<p>Compliant: Thames Water has been consulted on the application and they have not raised any objections to the proposal in respect of waste water infrastructure matters (or in any other regard).</p> <p>Conditions have been recommended to ensure that the proposal would minimise the use of mains water and conserve water.</p>
5.17 (Waste capacity)	Suitable waste and recycling facilities are required in all new development.	Compliant: Conditions have been recommended which require the provision of suitable waste and recycling facilities.
5.21 (Contaminated land)	Appropriate measures should be taken to ensure that contaminate land does not activate or spread contamination.	Compliant: Conditions are proposed to require the appropriate investigation and mitigation of any contamination.
6.1 (Strategic approach); 6.3 (Assessing effects of development on transport capacity)	<p>The Mayor will work with all relevant partners to encourage the closer integration of transport and development.</p> <p>Streetspace managed to take account of the different roles of roads for neighbourhoods and road users in ways that support promoting sustainable means of transport.</p> <p>Development should ensure that impacts on transport capacity and the transport network are fully assessed. The cumulative impacts of development must be taken into account and proposals should not adversely affect safety on the transport network.</p> <p>Transport assessments, travel plans, construction and logistics plans and service and delivery plans should be</p>	<p>Compliant: The application includes measures to encourage access to the site by a range of modes of transport, including non-car modes. These measures include a travel plan seeking to encourage appropriate proportions of journeys by non-car modes of transport under the planning obligations and conditions recommended.</p> <p>The Transport Statement submitted has assessed the impact of the scheme over an appropriate area of influence and no significant impacts on the adjacent local highway network have been identified.</p> <p>The conditions and obligations recommended would ensure that the necessary transport related plans would be required and completed in accordance with the relevant guidance.</p>

	prepared in accordance with the relevant guidance.	
6.5 (Funding Crossrail and other strategically important transport infrastructure)	Contributions will be sought from developments to Crossrail and other transport infrastructure of regional strategic importance to London's regeneration and development.	Compliant: The development would be required to make a contribution under the Mayoral Community Infrastructure Levy.
6.9 (Cycling); 6.10 (Walking)	Proposals should provide secure, integrated and accessible cycle parking facilities in line with in minimum standards and provide on-site changing facilities for cyclists. Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.	Compliant: Officers consider that the scheme proposes a suitable quality of pedestrian environment and the proposal would provide appropriate levels of facilities for cycles and cyclists. Conditions have been recommended to ensure that the objectives of these policies would be carried through to implementation.
6.11 (Smoothing Traffic Flow and Tackling Congestion)	Take a coordinated approach to smoothing traffic flow and tackling congestion.	Compliant: The proposal includes measures to minimise impact on traffic flow and tackle congestion. These include a Travel Plan, setting sustainable modal split targets and encouraging shifts to non-car modes of transport, and enhancements to local public transport facilities (a bus stop) which would be enforceable under the planning obligations recommended. The Transport Statement submitted has assessed the impact of the scheme over an appropriate area of influence. No significant impacts on the adjacent local highway network have been identified. This is discussed in greater detail in section 3 of the main report, in particular section 3.9.
6.13: (Parking)	The maximum standards in the London Plan should be applied to planning applications and developments should also provide electrical charging points, parking for disabled people and cycle parking in accordance with the London Plan standards. Delivery and servicing needs should also be provided for.	Compliant: The proposal is considered to demonstrate the influence of this policy and provides appropriate levels of parking in the relevant regards. Conditions have been recommended to ensure appropriate parking facilities, including electrical charging points and parking for disabled people are implemented.
7.1 (Building London's Neighbourhoods and Communities)	In their neighbourhoods people should have a good quality environment in an active and supportive local community with the best possible access to services, infrastructure and public transport to wider London. Neighbourhoods should also provide a character that is easy to understand and relate to.	Compliant: The application is considered to demonstrate the influence of this policy and design of this proposal accords with the objectives of this policy. This is discussed in greater detail in the relevant parts of section 3 of the main report.
7.2: (Inclusive environment)	Design and Access Statements should explain how, the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into the proposed development, whether relevant best practice standards will be complied with and how inclusion will be maintained and managed.	Compliant: The proposal includes a range of measures to ensure that the development would provide an inclusive environment for all members of the community. Through the conditions recommended it would be ensured that the development would be implemented and operated to accord with the objectives of this policy.
7.3 (Designing out crime)	Development proposals should reduce the opportunities for criminal behaviour and contribute to a sense of security	Compliant: The proposal includes a number of elements to meet the requirements of this policy and the Metropolitan Police Service has been

	without being overbearing or intimidating.	consulted on the application not raised any objections to the development.
7.4 (Local character); 7.5 (Public realm); 7.6 (Architecture)	<p>Buildings, streets and spaces should provide a high quality design response.</p> <p>Public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, human in scale, relate to local context and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.</p> <p>Architecture should make a positive contribution to a coherent public realm, incorporate the highest quality materials and provide design appropriate to its context. This includes not causing unacceptable harm to the amenity of surrounding land and buildings, in particular residential buildings, providing high quality indoor and outdoor spaces which integrate with surrounding streets and spaces, optimising the potential of sites, meeting the principles of inclusive design and incorporating best practice in resource management, and climate change mitigation and adaptation.</p>	Compliant: Officers consider that, subject to the requirements of the conditions recommended, the proposed development provides an appropriate and quality design approach to the buildings and spaces which form part of the application. The proposal is considered to demonstrate the influence of these policies and compliance with their key objectives where they are relevant. These matters are addressed in greater detail in section 3 of the main report and in particular section 3.5.
7.8 (Heritage assets and archaeology)	<p>Development should identify, value, conserve, restore, reuse and incorporate heritage assets where appropriate.</p> <p>Development affecting heritage assets and their settings should be conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.</p> <p>New development should make provision for the protection of archaeological resources, landscapes and significant memorials.</p>	Compliant: The proposal would not have significant negative impacts on any heritage assets. The application is considered to demonstrate the influence of this policy and compliance with its key objectives.
7.13 (Safety, security and resilience to emergency)	Proposals should contribute to the minimisation of potential physical risks and include measures to assist in designing out crime.	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>The Metropolitan Police Service and London Fire and Emergency Protection Authority have not raised any objections to the application.</p>
7.14 (Improving air quality)	<p>Proposals should:</p> <ul style="list-style-type: none"> - Minimise increased exposure to existing poor air quality and make provision to address existing air quality problems. - Promote sustainable design and construction to reduce emissions from the demolition and construction of buildings. - Be at least air quality neutral and not lead to further deterioration of poor air quality. - Ensure that where provision needs to be made to reduce 	<p>Compliant: The submission demonstrates that the proposal would not have a significant adverse impact on air quality and the impact of local air quality on the future occupiers of the development can be adequately mitigated.</p> <p>The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. Conditions have been recommended to ensure that the objectives of this policy would be carried through to implementation.</p>

	development emissions this is usually on site.	
7.15 (Reducing noise)	Proposals should seek to reduce noise by: <ul style="list-style-type: none"> – Minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of proposals. – Separate noise sensitive development from major noise sources wherever practical. – Promote new technologies and practices to reduce noise at source. 	Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. The development would not have a significant adverse impact on neighbouring occupiers and users and the amenities of future occupiers would be adequately protected as far as is practicable in this instance. These issues are addressed in greater detail in section 3 of the main report.
7.19 (Biodiversity and access to nature)	Proposals should: <ul style="list-style-type: none"> – Wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity. – Prioritise assisting in meeting targets in biodiversity action plans and/or improve access to nature in areas deficient in accessible wildlife sites. – Be resisted where they have significant adverse impacts on the population or conservation status of a protected species, or a priority species or habitat identified in a biodiversity action plan. 	Compliant: Natural England have not raised any objections to the proposal. The application is considered to demonstrate the influence of this policy and includes measures to make a positive contribution to biodiversity. Conditions have been recommended to ensure that the key objectives of this policy would be carried through at implementation.
7.21 (Trees and woodlands)	Existing trees of value should be retained and any loss as a result of development should be replaced. Wherever appropriate the planting of additional trees should be included in developments, particularly large canopied species.	Compliant: The application is considered to demonstrate the influence of this policy and compliance with its key objectives. The proposal would result in the removal of trees, but adequate replacement planting has been proposed. Conditions have been recommended to ensure that the key objectives of this policy would be carried through at implementation. This issue is discussed in greater detail in section 3 of the report.
8.2 (Planning obligations; 8.3 (Community Infrastructure Levy)	Development proposals should address strategic as well as local priorities in planning obligations. Affordable housing and supporting the funding of Crossrail (where appropriate) and other public transport improvements should be given the highest importance, with Crossrail (where appropriate) having higher priority than other transport improvements. Importance should also be given to talking climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.	Compliant: An appropriate set of planning obligations will be required before planning permission can be granted. The Heads of Terms of these are attached to this committee report. It is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure necessary to support the scheme. The application will also make a contribution under the Mayoral Community Infrastructure Levy.

**Table 2: Analysis of the proposals compliance with Barnet's Local Plan Policies
(2012)**

Policy	Content Summary	Extent of Compliance and Comment
Core Strategy		
CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)	Take a positive approach to proposals which reflects the presumption in favour of sustainable development and approve applications that accord with the Local Plan, unless material considerations indicate otherwise. Where there are no policies relevant to the proposal or the relevant policies are out of date permission should be granted, unless material considerations indicate otherwise.	Compliant: The proposal is considered to constitute a sustainable form of development which complies with the relevant policies in the Local Plan. It has therefore been recommended for approval.
CS1 (Barnet's place shaping strategy – The Three Strands Approach)	<p>As part of its 'Three Strands Approach' the council will:</p> <ul style="list-style-type: none"> - Concentrate and consolidate growth in well located areas that provide opportunities for development, creating a high quality environment that will have positive impacts. - Focus major growth in the most suitable locations and ensure that this delivers sustainable development, while continuing to conserve and enhance the distinctiveness of Barnet as a place to live, work and visit. - Seek the highest standards of urban design. - Ensure that development funds infrastructure through Section 106 Agreements and other funding mechanisms. - Protect and enhance Barnet's high quality suburbs and priority town centres (including North Finchley). 	<p>Compliant: the proposal is considered to show the influence of this policy and demonstrates compliance with its key objectives.</p> <p>The location is considered to be appropriate for a development of the form and nature proposed. The design of the scheme is of a quality that achieves the objective of protecting the high quality suburbs surrounding the site.</p> <p>It is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure to support the scheme. The application will also necessitate a contribution under the Mayoral Community Infrastructure Levy.</p>
CS3 (Distribution of growth in meeting housing aspirations)	Outside of the areas identified specifically for growth the approach to development opportunity sites will be set within the context of the density matrix in the London Plan. This will seek to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.	Compliant: The scheme is considered to comply with the objective of this policy, by providing an optimum density of development based on the sites characteristics and public transport accessibility. The proposal puts forward an acceptable design response which complies with the relevant development plan policies, responds acceptably to the local context and character and takes account of the sites location. Further detail on this matter is set out in section 3 of the main report.
CS4 (Providing quality homes and housing choice in Barnet)	<p>Aim to create successful communities by:</p> <ul style="list-style-type: none"> - Seeking to ensure a mix of housing products that provide choice for all are available. - Ensuring that all new homes are built to the Lifetime Homes Standard and that the wider elements of schemes include 	<p>Compliant: The submission is considered to demonstrate the influence of this policy and show compliance with its key objectives.</p> <p>The proposal provides an appropriate mix of dwelling types and sizes and includes a range of measures to ensure that the development would provide an inclusive environment for all members of</p>

	<p>the relevant inclusive design principles.</p> <ul style="list-style-type: none"> - Seeking a range of dwelling sizes and types that meet identified housing priorities and do not undermine suburban character or local distinctiveness. - Seeking a variety of housing related support options. - Delivering 5500 new affordable homes by 2025/26 and seeking a borough wide target of 40% affordable homes on sites capable of accommodating 10 or more dwellings. - Seek an appropriate mix of affordable housing comprising 60% social rented housing and 40% intermediate housing. The provision of off-site affordable housing will only be accepted in exceptional instances. 	<p>the community. This includes all the dwellings proposed being constructed to achieve the relevant Lifetime Homes standards.</p> <p>Compliant: The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 12 on site Intermediate (shared ownership) affordable dwellings and 6 off site Affordable Rent dwellings (at 1230 High Road, Whetstone) is the maximum contribution that it is financially viable for the development to make. This assessment and its conclusions have been independently verified. The use of a partially off site contribution to affordable housing is considered to be acceptable in this instance as it would result in a greater contribution to affordable housing provision in the borough than a solely on-site approach. As proposed it would also assist in meeting other affordable housing policy objectives.</p> <p>These issues are addressed in greater detail in section 3 of the main report.</p>
<p>CS5 (Protecting and enhancing Barnet's character to create high quality places)</p>	<p>The council will ensure that development in Barnet respects local context and distinctive local character, creating places and buildings with high quality design.</p> <p>Developments should:</p> <ul style="list-style-type: none"> - Address the principles, aims and objectives set out in the relevant national guidance. - Be safe attractive and fully accessible. - Provide vibrant, attractive and accessible public spaces. - Respect and enhance the distinctive natural landscapes of Barnet. - Protect and enhance the gardens of residential properties. - Protect important local views. - Protect and enhance the boroughs high quality suburbs and historic areas and heritage. - Maximise the opportunity for community diversity, inclusion and cohesion. - Contribute to people's sense of place, safety and security. 	<p>Compliant: The application is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>The design approach proposed takes suitable account of its context, the character of the area, the developments relationship with neighbouring buildings and spaces and provide a scheme of an appropriate standard. The new dwellings proposed would all be of a sufficiently high quality internally, externally and in relation to their immediate context and the wider environment.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
<p>CS6 (Promoting Barnet's town centres)</p>	<p>The council will promote competitive, successful and vibrant town centres throughout Barnet including it's priority town centres (of which North Finchley is one).</p>	<p>Compliant: The planning obligations recommended (see the Section 106 Agreement heads of terms attached to the main report) for the application include a contribution of £10,000 towards the enhancement of the public realm in North Finchley Town Centre.</p>
<p>CS7 (Enhancing and protecting Barnet's open spaces)</p>	<p>Create a greener Barnet by:</p> <ul style="list-style-type: none"> - Protect and enhance open spaces. - Meeting increased demand for access to open space and opportunities for physical activity. - Improving access to open space in areas of public open space deficiency. 	<p>Compliant: The proposal provides sufficient quantities of green open space, including private rear gardens for each of the houses proposed, new communal areas of amenity space and other soft landscaped areas. Conditions have been recommended to ensure that the green open spaces provided are implemented in a manner which meets the objectives of this policy. The site is</p>

	<ul style="list-style-type: none"> - Securing improvements to open spaces including provision for children's play sports facilities and better access arrangements, where opportunities arise. - Maintaining and improving greening by protecting incidental spaces, trees, hedgerows and watercourses. - Protecting existing site ecology and ensuring development makes the fullest contributions enhancing biodiversity. - Enhancing local food production. 	<p>not within an area defined as being deficient in public open space.</p> <p>The submission is considered to demonstrate the influence of this policy and shows compliance with its key objectives.</p>
CS8 (Promoting a strong and prosperous Barnet)	<p>Expect major developments to provide financial contributions and to deliver employment and training initiatives.</p> <p>Safeguard existing employment sites (in accordance with policy DM14) and encourage development that improves the quality of employment provision.</p>	<p>Compliant: The heads of terms recommended for the Section 106 Agreement which would accompany the application include a requirement for the applicant to deliver 3 apprenticeships at a mix of levels.</p>
CS9 (Providing safe, efficient and effective travel)	<p>Developments should provide and allow for safe, effective and efficient travel and include measures to make more efficient use of the local road network.</p> <p>Major proposals shall incorporate Transport Assessments, Travel Plans, Delivery and Servicing Plans and mitigation measures and ensure that adequate capacity and high quality safe transport facilities are delivered in line with demand.</p> <p>The council will support more environmentally friendly transport networks, including the use of low emission vehicles (including electric cars), encouraging mixed use development and seeking to make cycling and walking more attractive for leisure, health and short trips.</p>	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. Where appropriate conditions and planning obligations have been recommended to ensure that the objectives of this policy would be carried through to implementation.</p> <p>The Transport Statement submitted is considered to have assessed the impact of the scheme over an appropriate area of influence. No significant impacts on the adjacent local highway network have been identified. The design of the development is considered to take full account of the safety of all road users, includes appropriate access arrangements and would not unacceptably increase conflicting movements on the road network or increase the risk to vulnerable road users.</p> <p>Measures have been recommended to ensure that the occupiers of the proposed development are encouraged to use of a range of modes of transport. These include a Travel Plan seeking to encourage appropriate proportions of journeys by non-car modes of transport (under the planning obligations and conditions recommended) and a restriction on the occupiers of the new development from obtaining permits for the North Finchley Controlled Parking Zone. A Construction Management and Logistics Plan has been recommended to ensure the impact of the construction phase of the development is mitigated.</p> <p>Officers consider that the scheme proposes suitable access arrangements and an appropriate quality of pedestrian environment. The proposal would deliver acceptable facilities for electric vehicles, pedestrians, cycles and cyclists.</p> <p>These issues are discussed in greater detail in section 3 of the report, in particular section 3.9.</p>

CS10 (Enabling inclusive and integrated community facilities and uses)	The council will ensure that community facilities are provided for Barnet's communities and expect development that increases the demand for community facilities and services to make appropriate contributions towards new and accessible facilities.	Compliant: Should it be implemented the scheme would be liable for making a financial contribution under the Barnet CIL. This can be used to fund the facilities to support the scheme. The application will also necessitate a contribution under the Mayoral Community Infrastructure Levy.
CS11 (Improving health and wellbeing in Barnet)	Improve health and wellbeing in Barnet through a range of measures including supporting healthier neighbourhoods, ensuring increased access to green spaces and improving opportunities for higher levels of physical activity.	Compliant: The design of the development has been influenced by the desire to create a healthy residential environment. This includes providing a layout and other measures to mitigate the noise and air quality impacts arising from the sites proximity to the High Road and the provision of new open spaces for residents. The proposal is found to be compliant with the objectives of this policy.
CS12 (Making Barnet a safer place)	<p>The Council will:</p> <ul style="list-style-type: none"> - Encourage appropriate security and community safety measures in developments and the transport network. - Require developers to demonstrate that they have incorporated community safety and security design principles in new development. - Promote safer streets and public areas, including open spaces. 	<p>Compliant: The design of the proposal is considered to demonstrate the influence of this policy and the scheme is found to be compliant with the key elements of this policy.</p> <p>The Metropolitan Police Service and London Fire and Emergency Protection Authority have not raised any objection to the proposals.</p>
CS13 (Ensuring the efficient use of natural resources)	<p>The council will:</p> <ul style="list-style-type: none"> - Seek to minimise Barnet's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. - Promote the highest environmental standards for development to mitigate and adapt to the effects of climate change. - Expect development to be energy efficient and seek to minimise any wasted heat or power. - Expect developments to comply with London Plan policy 5.2. - Maximise opportunities for implementing new district wide networks supplied by decentralised energy. - Make Barnet a water efficient borough, minimise the potential for fluvial and surface flooding and ensure developments do not harm the water environment, water quality and drainage systems. - Seek to improve air and noise quality. 	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>The proposal is accompanied by adequate assessments and includes a range of measures to mitigate climate change and reduce carbon dioxide emissions in accordance with the requirements of this policy. The submission demonstrates how the development proposed would achieve acceptable levels of carbon dioxide emissions and have good sustainability credentials more widely, without the inclusion of CHP (which is not proposed for use in the development).</p> <p>The proposal would not have a significant adverse impact on the local noise environment. The submission assesses and adequately mitigates the impact of the local noise environment on the development. The amenities of future occupiers would be adequately protected as far as is practicable in this regard with the design proposed.</p> <p>The proposal would not have a significant adverse impact on air quality and the impact of local air quality on the future occupiers of the development can be adequately mitigated.</p> <p>The proposal is accompanied by a Drainage Statement. This has been submitted to the Environment Agency who have responded and not raised any objections to the proposal. Conditions have been recommended to ensure that the drainage provided as part of the development meets the requirements of this policy as far as is practicable.</p>

		<p>Thames Water has confirmed that they would not have any objections to the scheme in terms of the capacity of sewerage infrastructure to accommodate the development. The scheme would minimise the use of mains water and conserve water.</p> <p>Appropriate conditions have been recommended to ensure that the proposal is implemented in a way which achieves the objectives of this policy.</p> <p>These issues are addressed in greater detail in the relevant parts of section 3 of the main report.</p>
CS14 (Dealing with our waste)	The council will encourage sustainable waste management by promoting waste prevention, re-use, recycling, composting and resource efficiency over landfill and requiring developments to provide appropriate waste and recycling facilities.	Compliant: It is considered that this development demonstrates the influence of this policy and subject to the conditions recommended would achieve the requirements of this policy.
CS15 (Delivering the Core Strategy)	The council will work with partners to deliver the vision, objectives and policies of the Core Strategy, including working with developers and using planning obligations and other funding mechanism to support the delivery of infrastructure, facilities and services to meet needs generated by development and mitigate the impact of development.	<p>Compliant: An appropriate set of planning obligations will be required before planning permission can be granted. The Heads of Terms of these are attached to this committee report.</p> <p>It is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure necessary to support the scheme. The application will also make a contribution under the Mayoral Community Infrastructure Levy.</p>

Development Management Policies

DM01 (Protecting Barnet's character and amenity)	<p>Development should represent high quality design that contributes to climate change mitigation and adaptation.</p> <p>Proposals should be based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.</p> <p>Development should ensure attractive, safe and vibrant streets which provide visual interest, particularly at street level. Proposal should create safe and secure environments, reduce opportunities for crime and minimise fear of crime.</p> <p>Development should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. Lighting</p>	<p>Compliant: The application is considered to demonstrate the influence of this policy and compliance with its key objectives. Where appropriate conditions have been recommended to ensure that the development implemented will achieve the objectives of the policy.</p> <p>The design approach proposed takes suitable account of its context, the character of the area, the developments relationships with neighbouring buildings and spaces. The scheme is found to be of a sufficiently high quality design internally, externally and in relation to its context and wider environment.</p> <p>The Metropolitan Police Service and London Fire and Emergency Protection Authority have not expressed any concerns about the proposals and the development is found to create a safe and secure environment. Conditions have been recommended to ensure that appropriate street lighting is implemented as part of the scheme.</p>
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	<p>schemes should not have a demonstrably harmful impact on amenity or biodiversity. Proposals should retain outdoor amenity space.</p> <p>Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate.</p> <p>Trees should be safeguarded and when protected trees are to be felled the Council will require suitable tree replanting. Proposals will be required to include landscaping that is well laid out; considers the impact of hardstandings on character; achieves a suitable visual setting; provides an appropriate level of new habitat; makes a positive contribution to the to the surrounding area; contributes to biodiversity (including the retention of existing wildlife habitat and trees); and adequately protects existing tress and their root systems.</p>	<p>The design of the development is such that it would fulfil the requirements of this policy in respect of the amenities of both adjoining and potential occupiers and users. The scheme would provide an acceptable level of new outdoor amenity space.</p> <p>Natural England has not raised any objections to the proposal and the application includes measures to make a positive contribution to biodiversity. The proposal would result in the removal of trees, but adequate landscaping, including replacement trees planting has been proposed.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
DM02 (Development standards)	Development will be expected to demonstrate compliance with relevant standards, supported by the guidance provided in the Council's Supplementary Planning Documents.	Compliant: The submission is considered to demonstrate the influence of this policy and meets relevant standards. All the dwellings would achieve Code for Sustainable Homes Level 4, meet the Lifetime Homes Standards and achieve the London Plan minimum floor space standards. Policy compliant levels of outdoor amenity and play space would be provided on site and 10% of the dwellings would be constructed to be easily adaptable to wheelchair accessible standards.
DM03 (Accessibility and inclusive design)	Developments should meet the highest standards of accessible and inclusive design.	Compliant: The proposal includes a range of measures to ensure that the development would provide an accessible and inclusive environment for all members of the community. Through the conditions recommended it would be ensured that the development would be implemented and operated to accord with the objectives of this policy.
DM04 (Environmental considerations)	<p>Developments are required to demonstrate their compliance with the Mayor's targets for reductions in carbon dioxide emissions within the framework of the energy hierarchy.</p> <p>Where decentralised energy is feasible or planned development will provide either suitable connection; the ability for future connection; a feasibility study or a contribution to a feasibility study.</p> <p>Proposals should be designed and sited to reduce exposure to air pollutants and ensure that development is not contributing to poor air quality. Locating development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise not normally be permitted. Mitigation of noise impacts</p>	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>The proposal is accompanied by adequate assessments and includes a range of measures to mitigate climate change and reduce carbon dioxide emissions in accordance with the requirements of this policy. The conditions recommended would ensure that the development proposed achieves acceptable levels of carbon dioxide emissions and good sustainability credentials more widely, without the inclusion of Combined Heat and Power systems (which are not proposed for use in the development).</p> <p>The proposal would not have a significant adverse impact on the local noise environment. The submission assesses the impact of the local noise environment on the development. The amenities of future occupiers of the scheme would be adequately protected as far as is practicable in this regard with the mitigation required under the conditions</p>

	<p>through design, layout and insulation will be expected where appropriate.</p> <p>Development on land which may be contaminated should be accompanied by an investigation to establish the level of contamination. Proposals which could adversely affect ground water quality will not be permitted.</p> <p>Development should demonstrate compliance with the London Plan water hierarchy for run off, especially in areas prone to flooding.</p>	<p>recommended.</p> <p>The proposal would not have a significant adverse impact on air quality and the impact of local air quality on the future occupiers of the development can be adequately mitigated. The controls recommended require the appropriate investigation and mitigation of any land contamination.</p> <p>The application is accompanied by a Drainage Statement. This has been submitted to the Environment Agency and Thames Water who have responded and not raised any objections to the proposal. Conditions have been recommended to ensure that the drainage provided as part of the development meets the requirements of this policy. Thames Water has confirmed that there is adequate sewage infrastructure to accommodate the development. The proposal would minimise the use of mains water and conserve water.</p> <p>Appropriate conditions have been recommended to ensure that the proposal is implemented in a way which achieves the objectives of this policy.</p> <p>These issues are addressed in greater detail in the relevant parts of section 3 of the main report.</p>
DM06 (Barnet's heritage and conservation)	<p>All development to have regard to the local historic context and protect heritage assets in line with their significance.</p> <p>Development proposals to preserve or enhance the character and appearance of conservation areas and protect archaeological remains.</p>	<p>Compliant: The proposal would not have significant negative impacts on any heritage assets. The application is considered to demonstrate the influence of this policy and compliance with its key objectives.</p>
DM08 (Ensuring a variety of sizes of new homes to meet housing need)	<p>Development should provide, where appropriate a mix of dwelling types and sizes in order to provide choice.</p> <p>Barnet's dwelling size priorities are 3 bedroom properties the highest priority for social rented dwellings, 3 and 4 bedroom properties the highest priority for intermediate affordable dwellings and 4 bedroom properties the highest priority for market housing, with three bedroom properties a medium priority.</p>	<p>Compliant: The submission is considered to demonstrate the influence of this policy and provides an appropriate mix of dwelling types and sizes. This matter is discussed in greater detail in section 3 of the report.</p>
DM10 (Affordable housing contributions)	<p>The maximum reasonable amount of affordable housing will be required on site, subject to viability, from new sites, having regard to the target that 40% of housing provision borough wide should be affordable.</p>	<p>Compliant: The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 12 on site Intermediate (shared ownership) affordable dwellings and 6 off site Affordable Rent dwellings (at 1230 High Road, Whetstone) is the maximum contribution that it is financially viable for the development to make. This assessment and its conclusions have been independently verified. The use of a partially off site contribution to affordable housing is considered to be acceptable in this instance as it would result in a greater contribution to affordable housing provision in the borough than a solely on-site approach. As proposed it would also assist in meeting other affordable housing policy objectives. This issue is addressed in greater detail in section 3 of the main report, in particular section 3.7.</p>

DM14 (New and existing employment space)	<p>Proposals to redevelop or re-use an existing employment space which reduces the levels of employment use and impact negatively on the local economy will be resisted. Where appropriate the loss of employment space will be expected to provide mitigation in the form of contributions to employment training.</p> <p>The loss of B Class uses will only be permitted where it can be demonstrated that a site is no longer suitable and viable for its existing or alternative business use in the short to long term and an effective period of marketing has been undertaken.</p>	<p>Compliant: The existing site is not within the use classes protected under Barnet Local Plan policies (Use Classes B1, B2 and B8). However, it is recognised that the site did previously generate a level of employment and that planning policies seek generally to safeguard existing employment sites that meet the needs of modern business. In this instance the site is currently vacant and, as previously noted, the Metropolitan Police have confirmed that the site is no longer appropriate for its previous use. It is also noted that the applicant is providing to a contribution to employment and training in the borough through the planning obligations recommended. In such circumstances it is not considered that the loss of the existing use at the site would be contrary to the objectives of this policy.</p>
DM15 (Green belt and open spaces)	<p>Open space will be protected from development. In areas which are identified as deficient in public open space, where the development site is appropriate or the opportunity arises the council will expect the on site provision of public open space.</p>	<p>Compliant: The application is considered to demonstrate the influence of this policy. The site is not located in an area which is deficient in public open space and the scheme is found to provide sufficient areas of new green open space for its future occupiers.</p>
DM16 (Biodiversity)	<p>The Council will seek the retention and enhancement, or the creation of biodiversity.</p>	<p>Compliant: Natural England have not raised any objections to the proposal. The application is considered to demonstrate the influence of this policy and includes measures to make a positive contribution to biodiversity. Conditions have been recommended to ensure that the key objectives of this policy would be carried through at implementation.</p>
DM17 (Travel impact and parking standards)	<p>The Council will :</p> <ul style="list-style-type: none"> - Ensure that the safety of all road users is taken into account when considering development proposals. - Ensure that roads within the borough are used appropriately according to their status. - Expect major development proposals with the potential for significant trip generation to be in locations which are (or will be) highly accessible by a range of transport modes. Developments should be located and designed to make the use of public transport more attractive. - Require a full Transport Assessment where the proposed development is anticipated to have significant transport implications. - Require the occupier to develop, implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets. - Expect development to provide safe and suitable access arrangements for all road users. - Require appropriate measures to control vehicle movements, servicing and delivery arrangements. - Require, where appropriate, improvements to cycle and 	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. Conditions and obligations have been recommended to ensure that the objectives of this policy would be carried through to implementation.</p> <p>The development has an appropriate degree of accessibility for the level of trip generation that the proposal would result in and measures have been recommended (through the planning obligations and conditions recommended) to ensure that the use of a range of modes of transport is encouraged. These measures include a Travel Plan seeking to encourage appropriate proportions of journeys by non-car modes of transport, enhanced public transport facilities (a bus stop) in the local area and restrictions on the occupiers of the development from obtaining permits for North Finchley Controlled Parking Zone. A Construction Management and Logistics Plan has been recommended to ensure the impact of the construction phase of the development is appropriately mitigated.</p> <p>The Transport Statement submitted is considered to have assessed the impact of the scheme over an appropriate area of influence. No significant adverse impacts on the adjacent local highway network have been identified.</p> <p>The design of the development is considered to take full account of the safety of all road users, includes</p>

	<p>pedestrian facilities.</p> <ul style="list-style-type: none"> - Parking will be expected to be provided in accordance with the following per unit maximum standards: <ul style="list-style-type: none"> i. 2 to 1.5 spaces for detached and semi-detached houses and flats (4 or more bedrooms). ii. 1.5 to 1 spaces for terraced houses and flats (2 to 3 bedrooms). iii. 1 to less than 1 space for developments consisting mainly of flats (1 bedroom) 	<p>appropriate access arrangements and would not unacceptably increase conflicting movements on the road network or increase the risk to vulnerable road users.</p> <p>The scheme would provide 114 parking spaces (including 12 disabled standard spaces) for the 95 dwellings proposed. This is sufficient to comply with the Local Plan parking standards.</p> <p>Officers consider that the scheme proposes suitable access arrangements and an appropriate quality of pedestrian environment. The proposal would deliver acceptable facilities for pedestrians, cycles and cyclists.</p> <p>These issues are discussed in greater detail in section 3 of the report, in particular section 3.9.</p>
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Key relevant local and strategic supplementary planning documents

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Residential Design Guidance (April 2013)

Planning Obligations (April 2013)

Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Wheelchair Accessible Housing (September 2007)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

Housing (November 2012)

APPENDIX 2: KEY PLANNING HISTORY FOR THE SITE

931 High Road, North Finchley, N12 8QR:

C00794D/08 'Environmental Impact Assessment - Screening opinion'
ENVIRONMENTAL STATEMENT NOT REQUIRED (February 2008).

F/00216/08 'The redevelopment of 931 High Road, to allow the construction of 3 to 7 storey buildings comprising 182 apartments, 10 mews houses (Use Class C3), 1444.88 Sq. m (GEA) of flexible commercial floor space (Use Classes A1, A2, A3, and B1) as well as ancillary facilities including amenity spaces, refuse stores, car/motorcycle/cycle parking and servicing'
WITHDRAWN (June 2008).

F/00241/08 'Redevelopment of 931 High Road, to allow the construction of 2 to 6 storey buildings comprising 167 apartments, 10 mews houses (Use Class C3), 1272.04 sq.m of flexible commercial floor space (Use Classes A3 and B1) and ancillary facilities including amenity space, refuse stores, car/motorcycle/ cycle parking and servicing'
REFUSED (July 2009).

F/04553/09 'The redevelopment of 931 High Road, to allow the construction of 2 to 6 storey buildings comprising 139 apartments, 10 mews houses (Use Class C3), 1345.81sq.m of flexible commercial floor space for office (use class B1) or restaurant and café (use class A3) uses and ancillary facilities including amenity space, children's play space (0-4 years), refuse stores, car/motorcycle/cycle parking and servicing'
WITHDRAWN (November 2010).

886-902 High Road, North Finchley, N12 9RN:

F/03172/08 'Demolition of existing building and redevelopment of the site comprising a new building up to six storeys high, providing 81 residential units, 753m² of retail space (use class A1), a 597m² public library (use class D1), a 332m² doctors surgery (use class D1), an 81 space car park (basement level) accessed from Friern Watch Avenue, and associated landscaping and works.'
WITHDRAWN (September 2008).

F/02361/09 'Demolition of existing building and erection of a part four storey, part five storey building containing 1753m² of flexible ground floor level space for uses including and limited to shops, (use class A1), a doctors surgery (use class D1) and a library (use class D1), 72 flats (use class C3) on the first to fourth floors, a basement level 72 space car park accessed from Friern Watch Avenue and ancillary facilities and works including the provision of amenity space, landscaping, refuse and recycling storage facilities and cycle parking facilities.'
REFUSED (October 2009).

F/04523/09 'Demolition of existing building and erection of a new building up to five stories in height containing 1628m² of flexible space at ground floor level for uses including and limited to shops, (use class A1), a doctors surgery (use class D1) and a library (use class D1), 65 flats (use class C3) on the first to fourth floors, a basement level 72 space car park accessed from Friern Watch Avenue and ancillary facilities and works including the provision of amenity space, refuse and recycling storage facilities and cycle parking facilities.'
REFUSED (February 2010) AND APPEAL DISMISSED (October 2010).

F/0236/12 'Demolition of existing buildings and redevelopment of the site to provide 5 storey mixed use scheme comprising 548.4 sqm of office floor space (Use Class B1) at ground floor level and 60 residential units (Use Class C3) at first to fourth floor levels, with associated amenity space, 61 car parking spaces and cycle parking, refuse and recycling storage facilities, and landscaping provision.' APPROVED SUBJECT TO CONDITIONS (November 2012).

1230 High Road, Whetstone, N20 0LH:

B/02471/11 'Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works.' APPROVED SUBJECT TO CONDITIONS (February 2012).

B/02684/12 'Variation of condition 1 (Plan Numbers) and removal of conditions 25 (Noise Report for Site Plant) and 31 (Biomass Boiler) of planning permission B/02471/11 dated 21/02/12 for 'Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works.' Variation to include additional internal escape staircase; revision of vehicular ramp and basement layout; increase in ground floor height; omission of top floor plant room; adjustments to the design of roof, parapet edges to fifth floor, fenestration and rear elevation; location and levels of front entrances adjusted: dwelling mix adjusted.' APPROVED SUBJECT TO CONDITIONS (February 2013).

B/02128/13 'Erection of six storey building to provide ground floor offices and 42 no. self-contained flats on the upper five floors, external amenity space at first floor level, a basement car park for 44 no. cars with cycle storage provision and associated external works.' WITHDRAWN (September 2013).

APPENDIX 3: PLAN OF THE PROPOSED DEVELOPMENT

Proposed site layout and context:



APPENDIX 4: INFORMATIVES

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case, formal pre-application advice was sought prior to submission of the application.
2. If the development is carried out it will be necessary for any existing redundant vehicular crossovers to be reinstated to footway level by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Traffic and Development Team, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
3. The applicant will need to submit a separate application under Section 184 of the Highways Act (1980) for the proposed vehicular access which will need to be constructed as a heavy duty access. The proposed access design details, construction and location will be reviewed by the Traffic and Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the on-site development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic and Development Team – Development and Regulatory Services, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP.

4. The applicant is advised that the costs of any associated works to the public highway, including reinstatement works, will be borne by the applicants and may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Team – Development and Regulatory Services.
5. The applicant is advised that any amendments to existing waiting restrictions, the relocation of street furniture or any alterations to the existing lay by on the A1000 that may become necessary as a result of the development will need to be carried out at the applicants expense.
6. The applicant is advised that the development is located on the Strategic Road Network (SRN). The Traffic Management Act (2004) requires the Council to notify Transport for London about construction works on such a road. The developer will be expected to work with the Council to mitigate any adverse impacts on the public highway and will

require Transport for London's approval before the works approved under this consent can commence.

7. The applicant is advised that the A1000 is a Traffic Sensitive Road. Deliveries during the construction period should not take place between 8:00am and 9:30am and 4:30pm and 6:30pm from Monday to Friday. Careful consideration must be given to the optimum routes for construction traffic and the Council Traffic and Development Team should be consulted in this respect.
8. In complying with the contaminated land condition placed on this consent (parts 1 and 2):
 - a) Reference should be made at all stages to appropriate current guidance and codes of practice at August 2012 this would include:
 - 1) The Environment Agency CLR model procedures;
 - 2) BS10175:2011 Investigation of potentially contaminated sites – Code of Practice;
 - 3) The Environment Agency "Guiding principles for land contamination (GPLC)"; and
 - 4) Guidance for the safe development of housing on land affected by contamination, Environment Agency R&D Publication 66:2008.
 - b) Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
 - c) All raw data should be provided in a form that can be easily audited and assessed by the council. (e.g. trial pit logs and complete laboratory analysis reports).
 - d) Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made should be included. (e.g. the reasons for the choice of sampling locations and depths).
9. 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 council's supplementary planning document on Sustainable Design and Construction requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (*Guidelines for Community Noise*, WHO). This needs to be considered in the context of room ventilation requirements

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) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and & measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road traffic noise (1988); 5) Department of transport: Calculation of railway noise (1995); 6) Department of transport : Railway Noise and insulation of dwellings.

10. 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.
11. 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.
12. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
13. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property

boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit: www.thameswater.co.uk

14. Due to the presence of National Grid apparatus in proximity to the site, any person wishing to implement the development must contact National Grid before any works are carried out, to ensure their apparatus is not affected. The National Grid Plant Protection Team can be contacted at on 0800 688 588 and at plantprotection@nationalgrid.com or at Plant Protection, National Grid, Block 1 Floor 1, Brick Kiln Street, Hinckley LE10 0NA.
15. For the purposes of this decision notice 'Groundworks and Site Preparation Works' are defined as and limited to the following works:
 - Demolition of existing structures including removal of asbestos, disconnecting services and grubbing up foundations.
 - Removal of existing and surplus rubble from the site.
 - Removal of services on the site including service trenches.
 - Carrying out CAT scans on site to confirm all existing services are clear.
 - The Erection or re-establishment of a hoarding line for the construction site.
 - Providing piling matting.
 - Providing clear health and safety information on the site.
 - Piling works.
 - Substructure and underground drainage works.
16. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £113501 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £360196 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence

development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If affordable housing or charitable relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL Team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us: cil@barnet.gov.uk.

APPENDIX 5: SITE LOCATION PLAN

931 High Road, North Finchley, London, N12 8QR



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LOCATION: Merrivale, East Road, Edgware, Middx, HA8 0BT

REFERENCE: H/04130/13 **Received:** 10 September 2013

Accepted: 10 September 2013

WARD: Burnt Oak

Expiry: 10 December 2013

AGENDA ITEM 8

**Final
Revisions:**

APPLICANT: Catalyst Housing Ltd

PROPOSAL: Demolition of existing vacant care home and construction of 31 residential units consisting of a 2 storey terrace (8 houses) and two 3 storey blocks (23 flats) together with associated access, parking, amenity space and landscaping.

APPROVE 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 **Affordable Housing (units)** **£0.00**
Provision of 12 affordable housing units on the site, split up into the following types:
Affordable Rented Accommodation:

8 x 3 bedroom (5 person)
2 x 1 bedroom (2 person)
2 x 2 bedroom (4 person)
- 4 **Monitoring of the Agreement** **£500.00**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: H/04130/13 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: GA E 01, GA E 02, GA E 03, GA E 04, GA P L00, GA P L01, GA P L02 GA P R03, GA SL, Land Survey, Design and Access Statement, Tree Survey Plan, Tree Protection Plan.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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 parking spaces/garages shown on Plan GA-P-L00 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

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 development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

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.

This shall include 1:20 details of balconies, window/brick reveals and roof fascias.

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

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

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

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

7. 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

8. Before the building hereby permitted is occupied the proposed window(s) annotated as obscure glazed on plans GA P L00, and GA P L01, and GA P L02, shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

9. 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.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

11. Before the development hereby permitted is occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

12. 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

13. 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

14. 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

15. 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.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E, or F of Part 1 to Schedule 2 of that Order shall be carried out within the area of 'Merrivale, East Road' hereby approved.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

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

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

18. All new residential dwellings within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

19. Before the development hereby permitted commences details of the location within the development and specification of the [insert number] units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. The specification provided for the 3no. units shall demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

20. Prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space on the part of the site identified in plan numbers GA P L00 shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason:

To ensure that the development represents high quality design and to accord with policies CS7 of the Core Strategy and DM02 of the Development Management DPD and policy 3.6 of the London Plan 2011.

21. Before the development hereby permitted is occupied, the proposed wildlife area shall be installed, and shall be permanently retained as such thereafter.

Reason: To ensure that the development complies with the Mayor's London Plan and Adopted Barnet Development Management Policy DM16.

22. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities and 20% of the parking spaces to be identified for future provision of Electric Vehicle charging points. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

23. No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

24. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on the above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason:

The submitted report has identified lead and polycyclic aromatic hydrocarbons to be present. These need to be remediated and a verification report needs to be submitted. This will protect the water environment from pollution.

This is in line with policy DM04 (part e) of the Adopted Barnet Development Management Policies 2012. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

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

Reason:

No investigation can completely characterise a site. If unsuspected contamination is encountered during development, it must be adequately dealt with. This will protect the water environment from pollution.

This is in line with policy DM04 (part e) of the Adopted Development Management Policies 2012.

26. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason:

Infiltration of surface water would provide potential pathway for contamination at the surface to migrate into the underlying River Terrace deposits. The design of drainage features should include appropriate pollution prevention measures. If contamination is present in areas proposed for infiltration, we will require the removal of all contaminated material and provision of satisfactory evidence of its removal.

The point of discharge should be kept as shallow as possible. Deep bored infiltration techniques are not acceptable. The distance between the point of discharge and the groundwater table should be a minimum of five metres. Only clean, uncontaminated water should be discharged into the ground. This is in line with Adopted Development Management Policies 2012 policy DM04 (part e).

27. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason:

This will ensure that any remediation has been successful and that the site no longer poses a risk to the water environment.

This is in line with Adopted Barnet Development Management policy DM04 (part e).

28. Before the development hereby permitted is approved, details of any external lighting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with these details and shall be maintained as such thereafter.

Reason: To safeguard the amenities of neighbouring residents in accordance with policy DM01 of the Adopted Barnet Development Management Policies 2012.

INFORMATIVE(S):

1.
 - i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
 - ii) In this case, formal pre-application advice was sought prior to submission of the application.
2. The plans accompanying this application are: Ecological Appraisal, Air Quality Appraisal, Flood Risk Assessment, Ground Investigation Report, Transport Assessment, Tree Survey Report, Utilities Report, Landscape Design Strategy, Energy Strategy report, Arboricultural Impact and Method Statement, Sequential & Exception Test, Sustainability Statement.
3. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £94,115 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £363,015 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development.

Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If affordable housing or charitable relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us: cil@barnet.gov.uk.

4. Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
5. In complying with the contaminated land condition parts 1 and 2:

Reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

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

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

6. Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

7. If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Crossover Team in Environment and Operations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

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 Environment, Planning and Regeneration 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 Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

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.

The costs of any associated works to the public highway, including reinstatement works, will be borne by the applicants and may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Environment and Operations Directorate.

RECOMMENDATION III

That if an agreement has not been completed by 10/12/2013, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application H/04130/13 under delegated powers for the following reason/s:

1. The development makes no provision for affordable housing, which would be contrary to Policy DM10 of the Adopted Barnet Development Management Policies 2012.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The Mayor's London Plan July 2011

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Policies 3.5, 5.2, 5.3, 6.1, 7.4 and 7.6 are considered especially relevant.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM04, DM07, DM08, DM09, DM17

Supplementary Planning Documents and Guidance

The Council has adopted two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD and Sustainable Design and Construction SPD are now material considerations.

Relevant Planning History:

W14175/05 - Demolition of Child Guidance Centre and Merrivale. Erection of a new 3-storey building on Child Guidance Centre site to provide a 60-bed care home and 20 place day-care centre, with associated parking and landscaping. Re-grading and landscaping of existing Merrivale site. – Approved – 20/10/2005

Consultations and Views Expressed:

The applicant undertook pre-application consultation with local residents, including hosting a local exhibition on 29/01/2013.

Neighbours Consulted: 83
Neighbours Wishing To 0
Speak

Replies: 3

2 comments and 1 objection were received.

The comments raised may be summarised as follows:

- Distance of care home to neighbouring properties should be maintained to prevent loss of privacy
- New lighting could cause a disturbance
- Concerned that there might not be adequate parking or infrastructure
- Potential for loss of wildlife though note wildlife area is to be provided.

The objections raised may be summarised as follows:

- Loss of care home which has been community landmark

- Noise and disturbance
- Impact on traffic, access and parking

Internal /Other Consultations:

- Environment Agency - The Local Planning Authority should apply the flood risk Sequential Test to the development. For the proposals to pass the Sequential Test you should be satisfied that there are no other reasonably available sites for this development that are at a lower risk of flooding.

The submitted Flood Risk Assessment (FRA - Merrivale, East Road, Burnt Oak, dated July 2013) and associated plans demonstrate that finished floor levels shall be set no lower than 600 millimetres above the 1 in 100 chance in any year flood level including an allowance for climate change. These measures will help protect development from flooding. The FRA also demonstrates there will be no loss in floodplain storage by providing level for level floodplain compensation. The development should be carried out in accordance with this FRA. This is in line with your Local Plan policy DM04 (part g).

- Traffic & Development - No objection
- Environmental Health - No objection
-
- Urban Design & Heritage - Comments contained within main report.
-
- Metropolitan Police Service - Barnet Police have no objections in principle to the development proposals but wish the following points concerning crime reduction principles and future community safety to be considered by your department.

Date of Site Notice: 19 September 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a plot of land on East Road in the Burnt Oak Area. The surrounding area is mostly residential though there are some community uses as well as the vacant Child Guidance Centre adjacent to the south. There is currently on site a three-storey, 1960s building located on the north-eastern side of East Road. According to the details contained within the submitted Design and Access Statement, the care home closed in 2012 due to its age, poor state of repair and lack of modern facilities.

Levels on the site are flat generally, the highest point being adjacent to the road.

The site has an area of 0.38 hectares, and was formerly a three storey care home.

Proposal:

The proposals are for demolition of existing vacant care home and construction of 31 residential units consisting of a 2 storey terrace (8 houses) and two 3 storey blocks (23 flats) together with associated access, parking, amenity space and landscaping.

Planning Considerations:

The main issues are considered to be:

- Whether the loss of the existing care home is acceptable
- Whether the proposals would have an acceptable impact on local flood risk
- Whether the proposals would be acceptable in terms of their impact on the character and appearance of the area
- Whether the proposals would provide an acceptable level of amenity for future occupiers
- Whether the proposals would have an acceptable impact on neighbouring amenity
- Whether the proposals would harm highway and pedestrian safety
- Whether the proposals would provide an acceptable level of affordable housing
- Whether the proposals would be acceptable in sustainability terms

Whether the loss of the existing care home is acceptable

Policy DM09 advises that specialist housing should be provided where there is an identified need.

Historically, the facilities provided by the care home have been moved elsewhere as part of Catalysts, and have not been lost. The site has not been used as a care home for some time. Indeed Catalyst already has a presence in the area, having completed Wood Court on South Road, a 40 bed extra care sheltered scheme, in 2008.

It is therefore considered that there would not be a conflict with policy DM09, and the loss of the former care home is considered acceptable.

Whether the proposals would have an acceptable impact on local flood risk

The Environment Agency have commented that they are happy with the Flood Risk Assessment (FRA). The undefended Environment Agency Flood Map indicates the majority of the Site lying within Flood Zone 2 with a small section to the east corner being within Flood Zone 3.

However, in recent years the Silk Stream Flood Alleviations Scheme has been undertaken (completed early 2008) which provided additional protection to the Site. The majority of the Site now lies above the defended 100 year plus climate change outline. A small area of the Site lies within the defended 100 year plus climate change outline. Two of the proposed houses within the eastern corner of the Site partially fall within the defended 100 year plus climate change outline.

It has also been agreed with the applicant as part of pre-application discussions that a Sequential and Exceptions Test is required. The sequential search assessment has defined an appropriate boundary and identified sources of reasonably available sites. This process has led to the detailed consideration of two sites, both of which are not sequentially preferable as they are at greater risk of flooding. These are: Watling Avenue car park and the Child Guidance Centre.

The National Planning Policy Framework advises that more vulnerable uses such as dwellinghouses are appropriate within flood zone 2. In this context, it is considered

that the proposals satisfy the sequential and exception tests, and therefore would not result in harmfully increased local flood risk.

Whether the proposals would be acceptable in terms of their impact on the character and appearance of the area

The new development would consist of 2no three storey blocks of flats with a row of 8no. 2 storey terraced houses to the rear of the site.

The area is residential in character and largely consists of two-storey, red brick terraced properties, laid out along residential streets and within cul-de-sacs.

The application follows pre-application discussions with the Local Planning Authority.

No objection has previously been raised to the density of the development which would comply with the London Plan.

It is noted that the proposals would result in the loss of some trees of good quality, however, in the wider context of the scheme, and given that some replacement planting is proposed, the fact that the trees on site are not subject to Tree Preservation Order, this is considered acceptable.

The proposals include recessed windows and integral balconies to the rear of Blocks A & B which are considered to positively contribute to the proposed design. The use of two shades of brick would take reference from neighbouring development whilst ensuring a satisfactory appearance to the development.

Officers have raised concerns regarding the size and design of balconies to the front elevation and the applicant has amended the proposals to take this into account.

Conditions are suggested to ensure that the development positively contributes to local townscape and has an acceptable impact on the character and appearance of the local area.

Whether the proposals would provide an acceptable level of amenity for future occupiers

The proposals would comply with London Plan standards on new dwellings. The proposals would provide adequate communal amenity space for the blocks of flats as well as providing balconies. The proposals would provide a dedicated play area on site in compliance with the London Plan.

The benefits of the proposed wildlife area in terms of the impact on biodiversity are also noted.

Whether the proposals would have an acceptable impact on neighbouring amenity

The proposals would leave a gap of 13.5m to the boundary with properties on Burnt Oak Fields to the north-east. This would comply with the Council's standards in the Supplementary Planning Document on Residential Design Guidance.

The applicant has submitted a daylight and sunlight report in support of the proposals.

This considers the impact on daylight and sunlight provision to the existing residential properties to the north-east and north-west of the site. The report demonstrates that the proposed development is sufficiently far away from the existing dwellings such that the daylight and sunlight provision is not significantly affected. BRE (Building Research Establishment) Guidelines state that loss of light to existing windows need not be analysed in this case, as the loss of light will be small. The sunlight plots demonstrate that there is a minimal shading effect on the rear gardens of the properties on East Road before 9am, and on the rear gardens of the properties on Burnt Oak Fields after 4pm. There is no shading effect on the rear gardens of the properties between these hours, and therefore the proposed development is not considered to have a significant impact on the existing amenity space using the definitions within the BRE Guide.

Daylighting calculations have been undertaken for the proposed development, with the vast majority of habitable rooms achieving the Average Daylight Factors recommended by the BRE. Some rooms are shaded by balconies, which restrict the amount of natural daylight available, particularly on the lower floors. However, in view of the fact that there is a need for balance between providing good levels of daylighting, providing external amenity space, this is considered acceptable.

Furthermore, it is not considered that the proposals would appear overbearing or result in harmful loss of outlook to neighbouring occupiers.

It is considered that the proposed development would not have a significant impact on the visual and residential amenities of the occupiers of surrounding existing dwellings on Burnt Oak Fields and East Road.

Whether the proposals would harm highway and pedestrian safety

The site is located within a residential housing estate formerly Merrivale Care Home on East Road which can be accessed from burnt Oak Broadway via North Road.

Existing Use:

The existing use of the site is as a care home with 9 parking spaces. The site has been vacant since the closure of the care home.

Proposal:

The proposal is for the redevelopment of the site to provide residential units comprising 4 x 1 bedroom units, 19 x 2 bedroom units and 8 x 3 bedroom units.

Parking:

Vehicle Parking:

31 parking spaces are proposed at ground level. 10% of the parking spaces will be designated as disabled parking spaces. Parking provision is in accordance with the parking standards set out in the Barnet's Local Plan, (Development Management Policies) approved in September 2012.

The applicant has confirmed in the Transport Statement (TS) that 20% of the 31 parking spaces will provide charging points for electric vehicles and a further 20% will be set aside for future provision in accordance with the London Plan Parking Standards.

Cycle Parking:

44 cycle parking spaces are proposed.

Vehicular Access:

It is proposed that the existing site access from East Road is to be retained for vehicular and pedestrian access for the new development.

Servicing and Delivery:

It is proposed in the Transport Statement that the refuse storage will be provided in accordance with LBB's developer guidance document. The access for the refuse vehicle for the collection of refuse is proposed from East Road via the proposed access. TA has included a swept path analysis for the refuse vehicle. However, the design refuse vehicle used to assess the swept path needs to be in accordance with the LBB's developer guidance document.

Trip Generation:

In terms of vehicular trip generation, the industry standard TRAVL database and 2011 census was used to quantify the anticipated number of trips. The analysis showed that the development is anticipated to generate an additional 12 two way vehicular trips in the AM peak hour and 9 two way trips in the PM peak hour. This equates to about one vehicle every 5 to 6 minutes which is unlikely to have any major traffic impact on public highway.

Construction Management Plan:

A robust construction management plan needs to be provided and careful consideration must be given to the optimum route(s) for construction traffic.

Whether the proposals would provide an acceptable level of affordable housing

The scheme would provide 4no. 1 bedroom units, 19no. 2 bedroom units, and 8no. 3 bedroom units. This mix is considered appropriate.

The Development includes 12 affordable units which equates to 42% based on a habitable room basis. These units will all be affordable rent tenure. This would comply with Adopted Development Management Policy DM07.

The proposals would have an acceptable impact on highway and pedestrian safety.

Whether the proposals would be acceptable in sustainability terms

Energy

The development would need to comply with the requirements of the London Plan with regard to sustainability. It would need to meet Level 4 of the Code for Sustainable Homes and 25% reduction in emissions.

The scheme would need to meet Lifetime Homes Standards and meet level 4 of the Code for Sustainable Homes.

The applicant has provided an energy strategy report which details that the installation of photovoltaic arrays is the most practical manner of achieving the required carbon emissions reduction target.

Air Quality

The report by Accon UK dated 27.08.2013 and environmental health officers agree with its conclusions that air quality is not a significant issue at this site.

Noise

The development site is sufficiently distant from major roads and commerce. Therefore noise is not a significant issue at this site.

Contaminated Land

The report by Listers Geotechnical Consultants No. 12.12.003 Rev 2 dated August 2013 consists of a desk study and site investigation. It recommends remedial measures and that a formal remediation strategy should be done, along with a verification report once the work has been carried out. No significant contamination has been found and the remediation consists of introducing a cover system of clean soil in landscaped and garden areas, with soil validation testing. This is acceptable subject to conditions regarding remediation.

3. COMMENTS ON GROUNDS OF OBJECTIONS

New lighting could cause a disturbance - *This would be controlled by a planning condition to ensure that it had an acceptable impact on existing and future residents.*

Noise and disturbance - *It is not considered that the proposals would result in a harmful increase to noise and disturbance to neighbouring residents. Noise and disturbance during construction is not reason to withhold planning permission.*

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. SECTION 106 ISSUES

The scheme would be liable to provide Mayoral and Barnet Community Infrastructure Levy. Given that affordable housing is to be provide it would be possible to apply for relief.

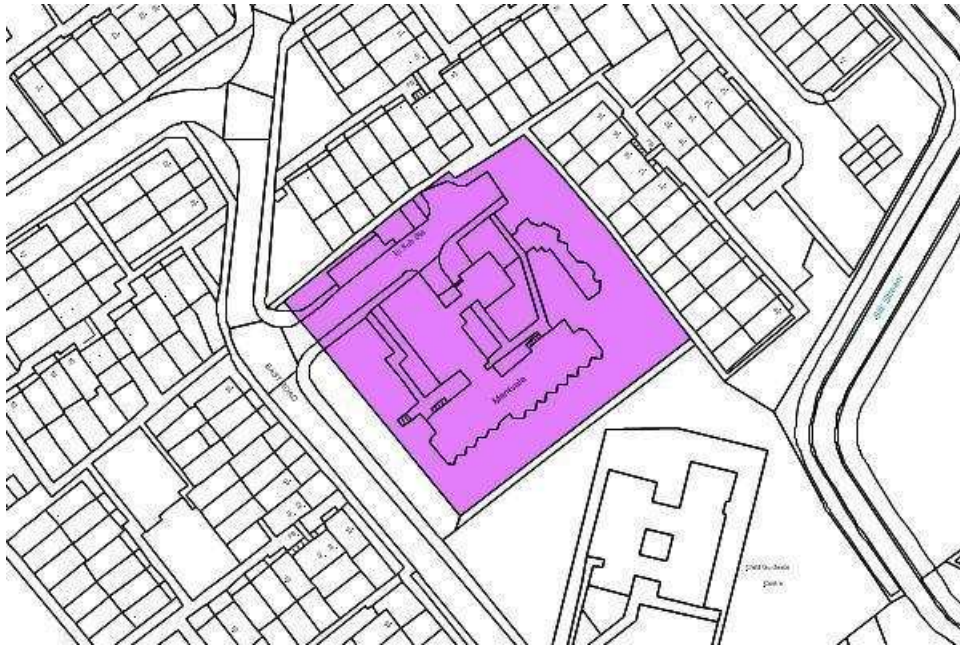
The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

6. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: Merrivale, East Road, Edgware, Middx, HA8 0BT

REFERENCE: H/04130/13



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LOCATION: Phase 3, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ
REFERENCE: H/03860/13 **Received:** 28 August 2013
Accepted: 28 August 2013
WARD(S): Mill Hill **Expiry:** 27 November 2013 **AGENDA ITEM 9**

**Final
Revisions
:**

APPLICANT: Linden Homes

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3 of Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 138 units 7 x 5 bedroom houses, 41 x 4 bedroom houses, 47 x 3 bedroom houses, 26 x 2 bedroom apartments and 17 x 1 bedroom apartments together with details to discharge the requirements of:
Conditions 5 (Reserved matter details), 8 (Affordable housing), 26(Access points), 29(Internal access roads), 35 (Petrol/oil inceptor), 48(Open space), 52 (Children's playing space), 57 (Boundary treatment/buffer), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) ,85 (Green/brown roofs).

RECOMMENDATION: APPROVE SUBJECT TO 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:

Location Plan (S101)
Existing Site Plan (S102)
Site Plan showing building footprints (P101A)
Site Plan showing roofscape (P102A)
Site Plan showing materials (P103)
Site Sections/ Elevations Sheet 1 (P104)
Site Sections/ Elevations Sheet 2 (P105)
Site Plan (showing refuse strategy) (P106A)
Plot Schedule (P107)
Site Plan (showing fire engine access) (P108A)

Plots 1-12 Plans (P110)
Plots 1-12 Elevations (P111)
Plots 13-23 Plans (P112A)
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Plots 30-35 Plans and Elevations (P115)
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Plots 49-50 Plans and Elevations) (P122)
Plot 51 Plans and Elevations (P123)
Plot 52 Plans and Elevations (P124A)
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Plot 60 Plans and Elevations (P127))
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Plot 63 Plans and Elevations (P130)
Plot 64 Plans and Elevations (P131)
Plot 65 Plans and Elevations (P132)
Plot 66 Plans and Elevations (P133)
Plots 67-68 Plans and Elevations (P134)
Plots 69-70 & 71-72 Plans and Elevations (P135)
Plots 73-75 Plans and Elevations (P136)
Plot 78 Plans and Elevations (P137)
Plot 79 Plans and Elevations (P138)
Plots 80-82 Plans and Elevations (P139)
Plots 83-86, 100-103 & 135-138 Plans and Elevations (P140)
Plots 87-89 & 97-99 Plans and Elevations (P141)
Plots 90-92 Plans and Elevations (P142)
Plots 93-95 Plans and Elevations (P143)
Plot 96 Plans and Elevations (P144)
Plots 100-103 Plans and Elevations (P145)
Plots 104-106 Plans and Elevations (P146)
Plots 107-109 Plans and Elevations (P147)
Plots 110-117 Plans (P148)
Plots 110-118 Elevations (P149)
Plots 118-121 & 131-134 Plots and Elevations (P150)
Plots 122-126 Plans and Elevations (P151)
Plots 127-130 Plans and Elevations (P152)
Garages in Blocks B & C (P155)
Garages/ Car Barns in Block C (P156)
Garages in Block D (P157)
Car Barn - 3 Bay to Blocks B, G1 and G2 (P158)
Bike/ Bin Store to Plots 24-35 (P167)
Bin Store to Plots 24-35 (P168)
Bike/ Bin Store to Plots 110-117 (P169)
Gate to Parking Courts (P175)

Typical Details (P176)
 Perspective Sheet 1 (P180)
 Perspective Sheet 2 (P181)
 Perspective Sheet 3 (P182)
 Perspective Sheet 4 (P183)
 Perspective Sheet 5 (P184)
 Garden Housing Aerial (P185)
 Garden Housing Aerial (P186)
 Internal Street Aerial (P187)
 Aerial Perspective Looking SW (P190)
 Aerial Perspective Looking NE (P191)
 Aerial (P192)
 Vehicle Swept Paths Fire Tender (CV8130113/SP03B)
 Vehicle Swept Paths Large Refuse (CV8130113/SP02D)
 Western Turning Head Vehicle Swept Paths Large Refuse Vehicle
 (CV8130113/SP04D)
 Plot Levels (CV810113/102A)
 Indicative Service Routes (CV8130113/101A)
 External Lighting Layout (3602-E101-P1)
 Illustrative Landscape Masterplan (2422-GMP-01B)
 Illustrated Landscape Sections (2422-SE-01C)
 Tree Protection and Removal Drawing 1/4 (2422-TS-02C)
 Tree Protection and Removal Drawing 2/4 (2422-TS-03D)
 Tree Protection and Removal Drawing 3/4 (2422-TS-04C)
 Tree Protection and Removal Drawing 4/4 (2422-TS-05C)
 Tree Protection during construction and demolition (242-2133-TS-08C)
 General Arrangement Plan 1/4 (2422-GA-01G)
 General Arrangement Plan 2/4 (2422-GA-02H)
 General Arrangement Plan 3/4 (2422-GA-03G)
 General Arrangement Plan 4/4 (2422-GA-04G)
 Planting 1/4 (2422-PP-01C)
 Planting 2/4 (2422-PP-02C)
 Planting 3/4 (2422-PP-03C)
 Planting 4/4 (2422-PP-04C)
 Typical Tree Pit Detail 1/3 (2422-DT-01A)
 Typical Tree Pit Detail 2/3 (2422-DT-02A)
 Typical Tree Pit Detail 3/3 (2422-DT-03A)
 Plot 52 Camera images in relation to 1 Frith Manor Cottages
 Phase 3 Partingdale Lane Boundary Photo
 Planning Statement by GVA dated August 2013.
 Design and Access Statement by OSP Architecture and Allen Pyke
 Associates Ltd dated August 2013
 Phase 3 Landscape Management and Maintenance Plan by Allen Pyke
 Associates Ltd dated August 2013
 Statement of Community Involvement by Remarkable Engagement dated
 August 2013
 Arboricultural Impact Assessment by Landmark Trees dated August 2013
 Sustainability/ Statement by Carbon Plan dated August 2013
 Appendix A Energy Strategy by Carbon Plan dated August 2013
 Appendix B Code for Sustainable Homes Pre-Assessment by Carbon Plan

dated August 2013

Appendix C Rainwater recycling response to Condition 82 & 83 by Carbon Plan dated August 2013

Acoustic Report by Clement Acoustics dated August 2013.

Drainage Strategy by Glanville dated August 2013

Construction Management Strategy by Linden Homes dated October 2013

Demolition and Site Waste Management Plan by Linden Homes dated August 2013

Daylight and Sunlight Report by CHP Surveyors Ltd dated 27th September 2013.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

3. Before development hereby permitted is occupied a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:
 - Monitoring and enforcement of any unauthorised parking;
 - Details of the management and enforcement of the use of visitors spaces;
 - Controls for servicing and deliveries.

The strategy must demonstrate to the satisfaction of the Local Planning Authority that monitoring and enforcement measures will be sufficient to prevent obstruction to the free flow of both vehicular and pedestrian traffic on site.

The Parking Management Strategy shall be implemented in accordance with the details submitted and shall be applied thereafter.

Reason:

To safeguard the amenity of the resulting development the free flow of traffic within the estate and the safety of vulnerable road users in accordance with CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

4. Before development hereby permitted is occupied, details of secure cycle storage 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 and thereafter maintained for the life of the development.

Reason:

To ensure the cycle storage is secure and to encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and

5. 10 No. visitor cycle parking stands shall be provided for visitors within the street in black steel vandal resistant stands in accordance with the submitted details and shall be thereafter maintained for the life of the development.

Reason:

To ensure the cycle storage is secure and to encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

6. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing details, including samples of the materials to be used for the external surfaces of the buildings 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 in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

7. Electric charging points of 20% active and 20% passive shall be provided in accordance with the submitted details and shall be thereafter maintained for the life of the development.

Reason:

To encourage sustainable forms of travel in accordance with Policies CS9 of the Core Strategy (2012) and DM17 of the Development Management Policies (2012).

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

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

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of the development, dies, is removed or in the opinion of the Local Planning

Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason:

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

9. The development shall be carried out in strict accordance with the provisions and tree protection methods outlined in the submitted Arboricultural Method Statement by Landmark Trees dated 20th June 2013.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

10. Prior to development commencing a construction management plan showing the route of construction and delivery vehicles 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 residential amenity in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

11. A scheme of proposed noise mitigation measures that meets the design criteria in Report 8121-NEA-01 by Clement Acoustics dated 8 August 2013 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

In order to ensure satisfactory internal noise levels glazing / trickle vent selections must be constructed to the *design criteria in Report 8121-NEA-01 by Clement Acoustics dated 8 August 2013 before any of the units are occupied.*

Reason:

To ensure that the amenities of occupiers are not prejudiced by noise from traffic and industry in the immediate surroundings in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

12. Privacy panels shall be provided to all balconies and roof terraces in accordance with the agreed details and shall thereafter be maintained for the Life of the Development.

Reason:

In the interest of residential amenity in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

13. A scheme for acoustic fencing along the boundary of the development with IBSA House shall be submitted in writing and approved by the LPA prior to development. This scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason:

To ensure that the amenities of occupiers are not prejudiced by industrial/commercial noise in the immediate surroundings in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

14. The development shall be carried out in accordance with the approved Landscape Management and Maintenance Plan and the management and maintenance regimes shall be reviewed on an annual basis for a minimum period of 5 years as set out in the approved document.

Reason:

To secure opportunities for the enhancement of nature conservation value of the site in accordance with policy CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

15. Details of proposed bat and bird boxes shall be submitted and approved by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the agreed details prior to the occupation of the development and thereafter maintained.

Reason:

In the interest of nature conservation and in accordance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

16. This permission does not extend to destroy, fell, lop or top the existing trees which are inside or outside the application site and which are shown on the approved plans to be retained. These trees shall be protected during the implementation of the development in accordance with recommendations set out in BS 5837 (2012) and any supplementary protection requested by the Local Planning Authority. Before excavation can commence, drawings shall be submitted to the Local Planning Authority giving details of the method of excavation, type of foundation proposed for the buildings and

indicating how the roots of these trees shall be protected. In addition, drawings shall be submitted showing the layout of underground services. No construction works shall commence until such drawings have been approved in writing by the Local Planning Authority.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

17. In this condition “retained tree” means an existing tree which is to be retained in accordance with approved plan and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and the tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority;

(c) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the recommendations set out in BS 5837 (2012) and the approved plans and particulars before demolition or any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

18. An arboricultural consultant shall be employed to supervise tree protection during the course of development including demolition and construction phases.

Reason:

To protect existing trees during the construction works in order to ensure that the character and amenity of the area are not impaired. To comply with Policy 74 of the St. Albans District Local Plan Review 1994.

19. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

INFORMATIVE(S):

- 1 In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010, this informative summarises the local planning authority's reasons for granting planning permission for this development and the relevant development plan policies taken into account in this decision.

In summary, the Local Planning Authority considers that the proposed development should be permitted for the following reasons:

The reserved matters details submitted would result in a residential development with a high quality appearance and would create a residential environment that meets the amenity requirements of future occupants of the family homes proposed. The proposals are broadly in accordance with approved Parameter Plans of application ref HH/04017/09 and are considered to generally follow the principles established within the Design Code approved under application ref H/04565/11 whilst complying with the development plan including the specific policies of the Mill Hill Area Action Plan 2009. The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The submission is therefore considered to satisfactorily address reserved matters of: Layout, Scale, Landscaping and Appearance for Phase 2 of Outline permission H/04017/09. It satisfies Conditions 8, 12 (partially), 26, 27, 29, 48, 52, 57 (partially) and 70, 80, 83 and 91 in relation to Phase 2 of the outline permission.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant and agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case formal pre-application advice was sought prior to submission of the application.

A summary of the development plan (London Plan 2011), Barnet Core Strategy 2012, Development Management Policies DPD 2012 and Mill Hill East Area Action Plan (2009) policies relevant to this decision is set below:

Core Strategy (Adopted) 2012

CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)

CS1 (Barnet's place shaping strategy – the three strands approach)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS7 (Enhancing and Protecting Barnet's Open Spaces)

CS9 (Providing safe, efficient and effective travel)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the Efficient Use of Natural Resources)

Development Management Policies (Adopted) 2012

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations)

DM06 (Barnet's Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Mill Hill East Area Action Plan (AAP) 2009

MHE 2 (Housing)

MHE3 (Employment)

MHE6 (Community Facilities, Shops and Services: Officers' Mess)

MHE7 (Parks and Public Open Space)

MHE8 (Children's Play Space)

MHE9 (Protection of Green Belt and Biodiversity)

MHE10 (Making the Right Connections)

MHE12 (Sustainable Transport)

MHE13 (Parking)

MHE14 (Creating a Sustainable Development)

MHE15 (Design)

MHE16 (Delivering Design Quality)

MHE17 (Conserving Built Heritage)

MHE18 (Delivering the AAP)

London Plan Policies 2011

1.1 (Delivering the strategic vision and objectives for London)

2.13 (Opportunity Areas and Intensification Areas)

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)
- 3.7 (Large Residential Development)
- 3.8 (Housing choice)
- 3.9 (Mixed and balanced communities)
- 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)
- 5.1 (Climate Change Mitigation);
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable design and construction)
- 5.7 (Renewable energy)
- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.21 (Contaminated land)
- 6.3 (Assessing effects of development on transport capacity)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.13 (Parking)
- 7.1 (Building London's neighbourhoods and communities)
- 7.2 (An inclusive environment)
- 7.3 (Designing out crime)
- 7.4 (Local character)
- 7.5 (Public Realm)
- 7.6 (Architecture)
- 7.8 (Heritage Assets and Archaeology)
- 7.15 (Reducing noise and enhancing soundscapes)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and woodlands)

2. The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
3. The costs of any associated works to the public highway, including temporary traffic order making and related implementation works and reinstatement works will be borne by the applicants and carried out either under rechargeable works Agreement or may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Section – Environment, Planning and Regeneration Directorate.

1. BACKGROUND TO THE CURRENT APPLICATION

1.1 The Mill Hill East Area Action Plan

Mill Hill East is designated as an Area of Intensification in the London Plan (2011) and as a key growth area in the Barnet Core Strategy (2012). The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; International Bible Students Association (IBSA House); the Council Depot and recycling centre; Bittacy Court; the Scout Camp and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The area was first highlighted as an area which could be redeveloped in the London Plan in 2004. This is primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involves the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008 thereby providing an opportunity for redevelopment. The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2009 adopted an Area Action Plan (AAP) which covered an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP is to seek to ensure that development takes place in a balanced and coordinated manner by setting out a comprehensive framework to guide the delivery of housing, employment, leisure and associated community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

A partnership comprising of a number of the key landowners and developers (the Inglis Consortium) prepared and submitted the outline application in 2009 for the comprehensive redevelopment of most of the area covered by the AAP.

1.2 The outline planning permission

In September 2011 outline planning permission was granted for the redevelopment of Mill Hill East regeneration site (now also known as Millbrook Park). This site covers an area of approximately 33.6 hectares (83 acres) and is located within the Mill Hill ward. The site is bounded to the east by Frith Lane, to the north by Partingdale Lane and to the west by Bittacy Hill (B552). Bittacy Business Park is immediately to the south of the site and Mill Hill East Underground station (Northern Line) lies to the south west.

The site is divided into a number of Development Land Parcels (DLP) or otherwise known as phases. Following approval of the site wide pre-commencement requirements, reserved matters applications will be brought forward for all detailed elements of the development, which would deal with all matters not fully addressed within the outline consent – the ‘reserved matters’ (layout, design, appearance and landscaping). This is controlled by Condition 5 of the outline permission (ref H/04017/09, dated 22nd September 2011).

In addition to the plan drawings submitted, the following information was also submitted in support of the application and forms the supporting information:

- Location Plan (S101)
- Existing Site Plan (S102)
- Site Plan showing building footprints (P101A)
- Site Plan showing roofscape (P102A)

Site Plan showing materials (P103)
Site Sections/ Elevations Sheet 1 (P104)
Site Sections/ Elevations Sheet 2 (P105)
Site Plan (showing refuse strategy) (P106A)
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Plot 62 Plans and Elevations (P129)
Plot 63 Plans and Elevations (P130)
Plot 64 Plans and Elevations (P131)
Plot 65 Plans and Elevations (P132)
Plot 66 Plans and Elevations (P133)
Plots 67-68 Plans and Elevations (P134)
Plots 69-70 & 71-72 Plans and Elevations (P135)
Plots 73-75 Plans and Elevations (P136)
Plot 78 Plans and Elevations (P137)
Plot 79 Plans and Elevations (P138)
Plots 80-82 Plans and Elevations (P139)
Plots 83-86, 100-103 & 135-138 Plans and Elevations (P140)
Plots 87-89 & 97-99 Plans and Elevations (P141)
Plots 90-92 Plans and Elevations (P142)
Plots 93-95 Plans and Elevations (P143)
Plot 96 Plans and Elevations (P144)
Plots 100-103 Plans and Elevations (P145)
Plots 104-106 Plans and Elevations (P146)
Plots 107-109 Plans and Elevations (P147)
Plots 110-117 Plans (P148)
Plots 110-118 Elevations (P149)
Plots 118-121 & 131-134 Plots and Elevations (P150)
Plots 122-126 Plans and Elevations (P151)
Plots 127-130 Plans and Elevations (P152)
Garages in Blocks B & C (P155)
Garages/ Car Barns in Block C (P156)

Garages in Block D (P157)
 Car Barn - 3 Bay to Blocks B, G1 and G2 (P158)
 Bike/ Bin Store to Plots 24-35 (P167)
 Bin Store to Plots 24-35 (P168)
 Bike/ Bin Store to Plots 110-117 (P169)
 Gate to Parking Courts (P175)
 Typical Details (P176)
 Perspective Sheet 1 (P180)
 Perspective Sheet 2 (P181)
 Perspective Sheet 3 (P182)
 Perspective Sheet 4 (P183)
 Perspective Sheet 5 (P184)
 Garden Housing Aerial (P185)
 Garden Housing Aerial (P186)
 Internal Street Aerial (P187)
 Aerial Perspective Looking SW (P190)
 Aerial Perspective Looking NE (P191)
 Aerial (P192)
 Vehicle Swept Paths Fire Tender (CV8130113/SP03B)
 Vehicle Swept Paths Large Refuse (CV8130113/SP02D)
 Western Turning Head Vehicle Swept Paths Large Refuse Vehicle
 (CV8130113/SP04D)
 Plot Levels (CV810113/102A)
 Indicative Service Routes (CV8130113/101A)
 External Lighting Layout (3602-E101-P1)
 Illustrative Landscape Masterplan (2422-GMP-01B)
 Illustrated Landscape Sections (2422-SE-01C)
 Tree Protection and Removal Drawing 1/4 (2422-TS-02C)
 Tree Protection and Removal Drawing 2/4 (2422-TS-03D)
 Tree Protection and Removal Drawing 3/4 (2422-TS-04C)
 Tree Protection and Removal Drawing 4/4 (2422-TS-05C)
 Tree Protection during construction and demolition (242-2133-TS-08C)
 General Arrangement Plan 1/4 (2422-GA-01G)
 General Arrangement Plan 2/4 (2422-GA-02H)
 General Arrangement Plan 3/4 (2422-GA-03G)
 General Arrangement Plan 4/4 (2422-GA-04G)
 Planting 1/4 (2422-PP-01C)
 Planting 2/4 (2422-PP-02C)
 Planting 3/4 (2422-PP-03C)
 Planting 4/4 (2422-PP-04C)
 Typical Tree Pit Detail 1/3 (2422-DT-01A)
 Typical Tree Pit Detail 2/3 (2422-DT-02A)
 Typical Tree Pit Detail 3/3 (2422-DT-03A)
 Plot 52 Camera images in relation to 1 Frith Manor Cottages
 Phase 3 Partingdale Lane Boundary Photo
 Planning Statement by GVA dated August 2013.
 Design and Access Statement by OSP Architecture and Allen Pyke Associates Ltd
 dated August 2013
 Phase 3 Landscape Management and Maintenance Plan by Allen Pyke Associates
 Ltd dated August 2013

Statement of Community Involvement by Remarkable Engagement dated August 2013
Arboricultural Impact Assessment by Landmark Trees dated August 2013
Sustainability/ Statement by Carbon Plan dated August 2013
Appendix A Energy Strategy by Carbon Plan dated August 2013
Appendix B Code for Sustainable Homes Pre-Assessment by Carbon Plan dated August 2013
Appendix C Rainwater recycling response to Condition 82 & 83 by Carbon Plan dated August 2013
Acoustic Report by Clement Acoustics dated August 2013.
Drainage Strategy by Glanville dated August 2013
Construction Management Plan by Linden Homes dated October 2013
Demolition and Site Waste Management Strategy by Linden Homes dated August 2013
Daylight and Sunlight Report by CHP Surveyors Ltd dated 27th September 2013.

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy

National Planning Policy Guidance / Statements: The National Planning Policy Framework (NPPF)

On March 27th 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF replaces 44 planning documents, primarily Planning Policy Statements (PPS's) and Planning Policy Guidance (PPG's), which previously formed Government policy towards planning.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan: July 2011 2.13 (Opportunity Areas and Intensification Areas), 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), 3.7 (Large Residential Development), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.11 (Green roofs and development site environs), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing Need), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE2 (Housing), MHE6 (Community Facilities, Shops and Services: Officers' Mess), MHE7 (Parks and Public Open Space), MHE8 (Children's Play Space), MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE12 (Sustainable Transport), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE17 (Conserving Built Heritage), MHE18 (Delivering the AAP).

Approved Design Code

The approved Design Code pursuant to Condition 4 of the outline consent (ref H/04565/11, 21st Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.

2.2 Relevant Planning History

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Proposal:	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	EIAO
Decision	APL
Decision Date	22/09/2011

Application Reference:	H/00642/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 2 of Millbrook Park (Mill Hill East), pursuant to outline planning permission H/04017/09 dated 22/09/2011
Stat Start Date	20/02/2012
Application Type	APD
Decision	APC
Decision Date	20/04/2012

Application Reference:	H/01101/12
Case Officer:	Jo Dowling
Proposal:	Environmental impact assessment screening opinion.
Stat Start Date	16/03/2012
Application Type	ESR
Decision	ESN
Decision Date	16/04/2012

Application Reference:	H/04338/11
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Case Officer:	Colin Leadbeatter
Proposal:	Submission of details for condition 6 (Overarching Phasing Plan) pursuant to planning permission H/04017/09 dated 22/09/11.
Stat Start Date	24/10/2011
Application Type	APD
Decision	Approve
Decision Date	15/12/2011

Application Reference:	H/04337/11
Case Officer:	Colin Leadbeatter
Proposal:	Submission of details for Condition 9 (Open Space Strategy) pursuant to planning permission H/04017/09 dated 22/09/11
Stat Start Date	24/10/2011
Application Type	APD
Decision	Approve with conditions
Decision Date	03/01/2012

Application Reference:	H/04655/11
Case Officer:	Colin Leadbeatter
Proposal:	Demolition of existing buildings within the curtilage of the Millbrook Park development (formerly Inglis Barracks) as approved under outline application reference H/04017/09 (Approved September 2011)
Stat Start Date	12/11/2011
Application Type	Prior Notification (Demolition)
Decision	PAG
Decision Date	20/12/2011

Application Reference:	H/03057/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for landscaping works to Officers' Mess Gardens (including associated infrastructure works) for Phase 2 (public open space OSI) of Mill Hill East development, pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space)
Stat Start Date	13/08/2012
Application Type	Reserved Matters

Decision	APC
Decision Date	23/10/2012

Application Reference:	H/03904/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 2 of Mill Hill East development pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 103 dwellings comprising 3 x one bed flats, 20 x two bed flats, 45 x 3 bed houses, 25 x four bed houses and 10 x five bed houses. Approval of layout and landscaping works to Phase 2 public open space (OS2), together with details to discharge the requirements of: Conditions 12 (relating to Plot L only); 57 (relating to plots within Phase 2 only); and 8,26, 27, 29, 48, 52, 70, 80, 83, 85 and 91 all in relation to Phase 2 only.
Stat Start Date	08/10/2012
Application Type	Reserved Matters
Decision	APC
Decision Date	28/03/2013

Application Reference:	H/00807/13
Case Officer:	Wing Lau
Proposal:	Environmental impact assessment screening opinion for residential development for Phase 2 of Mill Hill East development.
Stat Start Date	08/10/2012
Application Type	ESR
Decision	Screening not required
Decision Date	12/03/2013

Application Reference:	H/00668/13
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for construction of associated advanced infrastructure works and landscaping associated with Phase 3 (public open space OS4) of Mill Hill East development to create 'Panoramic Park' and advance infrastructure works in relation to Phases 3, 4a, 4b and 5, pursuant to Conditions 5 and 5b of Outline planning permission

	reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space). Ground re-profiling works to Phases 10, 11 and part of Phase 7.
Stat Start Date	12/02/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/03858/13
Case Officer:	Andrew Dillon
Proposal:	Non-material minor amendment to planning permission H/04017/09 dated 22/09/11 for "Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses". Amendments to "Schedule of Accommodation" Table A6157.1v4 (approved development schedule) to enable a better quality of design of Phase 3 of the Millbrook Park development.
Stat Start Date	28/08/2013
Application Type	S96A Non Material Amendment
Decision	Granted
Decision Date	19/09/2013

Application Reference:	H/03919/13
Case Officer:	Andrew Dillon
Proposal:	Environmental impact assessment screening opinion for residential development for Phase 3 of Mill Hill East development.
Stat Start Date	28/08/2013
Application Type	ESR
Decision	Screening not required
Decision Date	10/09/2013

Application	H/04096/13
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Reference:	
Case Officer:	Andrew Dillon
Proposal:	Installation of pedestrian access with stairs and handrail point between Partingdale Lane and Phase 3 Millbrook Park.
Stat Start Date	11/09/2013
Application Type	APF
Decision	
Decision Date	

2.3 Consultations and Views Expressed

Public Consultation

Neighbours Consulted: 509

Replies: 5

Neighbours Wishing 1

To Speak

Additional information in relation to Daylight and Sunlight along with minor changes to internal room configuration for Plot 52 was submitted by the applicant. A second 21 day period of re-consultation was carried out commencing on the 15th October. At the time of writing no further comments had been received, but should any comments be submitted they will be reported in an addendum to this committee report.

At the time of writing four letters from neighbouring residents raising the following (in summary):

- Proposed Houses will because of their elevated position, scale, position and proximity:
- Result in a loss of light to properties located in Partingdale Lane;
- Result in a loss of privacy to properties located in Partingdale Lane;
- Would be detrimental to the visual character of Partingdale Lane;
- Would be detrimental to the setting of the Grade II Listed Building at Partingdale Manor;
- Proposed pedestrian access to Partingdale Lane would encourage cars to park in Partingdale Lane to the detriment of highway safety;
- Daylight Report Submitted following submission and does not take account of existing and proposed trees on boundary with Partingdale Lane.

Officer's response:

The principle of developing 2,174 homes (plus commercial space) and the density is already established under the outline consent. The proposed houses are located over 20m from the relevant residential properties in Partingdale Lane. The applicant has submitted a daylight and sunlight report which demonstrates that the proposal would not result in any significant reduction in daylight or sunlight. Officers are satisfied that given the distance involved and having reviewed the daylight and sunlight report, that the proposal would not cause a detrimental impact on the amenities of occupiers of properties on the north side of Partingdale Lane.

Amendments have also been made to the design of Plot 52 to minimise overlooking of the garden of Mews Cottage. Any overlooking from rear windows of the proposed properties would be over a public highway, which itself forms part of the public realm and views are restricted by the mature trees which are proposed to be maintained along the Partingdale Lane. As such it is considered that the proposal would not result in any significant loss of privacy due to the distances involved.

The application properties proposed along the rear boundary with Partingdale Lane are low density two storey traditional properties with pitched roofs and it is also

proposed to retain existing trees along the rear boundary with Partingdale Lane, as such it is considered that the proposal would be in keeping with its greenbelt edge location and would not adversely affect the visual character of Partingdale Lane or be detrimental to the setting of the neighbouring listed building. The proposal accords with the design principles set out in the Mill Hill East Design Code for the wider development site.

The proposal incorporates dedicated car parking spaces within the development, it is not considered that vehicles are likely to park in Partingdale Lane due to this and the layout of the development.

Reconsultation

Properties in Partingdale Lane have been reconsulted for 21 days (15/10/2013 – 05/11/2013) following the amendments to the plan and the submission of a Daylight/Sunlight report. No additional comments have been received at the time of writing this report. Any further comments will be reported in the addendum to the committee report.

Elected Representatives.

One Letter received from Cllr Sury Khatri advising that he has no comments to make on the application.

Residents Associations and Amenity Groups.

1 Letter received from the Mill Hill Preservation Society making the following comments:

'The Society has examined this submission following various meetings with the applicant to discuss the design development of this phase of the Millbrook Park scheme. Generally we have no objections to the proposals but would make the following observation.

The Landscaping of the site – especially to IBSA House and alongside the frontage to Partingdale Lane - is most important and it is to be hoped that the developer undertakes to reinstate hedgerows and disturbed planting to the highest standard in order to reinforce the existing landscaping retained. Where possible hedgerows should be replanted with native plants.

Otherwise we feel the scheme will make a good contribution to the overall development.'

Internal /external and Other Consultations:

Highways

The Council's Highway Officer requested clarification regarding the widths of roads and entrances to courtyards, the provision of a detailed construction management

plan and lack of annotation on submitted plans regarding electrical charging points, refuse collection, motorcycle and visitor cycle parking.

The applicant has provided up dated plans showing the position for refuse collection, electrical vehicle charging points, motorcycle and visitor cycle parking spaces. An updated construction management plan has also been submitted.

The Council's Highway Officer has confirmed no objection to the amended proposal subject to the attachment of the following conditions:

Conditions

- Parking Management
- (2) Visitor Cycle Parking
- (3) Secure Cycle Parking
- (4) Electric Charging.

Environmental Health

The Council's Environmental Health Team have confirmed no objection to the proposal subject to the following conditions:

Conditions:

1. Noise Mitigation Specifications.
2. Acoustic Fencing A

Officer Comment

Appropriate Conditions are attached to accord with the comments received from Environmental Health which would satisfactorily safeguard residential amenity and avoid future conflict with IBSA house.

Trees and Landscape

No in principle objection subject to appropriate safeguarding conditions.

Transport for London

'Having reviewed the detailed submitted, TfL has no objection to the proposal.

However, in terms of cycle parking provision, the applicant shall also take into account of the proposed cycle parking standards in the draft Minor alterations to London Plan, which also require visitor cycle parking be provided at a ratio of 1 space per 40 unit.'

Officer Comments

Comments noted. Further drawings have been submitted showing position of proposed visitor cycle parking facilities for the proposed flats. The number of spaces proposed is in accordance with TFL policy.

London Fire Brigade

The Brigade is not satisfied with the proposals. Please refer to the comments below for the Brigade's comments.

Other comments:

It appears that some of the dwellings do not comply with the guidance given in Approved Document B5 – Fire Brigade Access, in as much that there should be vehicle access for a pump appliance to within 45m of all points within the dwelling house.

Response by Applicant

The applicant has provided additional drawings showing routes to which fire engineers can reach which are within 45m of all dwellinghouses.

Officer Comment

Any updated comments received from the London Fire Brigade will be reported verbally at Committee.

Metropolitan Police

'Barnet Police have no objections in principal to the development proposals.

As with other planning applications within the London Borough of Barnet, I would welcome compliance with the Association of Chief Police Officers (ACPO) 'Secured By Design' (SBD) Scheme. SBD supports the Barnet Local Plan: Development Plan Document 2.6 Security in Design and 3.9 Secured by Design (adopted September 2012).'

Officer Comments

A condition is attached requiring the development to submit details regarding how they intend to achieve secured by design accreditation.

Natural England

'Natural England has previously commented on this proposal and made comments to the authority in our letter dated 07 March 2013.

The advice provided in our previous response applies equally to this reserved matters application although we made no objection to the original proposal.

The proposed amendments to the original application relate largely to design and landscaping, and are unlikely to have significantly different impacts on the natural environment than the original proposal.

*Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.'*

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

Site in relation to the outline consent:

This application site submitted for assessment falls within Phase 3 of the outline consent, which is in the northern part of the Mill Hill East regeneration area (also known as Millbrook Park) and covers an irregular shaped area approximately 3.06 hectares (Ha) in size. The site is bounded by Partingdale Lane to the north, IBSA House to the west and the approved Phase 2 Site to the South west (Ref: H/03904/12). The remaining areas that surround the site is the existing cleared site associated with the future Millbrook Park phases.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height. Development within the central slopes east character zone allows a higher density of development although predominately limited to 3 storeys with some 4 storey elements.

Physical features:

The site is bounded by Partingdale Lane to the north and IBSA to the west. Partingdale Lane has a semi rural character containing a Grade II Listed property at Partingdale Manor facing the north western portion of the development and a line of cottages (Frith Manor Cottage Mews Cottage) to the north roughly in the middle of the proposed development.

IBSA House which forms the western boundary is the administrative headquarters of IBSA and the location of their publishing facility. It includes offices, a large print works and delivery yard.

To the south west of the site is the north eastern corner of the approved Phase 2 development. To the south and east of the site is the existing cleared site associated with the future Millbrook Park phases.

The site has a predominately flat topography with limited changes in level from south to north however with a steep bank dropping down between the site and Partingdale Lane. The landscape is characterised by mature trees along Partingdale Lane and the flank wall of the IBSA building.

The site is accessed in the south west of the site from Bittacy Hill through the approved Phase 2 development and via internal estate roads to the south of the development. The site has a public transport accessibility level (PTAL) of 2. Mill Hill East underground station is approximately 790m to the south of the site. The 221 and 240 bus routes run along Bittacy Hill with stops located between 320 and 340 metres from the application site

3.2 Description of Proposal

The proposal is to seek approval of matters reserved under outline planning consent ref H/04017/09 (layout, scale, appearance and landscaping) to redevelop the site for residential purposes. An Environmental Impact Assessment Screening Opinion for this phase has been submitted separately and it was considered that an Environment Statement was not required (application ref H/03919/13).

Housing:

The proposals would be for a mix of 1, 2, 3, 4 and 5 bedroom units) providing a total of 138 dwellings as follows:

- 17 x one bed flats
- 26 x two bed flats
- 47 x three bed houses
- 41 x four bed houses
- 7 x five bed houses

The proposed houses consist of five four storey apartment blocks along the western and south western corner of the plot. The rest of the development consists a mixture of short terraces, semi-detached and detached houses all of which are three storeys in height including habitable roof space, with the houses towards the higher density houses predominately located to the south of the plot and lower density houses along the northern boundary with Partingdale Lane. Internal access roads and footpaths to the properties are proposed. A number of garages, parking courts and parking barns are also proposed around the site.

Landscaping:

Parameter Plan 2 (Landscape) of the outline consent, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase.

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space to be provided across the whole Millbrook Park site. It stipulates that not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in a number of areas across the development site. In relation to Phase 3 it is considered that this will be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares

including both phases 3 and 4. This has subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. It is understood that open space provision is likely to vary within individual phases following the submission of subsequent reserved matters applications. Variations are permitted providing that they do not prejudice the overall target provision (5.95 hectares).

The Planning Statement submitted in support of the application advises that a total of 0.28 hectares, with the balance of 0.14 hectares provided within the future Phase 4. The open space will incorporate the retained areas of trees along Partingdale Lane and internal to the development and will incorporate 'door step' play facilities.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting to reinforce the Green Edge.

Discharging of conditions

This application also involves the partial discharging of a number of planning conditions attached to the outline consent that require information to be submitted for each phase of the development. Those conditions that are to be approved in relation to Phase 3 are as follows:

- 5 – Reserved Matters Details

Sets out the submission requirements for submission accompanying each reserved matters application.

- 8 – Housing Mix and Location of Affordable Housing Units

This requires prior to commencement of the development details of the proposed amount and mix of relevant residential development within that Phase and the proposed Affordable Housing Scheme to be submitted and approved.

- Condition 12 – Noise Survey along Boundary with IBSA House

This requires the submission of an Acoustic Design report to be submitted to show how internal noise standards will be achieved and how the design of the properties would be designed to minimise the impact of noise from IBSA House.

- Condition 26 – Pedestrian and Vehicular Access Points

This requires details of access points, estate roads and footways to be submitted and approved.

- Condition 27 – Details of Estate Roads

This requires details of lighting, pedestrian facilities, crossing points, cycle facilities, signing, bus stops/shelters, bus standing/layover facility, bus driver facilities, highway improvements and estate road layout and gradient.

- Condition 29 – Internal Access Roads

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 48 – Design of Open Space

This requires details on the construction of any communal open space and should be in accordance with the principles and parameters contained within Parameter Plan 2, Landscape (A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1).

- Condition 52 – Children’s Play Space

This requires details of children’s play areas to be submitted and approved and shall be provided within 12 months of the first occupation of any dwelling located within that phase.

- Condition 57 – IBSA House Boundary Treatment and Landscape Buffer

This condition requires details of boundary treatment and landscape buffer with IBSA House to be submitted and approved.

- Condition 70 – Design to Lifetime Homes Standards & Wheelchair Standards

This condition requires all residential units to be built in accordance with Lifetime Homes Standards. Furthermore 10% of the units shall be designed to be fully wheelchair accessible.

- Condition 80 – Code for Sustainable Homes

A statement to be submitted to demonstrate measures incorporated to achieve a minimum standard of Code for Sustainable Homes Level 4 (with a minimum level of Code Level 6) by 2016.

- Condition 83 – Greywater/Rainwater Recycling Provision

This requires details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings to be submitted and approved.

- Condition 85 – Green/Brown Roofs Provision

This requires details to demonstrate the provision of Green or Brown roofs into each of the buildings to be submitted. Details shall also include a reconciliation plan or table showing how the proposed provision complies with the 10% target fixed by condition 84.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of constructing 103 residential dwellings and provision of public open space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

Scale – the height, width and length of each building proposed in relation to its surroundings.

Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

Appearance – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

Landscaping – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Access – The internal road layout and the proposed pedestrian link to Partingdale Lane was established at outline stage. This current application shows the internal estate roads in the same location in compliance with the outline parameters for access. A separate planning application for the proposed pedestrian access to Partingdale Lane has been submitted regarding this as part of the proposed access is located outside the redline boundary (H/04096/13). Whilst, the application does not formally seek the approval for access, the internal access points, circulation and routes for pedestrians and vehicles are still considered as part of the overall scheme and for the discharge of conditions 26, 27 and 29.

The outline planning permission consists of a series of parameter plans which establish a series of parameters and principles to create a clear framework of planning control and fix the quantum of development, land uses, levels and access arrangements.

The key parameter plans of relevance to the consideration of this application are:

- **Parameter Plan 1: Access and Movement**
Establishes the main vehicular and pedestrian access points and vehicular movement hierarchy.
- **Parameter Plan 2: Landscape**
Establishes the location and extent of areas of public open space.
- **Parameter Plan 3: Land use**
Establishes the location and distribution of land uses and open spaces.
- **Parameter Plan 4: Scale**
Establishes the maximum height permissible across the whole Millbrook Park site.
- **Parameter Plan 5: Character Areas**
Establishes the extent and disposition of the strategic character areas.
- **Parameter Plan 6: Levels Strategy**
Establishes the proposed spot levels at street junctions and maximum permissible gradients along each of the streets.

In order to support the detail contained within the parameter plans the outline consent has a number of additional documents that form a 'strategic development framework' in accordance with the requirements of Policy MHE18 of the AAP. The 'framework' establishes a series of development principles that will be used to guide detailed elements and the preparation of reserved matter applications. Of relevance to the consideration of this application are the following documents:

- Design Principles Document;
- Phasing and Delivery Strategy
- Technical/Infrastructure Strategy
- Revised Public Realm and Open Space Strategy (MHE/OPA/5.1)
- Technical and Infrastructure Strategy (MHE/OPA/6)
- Revised Phasing and Delivery Strategy (MHE/OPA/10.2) which includes phasing plan ref Figure 4.1

Design Code

In addition to the above a site wide design code has been approved in the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application for Phase 3 is therefore considered within the framework of established broad development principles, Parameter Plans, and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates general compliance with the outline planning permission. There are some small areas where the application does not strictly conform and the applicant has provided justification for any deviations. These are explained in the sections below.

Deviation from outline

Each phase within the Millbrook Park site is made up of smaller plots as identified in Parameter Plan 4 (Scale) and in the approved Development Schedule (DS) at outline stage. This schedule provides a plot by plot breakdown of the accommodation and in this instance Plots A1, A2, B, C, D, G1 and G2 falls within Phase 3.

The number and mix of units for the Phase 3 reserved matters application is as per the outline s.106 accommodation schedule. The proposed total number (138) and mix of units is as per the approved DS when plots A1, A2, B, C, D, G1 and G2 are added together. However, the application would deviate from the schedule at a plot-by-plot level as a response to detailed design work. It is the distribution of the units across Phase 3 that is different to the approved schedule. The applicant has submitted a separate s.96a application to amend the DS and is approved under ref H/03858/13.

Approved Development Schedule (Table A6157.1 v3)*

Plot	1 Bed Flat	2 Bed Flat	3 Bed House	4 Bed House	5 Bed House	Total
A1	2	4	4	1	2	13
A2	3	10	4	0	0	17
B	0	0	7	6	2	15
C	0	0	7	7	3	17
D	0	0	6	5	0	11
G1	6	6	11	11	0	34
G2	6	6	8	11	0	31
Total	17	26	47	41	7	138

Proposed amended Development Schedule for Phase 3 (Table A6157.1 v5)

Plot	1 Bed Flat	2 Bed Flat	3 Bed House	4 Bed House	5 Bed House	Total
A1	12	0	5	2	0	19
A2	5	18	0	0	0	23
B	0	0	6	7	2	15
C	0	0	0	11	4	15
D	0	0	1	8	1	10
G1	0	8	19	5	0	32
G2	0	0	16	8	0	24
Total	17	26	47	41	7	138

* Version 3 was the last version to include the site wide breakdown including Phase 3.

As seen above, it is the location of the dwelling types within Phase 3 that is changed and does not alter the number, the mix of apartment and house types or size of the units. 33 units are to be affordable dwellings (both rented and intermediate) and the rest to be private sale properties. The mix of housing on other plots outside of Phase 3 is not affected by this application. Due to the detailed design work, the larger apartment blocks on the western side of Phase 3 comprising Plots A1 and A2 have an increased number of units with corresponding reductions in other plots in particular Plot G2 to the south east of Phase 3.

One of the rationales for the DS is to ensure that units are not squeezed into certain plots as the scale of the building are already set under Parameter Plan 4. Any deviation from the DS would be acceptable provided all other matters such as the size, scale and layout of the development would not cause adverse harm and the standard of accommodation for residents are not compromised. As discussed below

in this report, when all the other detailed matters are considered the departure from the DS is acceptable.

4.2 Amount of Development

Housing

The amount and mix of development for 138 dwellings in Phase 3 is in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 33 units are to be affordable dwellings (both rented and intermediate) and the rest to be private sale properties. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of affordable housing, and the proposed submission is considered to accord with this requirement.

Public Open Space

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space for Phases 3 and 4 to be: Northern Pocket Parks 0.35 hectares. As a result of a shortfall from an earlier phase, this has increased to 0.42 hectares. The Planning Statement submitted in support of the application advises that a total of 0.28 hectares, with the balance of 0.14 hectares provided within the future Phase 4. The proposal is therefore considered in accordance with Condition 15.

4.3 Scale

Parameter Plan 4 (Scale) indicates a 3 storey maximum permissible height for the majority of the phase 3 area with the exception to the south western portion of the Phase concerning the majority of Plot A2 which can rise to 4 storeys. The proposed houses are all of traditional design with pitched roofs measuring 3 storeys in height. The two apartment blocks located within Plot A1 facing IBSA house are 4 storeys, with the other apartment block behind these blocks to the east is reduced to three storeys in common with the rest of the development. The ridge heights throughout Phase 3 are also within the maximum heights as set out in the parameter plan. The proposal also predominately falls within the required width and length parameters (minimum and maximum) stipulated within Parameter Plan 4 with the exception of the proposed building located to the south of Plot A2 which extends beyond the maximum parameters measuring 41m in length as opposed to 25m in the Design Code. This is a result of detailed design discussions between the Council and the applicant to ensure the satisfactory appearance of the development in particular the role of the relevant building in A2 in marking the transition into the new development and as such is considered an appropriate and acceptable minor alteration.

As highlighted above, Millbrook Park outline planning consent is split into 4 character areas (as shown on Parameter Plan 5) as follows:

Green Belt Edge – low density houses, green character

Central Slopes - medium density, mix of houses and apartments up to 4 storeys in height

Southern Hub – highest density, predominantly apartments up to 6 storeys in height.

Mixed Use/retail/community – mixed uses around public square and new primary school.

The approved Design Code for the scheme further splits the Central Slopes Character Zone into East (CZE) and West (CZW) character zones.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height of a 'garden housing layout' comprising of smaller blocks composed of detached, semi-detached and terraced houses and the occasional small apartment buildings. Development within the central slopes east character zone can accommodate a mixture of 'garden housing' and higher density 'garden court' style housing involving medium density development providing a block perimeter layout including the use of communal parking courts.

The design and layout of the scheme predominately follows the above parameters with lower density suburban houses to the rear along Partingdale Lane and higher density garden court layout housing with lines of short terraces forming blocks along the southern edge of the site.

The existing vegetated bank and mature trees partially screen the proposed houses, from Partingdale Lane to the north.. The existing houses on the opposite side of Partingdale Lane include a short terrace and pair of semi detached properties at Frith Manor Cottage a detached cottage (Mews Cottage) and a Grade II Listed detached property further to the west (Partingdale Manor). The proposed houses facing these properties are three storeys in height consisting of detached and semi detached properties which are considered broadly in keeping with the character of these properties and surrounding area.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established, with the development as a whole providing 138 dwellings at 45.1 dwellings per hectare (dph) with the portion of the development within the CSE character zone providing 79 dwellings at 59.8 dph and the portion located within the GBE character zone providing 59 dwellings at 34.3 dph.

Phase 2 has a Public Transport Accessibility Level (PTAL) of 2 and is considered suburban in character. The London Plan recommends a density range of 150-250 Habitable rooms per hectare for sites with a PTAL between 2-3. At 203 habitable rooms per hectare the proposal would accord with the upper end of acceptable density levels established by London Plan Policy.

4.4 Layout

Policies CS5 and DM01 require development to be of a high quality design and should ensure attractive, safe and vibrant streets which provide visual interest. Proposal should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime. The proposals demonstrate an internal road and building layout in broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan 1.

The primary distributor roads are named secondary general which runs along the southern perimeter of the phase and northern street which provides access to the rear portions of the site and also links through to future phases 4a and 5. Other small branch roads form short cul de sacs with no through access. These roads link through to the access through the earlier Phase 2 scheme to Bittacy Hill to the West and through other future internal distributor roads to the south of the site.

The proposed layout is broadly in compliance with the parameter plans and the Illustrative Masterplan while there are minor difference in the layout this is inevitable as a result of design progression through the process of drawing up and submitting reserved matters applications for the individual phases.

Site Boundaries

Within Phase 3 there are two key primary site boundaries , the first being the relationship with Partingdale Lane to the North and the second towards IBSA house to the west.

The relationship with Partingdale Lane is considered to be of paramount importance to the overall acceptability of the scheme, marking the transition from the development to the rural green belt edge to the north. The proposed houses along the northern boundary are predominately low density detached properties set back from the edge of the site. The properties are designed to either face onto Partingdale Lane or to provide active return frontages except where necessary to preserve residential amenity. Existing trees and other landscaping is proposed to be retained and augmented where necessary with additional low level planting and new black powdered coated railings measuring a maximum of 1.3m in height, this would replace an existing 2m chain and razor wire fence and is considered to represent a visual improvement.

In relation to the IBSA boundary, this is currently separated by a 2m high chain and razor wire fence, with sporadic planting. It is proposed to replaces this with a 2.5m high timber acoustic fence along with additional tree and hedgerow planting adjacent to the new car parking area. This would improve the visual amenities of the area over and above the existing situation.

Parking

A number of parking courts are proposed across the site and are well overlooked. The roads within the development are designed to accommodate a variety of vehicles including refuse and emergency vehicles with turning circles provided at the heads of proposed cul-de sacs.. On the primary roads separate pedestrian footpaths are provided, while the short cul de sacs and entrance to shared parking courts are shared surfaces, which conforms to the Design Code. The approach to vehicular parking differs throughout the development, with those houses fronting the 'secondary general' road to the south having front drives accessed directly from the road, with houses from the middle to the rear of the site generally having parking in the form of central parking courts including garages and car barns. Parking for the apartment blocks is in the form of communal car parking courts also contain separate secure cycle storage facilities. The allocated parking courts are gated and

located behind houses have been designed to allow direct access into the rear gardens to reduce the walking distance and is an acceptable solution. All car parking areas are overlooked in accordance with secured by design principles.

The level of parking is discussed in the highways section of this report.

Access

The Design Code has been approved to enable the delivery of a permeable and legible new neighbourhood. The approved parameter plan includes new roads and the provision of a pedestrian crossing between the application site and Partingdale Lane. This is located partly outside of the red line boundary and as such is subject to a separate application ref H/04096/13. The proposal would provide for access from Partingdale lane through the proposed Community Square into the wider development.

The proposed layout follows the proposed layout indicated on the approved parameter drawings. And is considered to provide for a legible and permeable development. The scheme also provides a pedestrian footpath running along the northern boundary of the site between the rear gardens of the proposed houses and further increasing the accessibility of the site.

Open space

The approved 'Revised Public Realm and Open Space Strategy' and the Design Code establishes the design principles for the landscape works.

The proposal incorporates 0.28 hectares throughout the phase in the form of a proposed 'community square' and 'pocket parks'

The proposed 'community square' extends from the northern street facing the proposed affordable houses to the west and private housing to the east. The design and access statement submitted in support of the proposal advises that this area will act as a transition zone between the more urban character of the Central Slopes East area and the less formal Green Belt edge with Partingdale Lane. The area will be predominately hard surfaced containing residents and visitor car parking spaces and informal play space with soft landscaping in the form of formal box hedgerows and trees. A planted archway will provide access to a more secluded portion of the space to the north incorporating benches and additional planting.

The proposed pocket parks are located throughout the phase although principally around retained trees along the northern street and the rear boundary with Partingdale Lane. The spaces will include soft bulb planting, benches and door step play elements such as boulders.

Crime

The proposed layout predominately follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages. The Metropolitan Police have not raised any objections to the

scheme subject to the scheme achieving Secured by Design accreditation. A suitable condition to this effect is recommended.

Levels

In contrast with the wider Millbrook Park site, Phase 3 is relatively level with minor areas of terracing associated with the previous terraced layout of the barracks buildings and with localised level changes around mature trees and along the site boundaries with IBSA house and Partingdale Lane. The application has sought to maintain existing levels where possible while also proposing safe level access to dwellings in accordance with the Equality Act 2010 with all dwellings achieving lifetime house standards. The proposal is also in accordance with the approved levels parameter plan and the Design Code and is therefore considered acceptable.

Deviation from Development Schedule

As previously mentioned the overall number and mix of units across Phase 3 is in accordance with the DS. However, the distribution of the units across the phase deviates on a plot by plot level, with the larger apartment blocks on the western side of Phase 3 comprising Plots A1 and A2 have an increased number of units with corresponding reductions in other plots in particular Plot G2 to the south east of Phase 3. Given the layout is considered acceptable in terms of density, overlooking and scale there are no objections to the deviation and the deviation is not considered to cause any adverse harm in terms of character or other assessments.

4.5 Appearance

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

As discussed, Phase 3 is within located within both the GBE and CSE character zones and as such it is necessary for the scheme to provide for a subtle transition between the more dense form of the 'Garden Court' housing in the southern part of the development and the lower density 'Garden Housing' on the northern part of the site.

The development consists of 6 separate development parcels separated by estate roads incorporating 3 differing block typologies, Garden Housing, Garden Court and Internal Street. The apartment buildings facing IBSA house can also be considered to form a fourth type.

Apartment Blocks fronting IBSA House

The illustrative masterplan indicates a line of small blocks with gaps terminating in an L Shaped block to the south and interfacing with a line of houses to the north fronting Partingdale Lane. The approved parameter plans limit the majority of this to three storeys in height with the exception of a portion to the south which is identified as four storeys. Maximum eaves and ridge lines are also set out.

The reserved matters application keeps the general form of the outline approval encompassing four blocks, with the southern two blocks measuring four storeys in height with predominately hipped roofs with inserted chimney breasts and projecting balconies and bays.

A central car park splits the two southern apartment blocks extending to the IBSA house boundary. The rest of the rear of these blocks is taken up with soft landscaping wrapping around the L Shaped form of the block to the south and extending rearwards in relation to the block to the north.

As previously mentioned the block at the southern end of the development has been extended beyond the maximum parameters measuring 41m in length as opposed to 25m in the Design Code. This is a result of detailed design discussions between the Council and the applicant to ensure the satisfactory appearance of the development in particular the role of the relevant building in A2 in marking the transition into the new development and as such is considered an appropriate and acceptable minor alteration.

In relation to the central portion of the IBSA house boundary two small apartment blocks are proposed measuring 3 storeys in height with inset Lucarn Balconies and flat roof porches and gabled roof forms. The design of these properties is a lot simpler in appearance than the blocks to the south although of similar traditional form.

Garden Court Housing

Two permitted Garden Court Blocks are proposed on the southern portion of Phase 3 from the northern street down to the secondary general street interspaced with a connecting community street. Along the southern boundary the scheme extends from a three storey apartment block facing the IBSA house blocks with projecting balconies overhanging roofs and high hipped roof interspersed with chimney breasts to a line of 3 and 4 house terraces with projecting gable features at either end and inset gable dormers to the front and rooflights to the rear. This development is then split by the connecting community street followed by two short terraces of 4 properties and a terrace of 3 in the middle. Again the development is framed by projecting gables at either end and inset dormers and rooflights. A line of parallel car parking spaces are proposed in front of the houses along this road interspersed with landscaping.

The design of the houses to the north, while following a similar pattern of short terraces along with a single detached house on the north eastern corner, differ significantly in design and appearance with larger gaps due to the proposed entrances to the parking courts and the provision of various differing house types and design incorporating areas of crown roof as well as projecting gables and inset balconies. Along with traditional features such as chimney breasts. Car parking for these properties is provided in either in the form of attached garages or in the central car parking courts.

Overall the design of the Garden Court Housing is considered to represent an appropriate standard of design in keeping with the character and appearance of its

location within the Central Zone East character area. The housing is of a traditional albeit medium density design providing a transition to the Green Belt Edge character zone to the north. The housing contains architectural features which maintain visual interest and help to break up the façade of the frontage maintain gaps which provide views through from the north. The areas of crown roof would not be visible from ground level and are considered acceptable due to the need to maintain ridgelines within the parameters of the outline consent.

Green Belt Edge

The blocks on the northern portions of the site follow a similar perimeter block layout to the garden housing blocks to the south. The properties proposed are generally of larger 4 or 5 bedroom houses predominately semi detached with short terraces to the east and the west and predominately detached towards the rear fronting Partingdale Lane. Similar to the rest of the development the design of the buildings is of a traditional type with heavy use of projecting gable elements and inset dormers along with areas of crown roof and traditional features such as chimneys. The individual design changes from house to house reflecting the lower density nature of this portion of the development. Design features are also introduced to break up the frontages to provide for a lower density feel, i.e. through the use of staggered building lines and landscaped frontages and interspersed pocked parks.

The design and appearance of the properties within this character area accord with the general principles of the design code which specifies lower density 'garden housing' layout along the northern sections. The traditional design of the properties is considered in keeping with the character and appearance of its environs including the interspersed semi rural frontage on Partingdale Lane.

Internal Streets

The Design Code defines an internal street type as a means by which a larger block can be subdivided to form smaller blocks i.e. the interface sections between blocks along the proposed community streets.

There are several sections which this occur with short terraces of up to 3 houses proposed in the centre of the proposed blocks backing onto the proposed car parking courts to the rear. The design of the relevant properties is similar to surrounding built forms although with simpler roof forms lacking projecting gables and in the case of the interface blocks in the southern sections incorporating half hipped elements to limit the resultant mass. The blocks facing the internal streets are also set back from the frontages to a varying degrees allowing for landscaping, planting and the provision of entrance paths.

The design of these sections is considered to provide an appropriate transition between the properties at either end. The properties are of satisfactory design maintaining an appropriate degree of visual separation while also providing increased security in enabling development to be enclosed and overlooked on all sides. The design also accords with the principles outlined in the Design Code.

Garages and parking barns

The proposed parking courts contain a mixture of garages and car parking barns. The garages are timber faced with timber doors and clay tile roofs to match the surrounding buildings, while the parking barns are similarly constructed out of timber with clay roofs. In addition to this covered cycle and refuse stores are provided for the apartment blocks to the west of a similar design. The design of these structures is similar to those approved in the earlier Phase 2 approval. The structures are single storey only and will therefore be of limited visual prominence while also maintaining a traditional appearance and is considered acceptable.

Conclusion for External Appearance

Overall, the traditional fenestration patterns, scale brick detailing, chimney stacks and materials are also considered acceptable in principle and it is considered that the traditional architectural approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

Materials

The Design Code stipulates that a warm red brick GBE character area while either warm red or buff coloured bricks may be used in the CSE character area. The Design code also specifies that the material palette along the Partingdale Lane frontage should include clay plain tile or natural slate roofs, high performance timber windows and black coated aluminium rainwater goods.

The scheme proposes four different material patterns for the development.

1. North western apartment blocks facing IBSA House

The materials proposed in this phase are Weinerberger Nutcombe Multi Brick and Marley Hawkins Staffordshire Blue Clay Tiles, moulded stone chimneys, stone surrounds to windows and overhanging verges with overhanging eaves with exposed ends to rafters.

2. Northern Boundary with Partingdale Lane

Weinerberger Mardale Antique Brick, Marley Ashdowne Aylesham Mix Clay Tile, brick detailing and clay pots to chimneys, soldier course below clay tile to window surrounds and clipped brick verge with overhanging eaves with exposed ends to rafters.

3. Southern boundary extending through to north east boundary

Weinerberger Olde Henfield Multi, Marley Acme Double camber smooth, brick detailing and clay pots to chimneys, soldier course below clay tile to window surrounds and overhanging verges with overhanging eaves with exposed ends to rafters.

4. South western apartment buildings and proposed houses in central and north eastern portions of the site.

Weinerberger Chartham Multi Brick –Marley Acme Double Camber Dark Brindle Tiles, brick detailing and clay pots to chimneys, soldier course below clay tile to window surrounds and some stone surrounds and clipped brick verge overhanging eaves with exposed ends to rafters.

Throughout all phases black powder coated aluminium rainwater goods, hardwood doors, white painted timber windows, grey membranes to crown roofs and cedar cladding to bin, bike stores and car ports.

The proposed materials are considered broadly acceptable according with the principles of the design code. Conditions are attached requiring physical samples to be provided prior to the commencement of the development.

4.6 Landscaping

The ‘Revised Public Realm and Open Space Strategy’ approved at outline stage sets out the principles for a landscape and open space strategy for Millbrook Park and provides detailed design guidance for reserved matters applications. The approved Design Code adds another layer of detail and requires a number of landscaping features in Phase 3.

Partingdale Lane frontage

The Design Code advises that the existing boundary vegetation should be reinforced to maintain and strengthen the positive vegetated edge and that additional boundary treatment such as metal railings should be installed ensuring no disturbance to trees and hedgerows.

The proposal advises that an existing 2m high chainlink/ razor wire fence will be removed and replaced with a 1.3m high black railing to new footpath. Additional infill planting involving native trees (native hornbeam, whitebeam, birch, beech and scots pine and thorny plants (including holly, hawthorn, blackthorn and buckthorn). This is considered to accord with the principles outlined in the Design Code and is considered acceptable.

IBSA House boundary

The Design Code specifies an appropriate visually attractive fencing, existing trees to be retained and wherever possible a new hedge and tree planting to provide a landscape buffer along the IBSA boundary.

The IBSA boundary is currently defined by a steel post and wire mesh fence with razor wire (2.5m high) in front of a low vegetated bank and timber close boarded fence. The application proposal is for the erection of a 2.5m high Acoustic fence with additional landscape buffer strip along the entire length of the shared boundary. Proposed trees will include a mix of evergreen, semi evergreen and deciduous semi mature stock. Native hedgerows and climbers will also be introduced to base of acoustic fence.

It is considered that the landscaping proposals would help to screen the acoustic fence and provide a visually attractive boundary between the print works and the residential site and would represent a significant visual improvement over the current situation.

Green Spaces

As discussed above, Condition 15 (Level of Open Space) of the outline consent set out the level/target of open space for Phase 3. Parameter Plan 2, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase.

The proposal incorporates 0.28 hectares throughout the phase in the form of a proposed 'community square' and 'pocket parks'

The proposed 'community square' extends from the northern street facing the proposed affordable houses to the west and private housing to the east. The design and access statement submitted in support of the proposal advises that this area will act as a transition zone between the more urban character of the Central Slopes East area and the less formal Green Belt edge with Partingdale Lane. The area will be predominately hard surfaced containing residents and visitor car parking spaces and informal play space with soft landscaping in the form of formal box hedgerows and trees. A planted archway will provide access to a more secluded portion of the space to the north incorporating benches and additional planting.

The proposed pocket parks are located throughout the phase although principally around retained trees along the northern street and the rear boundary with Partingdale Lane. The spaces will include soft bulb planting, benches and door step play elements such as boulders. A new footpath is also proposed along the rear cartilage of the properties fronting Partingdale Lane.

Play space

Play provision in the form of toddler's 'doorstep play' is proposed in the Community Square and throughout the Pocket Parks in accordance with the Design Code and the Open Space Strategy. Timber play and natural elements such as balance beams, hopscotch and boulders suitable for young children are proposed.

No formal neighbourhood play provision is proposed as a part of Phase 3 due to its close proximity to a Local Area of Play in the Panoramic Park within the Millbrook Park Masterplan. The details submitted satisfy Conditions 48 (Design of Open Space) and 52 (Children's Play Space).

Trees

This contains a large number of existing trees that have been identified to be retained to maintain the 'green edges' to the site. Most of the trees that are to be felled in Phase 3 have already been approved at previous stages. Parameter Plan 2 at outline stage had indicated the trees that are to be lost, followed by the approval

of Condition 53 (Protective Fencing Around Trees). A further Application for the demolition of existing buildings (Ref: H/04655/11) was granted in December 2011 which included details of tree retention, felling and protection measures.

In addition to trees which were earmarked for removal, seven trees were earmarked for refusal subject to the submission of the Reserved Matters Application depending on the final position of the proposed dwellings and other infrastructure. The current application proposes the loss of two of these trees. These consist of:

- 1 x Condition C2 Italian Alder (T244)
- 1 x Condition B/C Common Ash (T247)

In addition due to the afore mentioned trees, the following trees are also proposed for removal. These are

- 1 x Condition B/C Sycamore (T276)
- 2 x Condition C Cherry Trees (Unspecified Saplings located within Group 611)

To compensate for the loss of these trees and to enhance the landscaping of the site the application proposes the planting of 120 trees, along the northern boundary with Partingdale Lane, the IBSA Boundary and throughout the development.

Protection of existing trees

The applicant has submitted an Arboricultural Method Statement and accompanying plans to indicate the protection measures for the retained trees. The RPA encroachments to retained trees are mainly attributable to proposed roads, car parking and other hardstanding and it is proposed to require a no-dig/low-dig construction method and permeable paving surface in these areas. The Council's Tree Officer has examined the submitted details and has concerns that the proposal could potentially result in damage to proposed trees and/ or future pressure to fell or lop.

It is noted that the broad position of the proposed houses has already been established in the Outline Consent and the trees in question are not subject to any statutory protection, although they provide substantial group amenity value and screening to the boundaries of the site. It is therefore recommended that appropriate conditions are attached requiring the submission of a foundation method statement, the supervision of relevant works by a qualified arboriculturalist and details of hard and soft landscaping including the requirement for replacement planting in the event of future loss.

Maintenance

Areas of public open space, estate roads and parking court areas are to be transferred to the Millbrook Park Residents Management Company (RMC1) for ongoing maintenance, in accordance with the approved Estate Management Framework approved pursuant to Condition 10 of the outline consent (ref H/01219/12). The submitted Landscape Management Plan provides specifications for replacement planting and identifies site specific management requirements for

establishment period (years 1-5) and management beyond this period should be reviewed.

Hard areas

A simple, robust palette of materials is provided in accordance with the requirements of the Design Code and the contrast for different street types and areas help to distinguish between the private and public realm. The materials have also been chosen to respond to the proposed sustainable drainage strategy (SUDs). Street furniture such as benches, litter bins and lighting will be timber and steel in accordance with the Design Code materials matrix.

Street lighting locations have been provided, including details of proposed lanterns and lux lines. A condition was also attached to the previous Advanced Infrastructure Reserved Matters Application for this Phase (H/00668/13) requiring the applicant to submit additional details prior to the occupation of the units demonstrating that the proposed street lanterns would not adversely affect the amenities of future occupiers.

Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set in the Design Code and parameter plans. It will achieve a verdant Bittacy Hill frontage and will frame and complement the architectural approach whilst increasing the overall biodiversity of the site's environment. It complies with Policies CS5 and DM16.

4.7 Amenities of Future Occupants

Dwelling outlook and daylighting

Development plan policy requires that new dwellings are provided with adequate outlook. The layout proposed for Phase 3 maximizes the outlook of occupiers of the new dwellings, with all houses being located on a north south or east west axis. All of the proposed apartment buildings are also dual aspect and it is considered that all units will receive adequate levels of daylight and sunlight.

Privacy

Across the majority of the site privacy distances are considered to be in keeping with policy requirements with rear to rear distances measuring between 30-38m. Front to front distances are lower around 12m, although anticipated levels over a public space are correspondingly lower than at the rear and accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas. Several of the units, including 12 flats, 39 four bed units and 2 five bed units contain projecting balconies. The submitted details show the provision of a 1.8m opaque screen to the sides of the proposed balconies which would be sufficient to ensure that the proposal would not adversely affect the privacy of future occupiers.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor's Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon the same standards.

All of the units proposed would have a gross internal floor area which exceeded the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Amenity space

The approved Design Code require the provision of 10 sq.m of amenity space for a 1 bed flat, 15 sq.m for a 2 bed flat, 40-55 sq.m for a 3 bed house, 55-85 sq.m for a 4 bed house and 85 sq.m for a 5 bed house.

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens with the majority of the larger houses also having balconies. In relation to the proposed flats, 12 of these have individual balconies while all flats will have access to shared external amenity areas. All of the proposed units meet or exceed the minimum standards outlined in the Design code.

and a large number of these also have access to either a balcony or a terrace to meet the minimum area requirements specified in the Council's Draft Sustainable Construction and Development SPD. The majority far exceed the required areas.

The draft SPD specifies a 5sqm of space per habitable room for flatted developments. The flats in Phase 2 have between 2 to 3 habitable rooms each and therefore equals to a minimum of 10sqm (for one bed flat) and 15sqm (for two bed flat). Each flat has a minimum of 5sqm of private balcony or terrace space and private communal amenity space is available around the apartment blocks. The total communal space for each block meets the minimum cumulative amenity space. The dwellings would be within 100m radius of the Officers' Mess Gardens as well as the pockets of public open space within this phase and is considered acceptable.

Where balconies are proposed, privacy screens are provided between each house and thus prevent overlooking.

It is considered that alternative amenity spaces would be available to any future occupants of this private sale property and the proposal is acceptable on grounds of private amenity space provision.

4.8 Impacts on amenities of neighbouring and surrounding occupiers and users

Properties on Partingdale Lane

Partingdale Lane is semi rural in character forming part of the Metropolitan Green Belt. Partingdale Lane contains a line of cottages (Frith Manor Cottages) which face onto Partingdale Lane, another cottage (Mews Cottage) which contains no windows facing towards the development, although it has a rear garden to the side fronting

Partingdale Lane and Partingdale Manor a Grade II listed building located further to the west which has a projecting 2 storey front wing fronting Partingdale Lane.

The majority of the proposed development, (would result in no material impact upon properties in Partingdale Lane. The relationship of the plots closest to the relevant properties in Partingdale Lane are discussed below.

As a result of objections received the applicant has submitted a daylight and sunlight report assessing the impact of the proposal on daylight and sunlight. The report is based upon the BRE (Building Research Establishment) document entitled 'Site Layout Planning for Daylight and Sunlight A Guide for Good Practice)' advises that providing a new development would retain a VSC (Vertical Sky Component) score of greater than 27 or if the level of reduction is less than 20% than a development is normally considered acceptable and would not result in a significant reduction of daylight. In relation to sunlight a survey is only required in the case of windows located within 90 degrees of due south. In such cases windows should as a result of a development still receive 25% of annual probable sunlight hours (APSH) including at least 5% of APSH between 21st September and the 21st March or the level of reduction should not exceed 25%

Partingdale Manor

The three storey, four bedroom house located at Plot 42 is located sideways onto Partingdale Lane directly facing the projecting two storey wing of Partingdale Manor at a distance of 17m. In addition to this a pair of semi detached houses are located further to the west (Plots 36 and 37) and another property (Plot 50) is located further to the east.

The submitted report advises that of the 6 windows facing towards the development all of these windows would either retain a VSC of greater than 27 or the level of reduction would be less than 20%. In relation to sunlight all windows would received more than 25% of APSH and more than 5% during winter months. As such it is not considered that the proposal would result in any significant loss of daylight or sunlight to Partingdale Manor.

In relation to the comments received regarding the daylight and sunlight study not taking account of existing trees or proposed planting, advice from the BRE booklet is normally to discount trees as the impact of trees on daylight is likely to change throughout the year. Notwithstanding this, the proposed planting is predominately on ground level and as such should not significantly impact upon levels of daylight. Taking the large existing tree located outside of the application boundary into account could potential reduce the VSC calculation but would be likely to have a negative affect in calculating whether a reduction in daylight is greater than 20% and as such is not considered to warrant the refusal of the application.

In relation to privacy, Plot 42 is located sideways onto Partingdale Lane, with two ground floor windows and 1 first floor windows facing towards Partingdale Lane. The proposed ground floor windows which while located at higher level would only afford limited views through the existing pathway and landscaping and as such would not result in any significant loss of privacy. The proposed first floor window provides

additional outlook to a bedroom which is also serviced by an additional window to the west. The window is limited in size abutting a chimney breast and view is also further restricted by a large mature tree located partly outside of the application site in a direct line of sight between the properties. Given this it is not considered that the development at Plot 42 would result in any significant loss of privacy to Partingdale Manor.

The properties at Plots 36 and 37 and Plot 50 are not located in a direct line of site, while the properties at 36 and 37 front onto Partingdale Lane and will allow a degree of overlooking of a portion of the side curtilage of Partingdale Manor, given the large size of this curtilage with significant garden areas to the north and the east, it is not considered that this would warrant the refusal of the application particularly given that any overlooking would occur over a public road.

Mews Cottage

This property does not contain any windows facing towards the development with all windows facing either towards the west or the north. Due to this layout the proposal would not result in any significant loss of daylight or sunlight to habitable room windows.

In relation to privacy, the applicant has amended the layout of Plot 52 to reduce the potential of overlooking of the side/ rear garden of Mews Cottage. The amended design proposes an ensuite window at second floor level in lieu of a bedroom window. Projected 3d images provided by the applicant indicate that views into the garden from proposed ground or first floor windows would be limited due to the existing boundary treatment. The proposed alteration of the second floor window to an en-suite which would be fitted with obscure glazing would prevent overlooking of this garden. Plot 52 also has a first floor balcony located to the side, however this is set back from the rear of the property and as a result will not result in any significant loss of privacy.

Frith Manor Cottages

The properties located at 1-6 Frith Manor Cottages consists of a short terrace of 4 properties (No's 1-4) and a pair of semi detached houses (5-6). All of the properties are two storeys in height with habitable room windows fronting Partingdale Lane. The Daylight and Sunlight Report submitted by the applicant demonstrates that the proposal would not result in a reduction of the VSC below 27. In relation to sunlight all windows would received more than 25% of APSH and more than 5% during winter months. Given this it is not considered that the proposal would result in any significant loss of daylight or sunlight to the Frith Manor Cottages.

In relation to privacy, one of the proposed plots (Plot 62) is in a direct line of site with plots 52 and 63 having an oblique relationship. Plot 62 is located sideways onto Partingdale Lane containing only one first floor side facing window serving a landing which would not significantly affect privacy. In addition to this the property contains a rear balcony which would also afford some views although given that any overlooking would be limited by existing mature trees over a public highway it is not

considered that this would significantly affect privacy to properties at Frith Manor Cottages.

Phase 2 Development

The development adjoins the Phase 2 development to the south west, with the apartment building serving Plots 1-12 adjoining Plot L in Phase 2. The proposed building is slightly angled away from this building and the proposal does not result in any significant loss of privacy to the adjoining building. Adequate daylight and sunlight is also available to the south and east and it is not considered that the proposal would have any significant impact upon the amenities of occupiers of this phase.

Future Phases

The periphery of the site is delineated by the internal estate roads including the secondary General, northern street and community streets which will also serve future phases. Due to this layout proposed dwellings will either face front or sideways onto future phases and as such it is considered that the proposal would not significantly affect the amenities of dwellings contained within future phases or be unduly impacted upon by future development.

Noise disturbance from IBSA House

The western boundary of the site adjoins the boundary with IBSA House which consists of offices, a large print works and delivery yard. The print works has the benefit of an unrestricted planning consent and as a result the press can operate on a 24 hour basis.

As explained in the previous sections, two conditions (No. 12 and 57) were imposed on the outline consent with the objective of protecting the amenities of future residents and ensure the continued use of IBSA House. These conditions have been partly discharged in so far as they relate to the Phase 2 development which is located to the south of IBSA house but have not yet been discharged in relation to Phase 3.

Condition 12

Condition 12 reads: *“No development except infrastructure works in relation to Phase 1 shall commence unless and until an Acoustic Design Report has been submitted to and approved in writing by the Local Planning Authority. The Acoustic Design Report shall include, in relation to plots A1, A2 and L details of how internal noise standards with reference to BS8233 both internal for noise sensitive rooms (day and night) and external gardens (daytime). The internal and external layouts of the properties shall be designed to minimise the impact of noise from IBSA House. The relevant parts of the PPG24 assessment also to be taken into account.*

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

Reason:

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

The approved noise mitigation measures for the houses of Phase 2 were informed by a design and noise report by Halcrow (2011), limited the number of habitable room windows facing towards IBSA house and provided for all retained windows to be fitted with acoustic glazing and Acoustic Trickle Ventilation. In addition to this a 2.5m high acoustic fence was also erected along the entire northern boundary.

The current application for Phase 3 provides for a similar design approach with the 2.5m high acoustic fence being extended along the entire western boundary of the site. A landscaped buffer is also proposed and a line of car parking and an access road is proposed along a large portion of the boundary of the site with IBSA House, resulting in a degree of visual separation although several of the apartment blocks and one of the houses do back onto the IBSA house boundary. All properties with habitable rooms backing onto IBSA house would be provided with appropriate glazing incorporating acoustic trickle ventilation.

The Environmental Health Team was originally concerned that noise measurements had not taken account of all sources of noise including a plant located close to the north east boundary of the site and that outdoor noise levels may exceed acceptable levels. The applicant has confirmed that the submitted noise survey has taken account of this plant and that the proposed mitigation measures would satisfactorily ensure adequate living conditions. The Environmental Health Team has accepted this subject to the attachment of appropriate conditions. It is also considered that Condition 12 can be fully discharged.

Landscape buffer Condition 57

Condition 57 of the outline consent reads: *"No development within Blocks A1, A2 and L of the scheme as shown on Parameter Plan 4 (Scale) or within 50m of the boundary of IBSA House shall begin unless and until details of the proposed boundary treatment and landscape buffer with IBSA House have been submitted to and approved in writing by the Local Planning Authority.*

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

Reason:

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

This condition in part overlaps with Condition 12, but is specifically about boundary treatment and a landscape buffer. The reason for this condition is the same as 12, which is to protect the amenities of future residents and ensure the continued use of IBSA House. The details concerning Block L has already been approved under the Phase 2 consent and as such this condition can be fully discharged.

The Phase 3 application provides for the planting of approximately 40 trees along the IBSA boundary involving a mix of evergreen, semi evergreen and deciduous semi mature stock. Native hedgerows and climbers will also be introduced to base of acoustic fence. The Council's Environmental Health Team has previously advised that landscaping has a limited role to play in preventing noise transmission. The main purpose therefore of the proposed landscaping is to visually screen IBSA house and the proposed Acoustic Fence. The level of landscaping and planting proposed is considered acceptable and it is considered that this condition can be satisfactorily discharged.

4.9 Transport, parking and highways matters:

Access

The access points have already been established and the internal estate roads (the 'Secondary General and 'Northern Street') have been laid out in accordance with the Illustrative Masterplan. The use of the permeable block paving for parking courts and shared surfaces and dressed aggregate for footways are in compliance with the Design Code. The 'movement hierarchy' anticipated in the Design Code will be achieved.

Pedestrian Facilities

Access and movements for pedestrians were established as part of the outline application. The proposal incorporates a pedestrian footpath along the northern boundary with Partingdale Lane, separate footpaths along the main distributor roads and 'Pedestrian favoured streets' shared surfaces within the community streets in accordance with within the Design Code.

Pedestrian permeability with the surrounding area would be strengthened by the proposed pedestrian link with Partingdale Lane to the north. Details to discharge Conditions 26 (Pedestrian and Vehicular Access Points), Condition 27 (Details of Estate Roads) and Condition 29 (Internal Access Roads) are satisfactory. Condition 29 requires the internal access roads to be constructed and in place before any dwelling is occupied.

Parking

Condition 23 of the outline consent limits the number of residential parking spaces to 2,522 (plus limited visitor parking) across the whole site. The scheme provides 210 allocated parking spaces with 11 visitor spaces. The visitor parking is based on provision of 1 per 10 units for the one bed units and 1 per 5 units for the two bed units. No specific visitor parking is included for the proposed houses. 10% of spaces will be to Wheelchair Standard.

Parking Standards set out in the Local Plan Policy DM17 is as follows:

Maximum Standards will be:

- (i) 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms)

- (ii) 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms) and
- (iii) 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

The scheme therefore provides adequate car parking and would not result in significant overspill to neighbouring roads.

The original submitted scheme did not include details of proposed electric charging, refuse collection points, motorcycle or visitor cycle parking facilities (for the proposed flats). These details have now been provided with the scheme achieving 20% active and 20% passive electrical charging points in accordance with TFL standards along with 7 motor cycle spaces and 10 secure visitor cycle spaces and the Council's Highway Officer has confirmed no objection to the scheme subject to the attachment of appropriate conditions.

The parking courts and parking barns have been designed to allow for direct access into the rear gardens of the properties. Where this is not practicable, the route to the rear gardens have been minimised as much as possible. Access to the proposed parking courts are restricted by vehicular and pedestrian gates in order to comply with secured by design guidelines which limits access to below the 3.7m width outlined in the Design Code which would allow for single entry ingress and egress but not two way traffic. Due to the limited number of vehicles contained within each parking court this is considered acceptable and is similar to the arrangement of the consented scheme at Phase 2.

A Parking Management Strategy has yet to be submitted and must be conditioned in order for the proposal to be considered acceptable. This will demonstrate how vehicles will be prevented from parking on the non designated areas, in particular on the shared through route which is essential for traffic movements and the free flow of traffic. A condition to this effect is included.

Residents raised concerns regarding potential parking in Partingdale Lane, however given the adequate level of parking proposed within the development together with the narrow width and limited parking facilities in Partingdale Lane it is not considered that the local highway network will be significantly impacted.

Accessibility and Inclusivity

Fourteen houses within Phase 3 are wheelchair accessible, which equals to 10% and in compliance with Condition 70 (Design to Lifetime Homes Standards and Wheelchair Standards) of the outline consent. The allocated car parking spaces to these properties are in close proximity to their entrance points.

While the topography of the site is generally level in comparison with other parts of the Millbrook Park Site. there are some localised level changes within the Phase resulting in some parts of the development having gradients from 1:10 and 1:20 and not all car parking spaces meeting the recommended 3.3m width necessary for future conversion to disabled standard. It is noted that all houses are designed to

provide level thresholds and all of the proposed dwellings are designed to comply with the internal design criteria necessary to meet Lifetime Homes standards with all of the proposed wheelchair units also meeting the relevant External Standards. Condition 70 states that where the scheme cannot achieve the standards due to site specific conditions evidence shall be submitted. In this instance, given the topography of the site and given that the proposal complies with the standards internally, this is considered satisfactory to meet Condition 70. The scheme has followed principles of inclusivity and accessibility.

Sustainable travel

Secure cycle storage is provided either within plots within sheds and garages or within designated covered and secured cycle stores for the proposed apartment blocks are provided within the communal areas. The provision of 1 cycle space per one and two bedroom dwellings and 2 spaces per three, four and five bedroom dwellings, providing 233 spaces in total which is in accordance with the Design Code and is considered acceptable. The Design Code also recommends 10% cycle spaces to be provided for visitors within the street. The application proposes the provision of 10 secure visitor cycle spaces which is secured by condition.

Electric charging points have been provided either in the garage or in the courtyard and meets the minimum required in the London Plan 2011 (10% active and 10% passive) to encourage the uptake of electric vehicles. Motorcycle Parking is also provided.

Waste Management

The refuse strategy for the apartments provides for communal stores located either within the building or in detached stores. The majority of the dwellings have their refuse/recycling storage provided on plot either within garages or rear gardens. Dedicated refuse collection points are also provided for houses which are not otherwise accessible. Turning circles and vehicular tracking diagrams have been included in the application proposal demonstrating that refuse lorries (and emergency vehicles) can adequately access the development. The main internal estate road and other roads serving this development are not proposed to be offered for adoption. Nevertheless, the roads and other shared surfaces on this development must be constructed to withstand the largest type loads of vehicles proposed to enter/exit these areas. An indemnity condition (No. 34) has been included on the outline application for all phases.

Street lighting

The provision of adequate and well designed lighting will influence potential criminal behaviour and should help to reduce the risk of crime and fear of crime for those people living, visiting and working within this latest phase of the Mill Hill East development. The Holophane Conus column street lights proposed on this Phase were also proposed and accepted in the previous consent for the Phase 2 reserved matters application. This consent for the earlier was subject to a condition requiring the submission of a detailed lighting scheme including lux Lines and it is considered

that a similar condition is appropriate in this instance to ensure the satisfactory development of the site.

Conclusion for Transport, Parking and Highways

In summary, the application provides for adequate parking without harming the local highway network and promotes sustainable modes of travel and complies with Policies CS9 and DM17.

4.10 Environmental issues

Construction management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matters application. The Construction Management Plan submitted for this reserved matters application sets out the arrangements that will be implemented to ensure the environmental issues are managed and minimum impact on the surrounding environment by this development including noise disturbances, vibration, dust, smoke, plant emissions and traffic.

Contamination

A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy and part iv) requires a verification to be submitted for each phase.

This reserved matters application has not submitted any information to discharge the remainder of Condition 63, but an informative shall be imposed to remind the applicant of this requirement prior to the commencement of development. A similar informative was attached to the earlier Phase 2 approval.

4.11 Energy, climate change, biodiversity and sustainable construction matters:

Sustainable design and construction

Phases expected to be commenced prior to the end of 2013 have been designated to meet Code for Sustainable Homes Level 4 (Phase 1, 1A, 2A and 3) with post 2013 phases to meet expected revised 'Zero Carbon' government definition, and the Fabric Energy Efficiency Standard.

The application is accompanied by a Sustainability Statement, Energy Strategy and Code for Sustainable Homes Pre-Assessment. The applicant is committed to achieving Code for Sustainable Homes Level 4 (i.e. 25% reduction in CO² emissions over the Part L 2010 of the Building Regulations), as is required by London Plan

policies and Condition 80 (Code for Sustainable Homes) of the outline consent. This is mainly achieved by implementing high building fabric specifications and energy efficient measures. The submitted information is considered sufficient to meet the requirements of Condition 80 which can be discharged in relation to Phase 3.

An overarching energy strategy for the whole of Millbrook Park was submitted to and approved pursuant to Condition 79 of the outline consent (ref H/00560/12). The approved strategy outlines how a centralised energy supply to the south of the site will be delivered, and a decentralised supply to the north. The south of the site will be served by a District Heating Network provided by a single Energy Centre while the north of the site is expected to adhere to the Mayor's Energy Hierarchy by utilising an energy efficient building fabric and where applicable photovoltaic panels (PV).

The Mayor's Energy Hierarchy sets out three methods for achieving a minimum 25% reduction in carbon emissions:

- 1 Be lean: use less energy (fabric efficiency standards)
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

Due to the design of the houses, involving traditional properties with pitched roofs together with the layout of the scheme where south facing roofslopes face onto public roads along with sensitivity of the northern portion of the site adjoining the Metropolitan Green Belt, no PV panels are incorporated into the scheme with the applicant intending to achieve the Mayor's Energy Target through the implementation of an enhanced building fabric in combination with high efficiency building services. The submitted energy statement indicates that this would achieve an improvement of 26% over the Part L 2010 baseline.

This is consistent with the Mayor's Energy Hierarchy where being lean is the priority and is considered to satisfy Condition 79 which it is considered can be satisfactorily discharged.

Water resource

The drainage strategy for Phase 3 is developed from the principles identified in the approved site wide drainage strategy produced by Halcrow pursuant to Condition 43 (Drainage Strategy, H/04340/11, April 2012) of the outline consent.

The surface water drainage system to serve Phase 3 will follow best practice using Sustainable Urban Drainage Systems (SUDS) to attenuate and treat runoff from roofs, roads, car parks and other permeable areas. Waterbutts, pervious pavements and geocellular storage structures are proposed to reduce the impact of surface water runoff from the new development. The submitted Drainage strategy advises that discharge rates for the surface water will accord with the approved Halcrow site wide drainage strategy and the submitted calculations accord with this. There is therefore no objection raised to this change. The rest of the discharge rates for the other phases have not changed.

Condition 82 (Greywater/Rainwater Recycling Target) of the outline consent requires a minimum of 10% of rainwater to be collected on site and used to provide for irrigation needs of the development. Condition 83 (Greywater/Rainwater Recycling Provision) requires the submission and approval of details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings of the phase and this should include a reconciliation plan or table showing how the provision complies with the 10% target fixed by Condition 82.

The applicant has submitted a statement (titled 'Appendix C Rainwater Recycling Response to Conditions 82 and 83' August 2013) which sets out the applicant's commitment to meeting the requirements of the conditions. Through the installation of 200 litres + waterbutts for all houses of 3 beds and above and 150 litres for 1-2 bed houses it is considered that the scheme would provide for 24.5% which exceeds the 10% requirement set out in Condition 82. A reconciliation table has been submitted and it is anticipated that this is a 'live' document which would be updated with each submission of a reserved matters application. Condition 83 can therefore be discharged insofar as the information relates to Phase 3 only.

Biodiversity and Ecology

The AAP encourages the planting of native species to encourage biodiversity. The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place.

A site wide Ecological Mitigation and Management Plan (EMMP) was submitted and approved (H/04184/11, November 2011) pursuant to Condition 60 of the outline consent. It was considered that the document as approved demonstrated a comprehensive overall management plan for ecological assets on the application site.

No specific survey has been submitted with the current application, although the application proposes the retention of the majority of the existing trees on the site and the planting of new hedgerows and trees on the boundaries with Partingdale Lane and IBSA house and other locations within the Phase. The submitted landscape plan also advises that bat and bird boxes will be installed in existing retained trees at locations to be agreed with an onsite ecologist. The proposed landscaping proposals which are discussed in more detail along with the proposed mitigation matters are considered acceptable.

Natural England was consulted and raised no objections to the scheme as submitted. There are therefore no significant ecological issues raised in this proposal.

Green roofs

Condition 84 (Green/Brown Roofs Target) of the outline consent requires a minimum of 10% of green or brown roofs across the whole of Millbrook Park site. Condition 85 (Green/Brown Roofs Provision) requires details to be submitted and approved demonstrating this provision across the whole site including a reconciliation plan or table showing how it meets the 10% target fixed by Condition 84.

The scheme does not provide any green or brown roofs as the traditional form of development with its pitched roofs would conflict with the practical requirements of its installation. Since the development in the later phases could contribute to the 10% target (as shown on the reconciliation table), the lack of provision in Phase 3 is acceptable in this instance and Condition 85 can be discharged.

5. EQUALITIES AND DIVERSITY ISSUES

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under the above legislation.

The Phase 3 development will offer inclusive design for safe and easy use for all. All of the proposed dwellings are designed to meet the internal Lifetime Homes Criteria and 14 units (10% of proposed) are designed to be wheelchair accessible. In terms of external environment due to the topography of the site not all homes will be able to meet the external criteria as parts of the site will have gradients of 1:10 and 1:20. Additionally not all car parking spaces will be able to provide 3.3m wide parking spaces. While regrettable, this is considered inevitable given the nature of the Mill Hill Park site and has been accepted in other phases and is similarly considered acceptable in this instance.

The use as residential has been established at outline stage and it would not prejudice existing or future users/residents in the surrounding area. The areas of open spaces are publicly accessible and have level access.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code.

The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality family housing that would have a good standard of accommodation including outlook, privacy and access to daylight.

The traditional design of the development is appropriate for the Central West Slopes Character area, which also provides for variety and legibility. The materials and form relates well to the locally listed Officers' Mess building. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

The mitigation measures proposed in relation to potential noise disturbance from IBSA House activities are considered appropriate. The landscape buffer would provide an adequate visual screening.

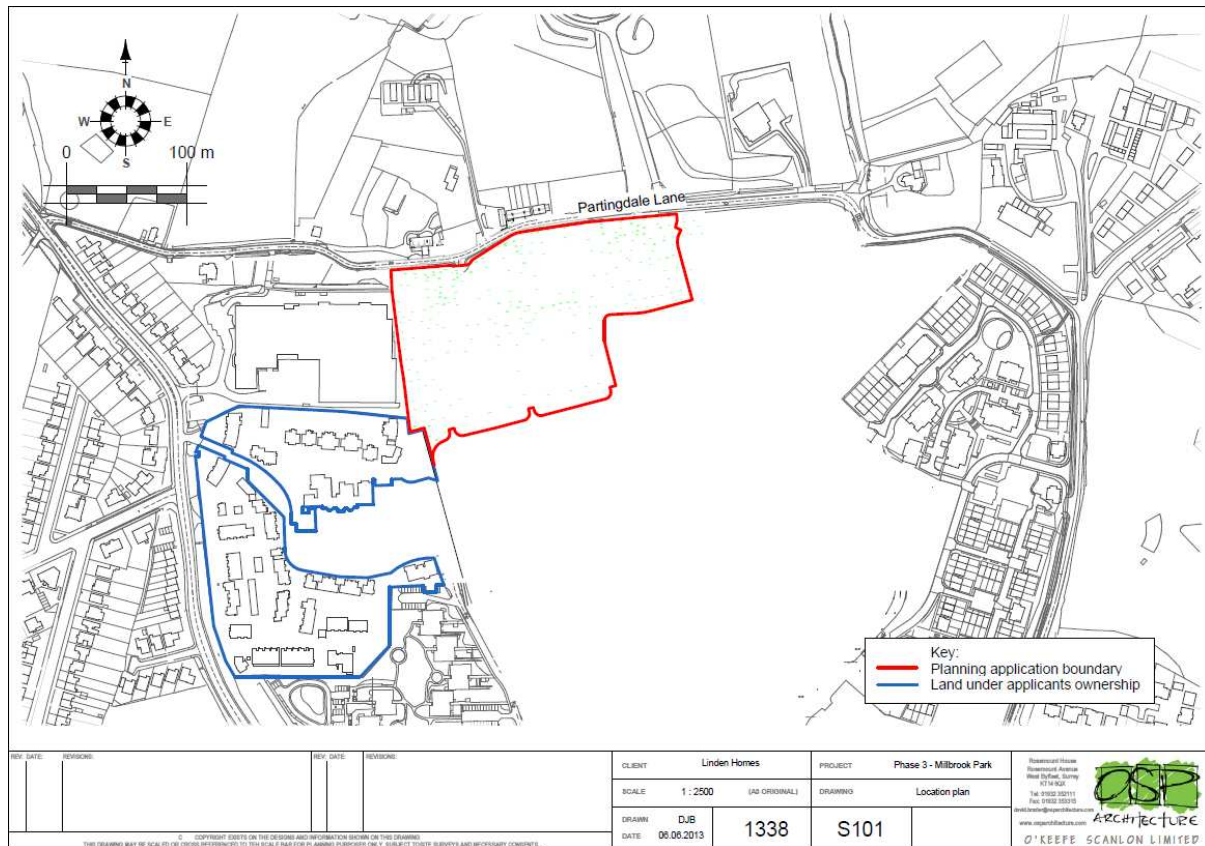
A large number of new trees and the landscaping scheme would mitigate the additional loss of the existing trees, contributing to the 'green edge' in this part of Millbrook Park site. The accessible public open spaces proposed would provide for quality green recreational spaces for existing residents nearby and future residents of the development.

The application also satisfies the requirements of Conditions 5, 8, 12, 26, 27, 29, 48, 52, 57, 70, 80, 83 and 85 of the outline consent.

It is recommended that the application be **approved** subject to the attached conditions.

SITE LOCATION PLAN: Phase 3, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: H/03860/13



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