

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 30TH JULY, 2014

AT 6.00 PM

PLEASE NOTE START TIME

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Melvin Cohen
Vice Chairman: Councillor Wendy Prentice

Councillors

Eva Greenspan	Barry Rawlings	Stephen Sowerby
Maureen Braun	Tim Roberts	Mark Shooter
Claire Farrier	Agnes Slocombe	Jim Tierney

Substitute Members

Richard Cornelius	Devra Kay	Gabriel Rozenberg
Anne Hutton	Sury Khatri	Laurie Williams

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 of the last Meeting	
2.	Absence of Members	
3.	Declarations of Members Disclosable Pecuniary Interests and Non-pecuniary Interests	
4.	Public Questions and Comments (if any)	
5.	Members' Items (if any)	To Follow
6.	Report of the Assistant Director of Planning and Development Management;	
7.	British Library Newspapers, 130 Colindale Avenue, London, NW9 5HE - H/05856/13	1 - 102
8.	Phase 2, Dollis Valley Estate, Barnet, Herts, EN5 - B/02349/14	103 - 154
9.	Gateway House, 318-330 Regents Park Road, Finchley Church End, London, N3 - F/03933/13	155 - 246
10.	LAND AT TARLING ROAD, LONDON, N2 8LB - F/03195/14	247 - 266
11.	237A Golders Green Road (also known as 2A Highfield Avenue), London, NW11 9ES - F/01133/14	267 - 278
12.	Development Plot A8 (Grahame Park Estate Regeneration), Lanacre Avenue, Colindale, NW9 - H/00320/14	279 - 328
13.	Garage Site adjacent to 23 Bedford Road, London, NW7 4LT - H/01011/14	329 - 342
14.	Former Garage Site to rear of 62-67 Brent Place, Barnet, Herts, EN5 - B/02986/14	343 - 358
15.	Garage Site on land at Haldane Close, off Cromwell Road, N10 - B/03087/14	359 - 374
16.	Site to the rear of Colindale Station Plaza comprising land of former station house and part of former Colindale Hospital Site, Colindale Avenue, London, NW9 5HG - H/03131/14	375 - 416
17.	Old Camdenians Football Club, Burtonhole Lane, London, NW7 1AS - H/03817/13	417 - 426

18.	Application to Register land known as Mill Hill Village Green between High Street and Milespit Hill, NW7 as a Town or Village Green	427 - 434
19.	Report of the Monitoring Officer (if any)	
20.	Any item(s) that the Chairman decides are Urgent	

FACILITIES FOR PEOPLE WITH DISABILITIES

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LOCATION: British Library Newspapers, 130 Colindale Avenue, London, NW9 5HE

REFERENCE: H/05856/13 **Received:** 29/11/2013

Accepted: 12/12/2013

WARD: Colindale

Expiry: 13/03/2014

AGENDA ITEM 7

Final Revisions: 30/06/2014

APPLICANT: Fairview New Homes Limited

PROPOSAL: Demolition of all existing buildings; redevelopment to provide 395 flats, 772sqm of retail/financial/professional/restaurant/cafe uses (Use Classes A1/A2/A3) and 112sqm of floorspace for retail/financial/professional/restaurant/cafe uses (Use Classes A1/A2/A3) or community use (Use Class D1) in six blocks ranging from 4 to 11 storeys; associated highways and public realm works including formation of piazza adjacent to Colindale Avenue and Colindale Park; associated access from Colindale Avenue, internal street network, car and cycle parking, refuse storage, landscaping and amenity space provision; associated plant and relocation of existing substation

APPLICATION SUMMARY

The Colindale Area Action Plan (CAAP) identifies the sites on the south side of Colindale Avenue for housing growth, complimentary retail uses to form a new neighbourhood centre and the formation of new public realm to form the public transport interchange for Colindale.

The proposed development would deliver a number of CAAP objectives, including the southern part of the station piazza and the complimentary retail uses also proposed. The scheme would also make a significant contribution towards the borough's housing delivery targets and these homes would be located in a highly sustainable location. This recommendation also incorporates measures to ensure that the adjacent Colindale Business Centre site can come forward for comprehensive development.

The scheme would achieve a high standard of design, which will ensure that this high density development would have an acceptable visual impact in relation to its surroundings. Strong controls are in place to ensure that the buildings are constructed to a high standard of detailing. The layout of the proposal would ensure a legible network of quiet residential streets and would enhance the setting of Colindale Park, whilst providing high quality homes for future residents, with appropriate amenity space provision.

A high standard of landscaping is proposed and the scheme also incorporates proposals to widen and enhance the entrance to Colindale Park and the landscape along the edges with the site. The development would result in the limited removal of the existing trees from the site. However, none of these are protected by a preservation order and it is considered that the replacement

planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

The development would provide an appropriate mix of unit sizes and tenures and would deliver 23% affordable housing by unit number, which is considered to be the maximum level possible, having regard to the viability of the development.

The scheme provides an appropriate level of car parking on site, with the emphasis on parking restraint in this accessible location. A contribution has been secured to ensure that parking controls can be implemented on surrounding roads should overspill parking occur. Alongside this, Travel Plans will encourage users of the site to use more sustainable modes of transport and further mitigation will be secured by condition to control details of construction, delivery and servicing and car parking management.

The application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new homes would meet Code for Sustainable Homes Level 4 and the commercial units would meet BREEAM 'Excellent'. There are also requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

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 or biodiversity, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal, such as from sources of land contamination or surface water flood risk.

All relevant policies contained within the development 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.

RECOMMENDATION APPROVE SUBJECT TO:

Recommendation 1

The application being one of strategic importance to London it must be referred to the Mayor of London. As such any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

Recommendation 2

Subject to Recommendation 1 above, 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
Provision of 91 affordable housing units (including full nomination rights on these units) on the site in accordance with the following mix:-
 - Affordable Rent*
 - 23 x 1 bed, 2 person
 - 9 x 2 bed, 4 person
 - 26 x 3 bed, 5 person
 - Intermediate*
 - 2 x 1 bed, 1 person
 - 13 x 1 bed, 2 person
 - 3 x 2 bed, 3 person
 - 9 x 2 bed, 4 person
 - 6 x 3 bed, 5 person
- (d) Affordable Housing – Review Mechanism
Upon occupation of 80% of the private market housing units, the viability of the development shall be re-appraised and, if deemed viable to do so, a financial contribution shall be paid towards the provision of affordable housing in the Borough, limited to a maximum of the equivalent value of 17% of the units proposed.
- (e) Notting Hill Housing Construction Training Initiative
To enter into a formal agreement with the Notting Hill Housing Trust to include provision for the following:-
 - (a) The agreed number of trainee places to be provided on the site of the Affordable Housing Scheme and the duration of each placement;
 - (b) A commitment by the Owners to pay a percentage of the build costs in respect of the Affordable Housing Scheme such payment to cover general running costs such as trainees' fees fares and tools;
 - (c) A commitment by the Owners to pay a "provisional sum" expressed as a percentage of the build costs in respect of the Affordable Housing Scheme to cover trainees' wages.
- (f) Travel Plan
The applicant shall enter into a strategic level Travel Plan that seeks to reduce reliance on the use of the private car and to ensure the sustainability of the development. The Travel Plan shall include the following obligations to facilitate modal shift in the

choice of transport mode available to occupiers of the residential units as follows:-

- (i) The Travel Plan shall link in with the Car Club provided on the main Colindale Hospital development and shall provide suitable dedicated car club parking spaces;
 - (ii) Provision of a Travel Incentive Fund of £300 per unit (**£118,500** total cost to the applicant) to provide two of the three incentives set out below to first occupiers:
 - (a) £150 towards Oyster card credit;
 - (b) £150 towards lifetime Car Club membership and associated Car Club usage;
 - (c) £150 voucher for purchasing a bicycle.
 - (iii) The Travel Plan shall include an evidence based target for take up and provision of these incentives.
- (g) Travel Plan Monitoring Contribution
Payment of a financial contribution of **£15,000** to the Council towards its costs in promoting more sustainable modes of transport and monitoring the Travel Plan that will be submitted for the development.
- (h) Parking Restriction Contribution
A contribution of **£7,000** towards the modification of parking restrictions along Colindale Avenue.
- (i) Parking Permit Exemption
A contribution of **£5,000** in order to facilitate a parking permit exemption scheme for residents of the development.
- (j) Pedestrian Environment Contribution
A contribution of **£40,000** towards improvements to pedestrian crossings and the pedestrian environment in the vicinity of the development.
- (k) Colindale Park Landscaping
The developer to carry out a scheme of landscaping in Colindale Park, adjacent to the site boundary, subject to the granting of a license by the Council and subject to the approval of detailed planting plans for these areas (up to a value of £40,000).
- (l) Community Space
The construction and fit out (to shell and core standard) of the community space on the ground floor of Block A. If after a period of 18 months following commencement of marketing, the unit is not taken up for community use, an A1/A2/A3 use can commence.
- (m) Apprenticeships
The applicant shall secure the provision of a minimum of:
 - 2 x Level 2 apprenticeships
 - 3 x Level 3 apprenticeships
 - 1 x Level 4 apprenticeships (or alternative graduate scheme to be agreed)

including costs of wages and training to be delivered in line with the National Apprenticeship Service Framework.

- (n) Road link to Colindale Business Centre
The provision of a road link and access between the application site and Colindale Business Centre, at a time to be agreed, to facilitate the functional operation of the completed development on the adjacent site.

- (o) Monitoring of the Section 106 Agreement
A contribution of **£2,000** index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 3:

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Acting Assistant Director of Planning and Development Management approve the planning application reference H/05856/13 under delegated powers 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 DEVELOPMENT

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1301-P-1000
 - 1301-P-1010
 - 1301-P-1000
 - 1301-P-1050 Rev P1
 - 1301-P-1051 Rev P3
 - 1301-P-1052
 - 1301-P-1053
 - 1301-P-1054
 - 1301-P-1055
 - 1301-P-1056
 - 1301-P-1057
 - 1301-P-1058 Rev P1
 - 1301-P-1059 Rev P1
 - 1301-P-1060
 - 1301-P-1061

1301-P-3500 Rev P3
1301-P-3501 Rev P3
1301-P-3502
1301-P-3503 Rev P3
1301-P-3505
1301-P-3506
1301-P-3507
1301-P-3510 Rev P1
1301-P-3511
1301-P-3512 Rev P1
1301-P-3513 Rev P1
Design and Access Statement

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 & DETAILING

3. Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence unless and until details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas 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 as so approved before the dwellings approved are occupied.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

4. The development shall be carried out and constructed in accordance with the detailed bay studies and schedules set out below. For the avoidance of doubt, any features shown on these bay studies (e.g. balconies, balcony frames, recessed balconies, skyrooms, window reveals, brick banding, core entrances) where they represent specific parts of the development shall be taken to represent all features of that type throughout the development.

List of drawings:

1301-P-4500
1301-P-4501
1301-P-4502
1301-P-4503
1301-P-4504
1301-P-4505
1301-P-5000
1301-P-5001

1301-P-5002
1301-P-5003
1301-P-5004
1301-P-5005
1301-P-5010
1301-P-5011
1301-P-5015 Rev P1
1301-P-5020
1301-P-5021
1301-P-5022

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 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

5. Notwithstanding the details submitted in the drawings 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 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

6. Notwithstanding the details shown on the plans submitted and otherwise hereby approved none of the buildings hereby permitted shall be occupied until 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 approved details and specifications and shall be permanently retained as such thereafter.

Reason:

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

7. Notwithstanding the details shown on the plans submitted and otherwise hereby approved Block B hereby permitted shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of the privacy screen to be installed adjacent to the podium courtyard garden for this block. Before Block B is occupied the development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

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

8. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of boundary treatments to be installed as part of the development. These details shall include materials, type and siting of all boundary treatments. The development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings and in the interests of the appearance of the development, in accordance with polices DM01 and DM02 of the Barnet Local Plan.

COMMERCIAL USES

9. Upon their first occupation, the commercial units on the ground floor of the buildings hereby approved shall be occupied for uses falling within Class A1, A2, A3 or D1 of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.

Reason:

To enable flexibility for the first occupation of the commercial units hereby approved, in accordance with policies DM12 and DM13 of the Barnet Local Plan.

10. Notwithstanding the potential initial uses that are permitted to occupy the commercial units on the ground floor of the buildings hereby approved as specified under condition 9 of this consent, following the first occupation and commencement of a use within each commercial unit, any subsequent change to an alternative use within those specified by this consent shall require the submission of a full planning application to the Local Planning Authority for express planning permission.

Reason:

To enable the Local Planning Authority to exercise control over future potential uses within the development to safeguard the amenities of occupiers of adjoining residential properties, in accordance with policy DM01 of the Barnet Local Plan.

11. The 112m² of floorspace hereby approved for purposes falling within Class D1 shall once a community use commences be occupied for community purposes only and shall not be used for any other purpose, including any other purpose within Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises is for community use only and does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

12. Prior to the first occupation of the Class A1/A2/A3/D1 floorspace within the development hereby permitted, details of all mechanical plant associated with the selected use, including the proposed location for installation and an assessment of associated noise impacts, shall be submitted to and approved in writing by the Local Planning Authority. The report shall clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels. It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The development shall be implemented in accordance with the details as approved.

Reason:

To ensure that the development does not harm the amenities of the occupiers of neighbouring properties in accordance with policies DM01 and DM04 of the Barnet Local Plan and policy 7.15 of the London Plan 2011.

13. The ground floor commercial units hereby permitted (Use Classes A1/A2/A3/D1) shall not be open to customers before 07.00 hours or after 23.00 hours from Monday to Saturday or before 10.00 hours or after 22.30 hours on Sundays or Bank Holidays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties, in accordance with policy DM01 of the Barnet Local Plan.

REFUSE AND RECYCLING

14. Notwithstanding the details submitted with the application, 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 fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

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

15. All of the new residential dwellings (Use Class C3) within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standards, whilst the 36 units specified on the approved drawings to be wheelchair-adaptable and the 2 units specified on the approved drawings to be 'Wheelchair Homes' standards complaint shall be constructed as such.

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 and policy DM02 of the Barnet Local Plan.

SUSTAINABILITY

16. All 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 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, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan.

17. The non-residential elements of the development hereby permitted (Use Classes A1/A2/A3/D1) shall be constructed to achieve not less than BREEAM 'Excellent' in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The non-residential buildings shall not be occupied until formal certification has been issued confirming that not less than Excellent has been achieved 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, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan.

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

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policies 5.2 and 5.6.

19. Prior to commencement of the development, a Site Waste Management Plan detailing how the development will minimise waste in the construction process and source materials sustainably where possible, shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policy 5.3.

CONTAMINATED LAND

20. Part 1

Before development commences other than for investigative work:

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

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority prior to the commencement of the development.

- If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring 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.

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.

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

Reason:

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

BIODIVERSITY

22. Prior to the commencement of the development details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted to 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 represent 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.

23. 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 is compliant with development plan policy and legislation on the protection of breeding birds, common toads and reptiles shall be submitted 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 scheme of measures approved under this condition.

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.

24. Notwithstanding the details contained in the submitted Landscape Strategy, prior to the commencement of the development, details of the proposed green and/or brown roofs (to include extent/siting, design specifications, planting/seeding plans and maintenance arrangements) shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details and shall thereafter be retained and maintained as such.

Reason:

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

WATER AND DRAINAGE

25. The development hereby permitted shall not commence until a drainage strategy detailing all on and off site drainage works (including Sustainable Urban Drainage Systems, such as permeable paving, attenuation measures and rainwater harvesting) to be carried out in respect of the development hereby approved 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 referred to in the strategy have been completed 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.

26. 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.

27. Before the residential dwellings (Use Class C3) hereby permitted are first occupied details of the water efficiency measures to be installed in them to ensure that they achieve 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, including dual flush (4 to 2.6 litre) toilets and flow restricted taps (maximum 5 litres per minute). The development shall be implemented in full accordance with the details as approved prior to the first occupation of the residential dwellings.

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.

LANDSCAPING

28. Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of the development or any site works a detailed scheme of hard and soft landscaping and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree

guards, planter depths and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;

- existing site contours and any proposed alterations to these such as earth mounding;
- details of all proposed hard landscape, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

Reason:

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

29. All work comprised in the approved scheme of hard and soft landscaping 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.

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

Reason:

To ensure a satisfactory appearance to the development and 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.

31. No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent to the application site have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed and no material or soil shall be stored within any of the protected areas during the works associated with this development.

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.

32. 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 approved details.

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.

- 33.. Prior to the commencement of the development hereby approved details of the location, extent and depth of all excavations for drainage and other services in relation to trees to be retained, or trees on adjacent sites, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such approval.

Reason:

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

34. Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space 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 details as approved prior to the first occupation of the development and the play space shall thereafter be retained.

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.

35. The dwellings 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 all areas of the site, 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 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.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

36. 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.

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

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

38. Notwithstanding the Noise Report hereby approved, details of noise insulation measures to be incorporated into the development shall be submitted in writing to the Local Planning Authority and approved in writing before the commencement of development. The approved measures shall be implemented in their entirety before any of the units are occupied.

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

39. The level of noise emitted from any plant and machinery associated with 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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

40. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

41. A scheme for acoustic fencing between the adjacent Colindale Business Centre and amenity areas within the development shall be submitted and approved in writing by the Local Planning Authority prior to development commencing. This scheme shall be fully implemented before the affected amenity areas are brought into use.

Reason:

To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their home(s) in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

42. Before the development hereby permitted commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

Reason:

To ensure that the amenities of occupiers are protected from poor air quality in the vicinity in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012).

TRANSPORT

43. Notwithstanding the drawings hereby approved the swept paths on all movements to and from the main access including the emergency access, shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason:

To ensure the free flow of traffic is maintained and in the interest 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.

44. The development hereby approved shall not commence until a Car Parking Management Plan (CPMP) is submitted to, and approved in writing by the Local Planning Authority. The CPMP shall include the below details:
- i. notwithstanding the submitted parking layout, the modified layout showing all the spaces to be submitted for approval to the LPA. The parking layout to include spaces reserved for the car club;
 - ii. mark the standard spaces, possibly to be converted in the future and include the mechanism of how the conversion will be carried out;
 - iii. locations of the Electric Vehicle Charging Points (EVCP) with the overall provision 20% active and 20% passive,
 - iv. include details about monitoring the use of EVCP and converting from passive to active, if there is a demand.
 - v. marking the disabled parking spaces to be marked correctly on site prior to occupation. All car parking spaces for the disabled users should be as near as possible to main entrances.
 - vi. information about how disabled visitors will be accommodated
 - vii. details of the management company doing the enforcement measures on the unauthorised parking.
 - viii. all car parking spaces in this proposal shall not thereafter be used for any other purpose than parking and turning of vehicles associated with this development

The development shall be carried out and shall operate in accordance with the approved CPMP.

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.

45. Prior to the commencement of the development hereby approved a Demolition and 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. The Demolition and 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 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.

46. Prior to occupation of the development hereby permitted, the approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority. Such spaces shall be permanently retained and made available for use thereafter.

Reason:

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

47. Before the ground floor commercial units within the permitted development are occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall operate in accordance with the details approved unless otherwise agreed in writing by the local planning authority.

Reason:

In the interest 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.

LIGHTING

48. 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 and thereafter be maintained as such.

Reason:

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

49. Prior to the first occupation of the development hereby approved, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to the first occupation of the new dwellings in the development.

Reason:

To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan.

TELECOMMUNICATIONS EQUIPMENT

50. Prior to commencement of the development hereby permitted, a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on the roof of all blocks hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be retained and made available for use by all occupiers of the development.

Reason:

To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the townscape and character of the area, so that it accords with policies CS5 and DM01 Barnet Local Plan.

51. 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 the development 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.

INFORMATIVES:

The informatives that it is recommended be included on the decision notice in respect of this application are set out in **Appendix 2** of this report. These include (as the first informative) a summary of the relevant development plan policies taken into account in making this decision.

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 (published July 2011) and the development plan documents in the Barnet Local Plan (adopted September 2012). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other documents, including supplementary planning guidance and national planning guidance, are also material to the determination of the 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 in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, 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 considered to comply with the requirements of the development plan.

The London Plan

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). On 11th October 2013, the Mayor published Revised Early Minor Alterations to the London Plan (REMA). From this date, the REMA are operative as formal alterations to the London Plan and accordingly form part of the development plan for Greater London. Subsequently, on 15th January 2014, the Mayor published Draft Further Alterations to the London Plan (FALP) for 12 week period of public consultation.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas) and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing Thresholds); and 3.16 (Protection and Enhancement of Social Infrastructure)

London's Economy:

4.1 (Developing London's Economy); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.4A (Electricity and Gas Supply); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity) and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Lifetime Neighbourhoods); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location and Design of Tall and Large Buildings); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.18 (Protecting Public Open Space and Addressing Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the

development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

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

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall buildings)

DM06 (Barnet's heritage and conservation)

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

DM10 (Affordable housing contributions)

DM11 (Development principles in the town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Planning Obligations (April 2013)

Sustainable Design and Construction (April 2013)

Affordable Housing (February 2007)

Residential Design Guidance (April 2013)

Colindale Area Action Plan (March 2010)

Strategic Supplementary Planning Documents and Guidance:

Draft SPG on Accessible London (April 2014)

Sustainable Design and Construction SPG (April 2014)

All London Green Grid (March 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

Housing (November 2012)

London Housing Design Guide

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.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of regulation 122 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 2.

1.2 Key Relevant Planning History

The planning history mainly comprises historic applications relating to the use of the site by the British Library and there is considered to be no application history that is of significant relevance to this proposal. An Environmental Impact Assessment (EIA) screening opinion relating to the proposed development was however adopted by the Council, as set out below:

H/02892/13 – EIA Screening Opinion. Decision: EIA not required, 02/08/2013.

1.3 Public Consultations and Views Expressed

First Consultation (December 2013)

Public Consultation

A total of 1,302 local properties and other bodies were consulted on the application by letter and email in December 2013. The application was also advertised on site and in the local press at that time.

The section below provides a summary of the comments received on the application. Responses are provided in the relevant section of the report.

Number of Responses from Residents

27 responses to consultation were received, **1 generally in favour** of the development and **26 in objection**. **2 of the objectors have requested to speak** at committee (Andrew Dismore AM and Brian Turner). No responses supporting the proposal were received.

Comments

Colindale Business Centre: Objection. Blocks B and D are sited adjacent to the boundary of the Business Centre and this would have a detrimental impact on the proposed residential development in terms of light, privacy and overlooking. The site would therefore not be developable on a viable basis.

Officer Response: Officers have worked closely with both applicants to ensure that the two neighbouring schemes are compatible. To this end, the Colindale Business Centre scheme is expected to be amended shortly and a s.106 obligation has been agreed with Fairview to provide an important road link to enable the adjacent scheme to come forward.

Andrew Dismore AM: Objection. Inadequate affordable housing provided. Concern about overdevelopment of the area generally. Excessive height proposed. Local roads and public transport will not cope and there will be an impact on the health service and utilities. Would result in localised flooding. The viability report should be published online. The parking ratio of 0.7 would be inadequate. The scheme should make provision for additional GP services. A light industrial or high tech business incubator should be provided on site to replace the jobs lost in the library closure.

Officer Response: The applicant's viability assessment is a confidential document that cannot be made public, as it contains sensitive commercial information. The offer of 23% affordable housing per unit is the maximum viable contribution this development can make. The Council is engaging with NHS Property and Barnet CCG in relation to wider health needs for Colindale. The parking provision is in line with CAAP policy for highly accessible sites such as this. There is no clear policy requirement to provide employment uses – the site is allocated in the CAAP for residential development and jobs would be created through the commercial uses. Further responses are contained in the relevant appraisal sections.

Cllrs Johnson, Sargeant and Zubairi: Concerns over inadequate parking provision. There should be improvements to public transport. The development should include health facilities. Concern over lack of affordable housing.

Officer Response: The parking provision is in line with CAAP policy for highly accessible sites such as this. Improvements to public transport can be carried out using CIL monies. The Council is engaging with NHS Property and Barnet CCG in relation to wider health needs for Colindale. The offer of 23% affordable housing per unit is the maximum viable

contribution this development can make. Further responses are contained in the relevant appraisal sections.

Residents

The comments made by residents are summarised below:

Housing

- The application documents do not specify the amount of affordable housing proposed, recent developments in the area have not contributed enough.
- Too many flats are being built in the area, which will unbalance the population – should be more homes with gardens.

Officer Response: The offer of 23% affordable housing per unit is the maximum viable contribution this development can make. The mix of dwelling sizes and types is considered appropriate, given that the site is designated for high density development and is highly sustainable. Further responses are contained in the relevant appraisal sections.

Parking and Transport

- Parking provision of 0.7 per unit is insufficient.
- The development will increase traffic congestion on the local road network.
- Colindale tube station is extremely busy at peak times and bus routes are crowded – capacity should be increased.

Officer Response: The parking provision is in line with CAAP policy for highly accessible sites such as this. The development would not unacceptably increase congestion on the local road network. Improvements to public transport can be carried out using CIL monies. Further responses are contained in the relevant appraisal sections.

Design and Appearance

- The proposed development should not be higher than the existing building and should not be 11 floors high.
- The existing building should be retained and converted, instead of redeveloped – although it is not listed, it has historical value.
- The visual appearance of the development would be out of character.

Officer Response: The scale of the buildings proposed is considered appropriate for this sustainable location in the heart of Colindale and would be in keeping with the emerging character of the area. Upon investigation, it is considered impractical and unviable to convert the existing buildings. Further responses are contained in the relevant appraisal sections.

Amenity

- Scale of proposal will affect light and outlook to neighbours.
- Neighbours views would be obscured.
- The retail area would result in noise and disturbance.
- Would impact on local property values.

Officer Response: The impact on daylight and sunlight to neighbours would be acceptable. Conditions are imposed to mitigate the possible noise impacts from the commercial uses. Loss of a private view and impact on property values is not a material planning consideration. Further responses are contained in the relevant appraisal sections.

Other

- Overdevelopment of the area generally and excessive density.
- Impact on green spaces, loss of grassland, trees and habitats.
- Development could lead to surface water flooding.

- It is unclear what retail outlets are proposed and if they are needed – there are a number of vacancies in recent developments.
- The residential development will be too close to adjacent office buildings and there would be a conflict between these uses.
- The development offers few opportunities for sport, economic development and employment.
- The tall buildings would affect wind and temperature in the public realm.
- GP services in the local area are already stretched and the development will increase demand for education.

Officer Response: The density proposed is considered appropriate in this highly accessible location and the impact on microclimatic conditions would be acceptable. The modest tree loss associated with the proposal would be mitigated against through new planting and the ecological impact would be acceptable. The development would provide policy compliant levels of amenity, play space and open space. Conditions are imposed requiring surface water to be managed to avoid flooding. The commercial uses are proposed to create a retail hub around the station. The development would not unduly impinge on neighbouring businesses. Further responses are contained in the relevant appraisal sections. There is no clear policy requirement to provide sport or employment uses on this site, which is designated for residential development. The Council is engaging with NHS Property and Barnet CCG in relation to wider health needs for Colindale.

Second Consultation (July 2014) – 7 additional flats

Public Consultation

All 1,302 local properties and other bodies were re-consulted on the application by letter and email in July 2014, as the application was amended to include 7 additional flats. The application was also again advertised on site and in the local press at that time.

The section below provides a summary of the comments received in response to this second consultation. Responses are provided in the relevant section of the report.

Number of Responses from Residents

4 responses to consultation were received at the time of preparation of this report, both in objection. No responses supporting the proposal were received.

Comments

Andrew Dismore AM: Objection, re-iterating concerns raised at first consultation.

The comments made by residents are summarised below:

- Building over grassland will increase surface water flooding.
- Current Fairview developments have inadequate privacy, green and play space.
- Community facilities should be provided.
- Impact on local roads, tube, doctors and schools.

- Existing building should be retained and should incorporate a museum.
- Increased pollution, traffic and noise.
- Loss of a view.

Officer Response: These matters were raised as part of the first consultation and are therefore addressed above and in the relevant appraisal sections.

Consultation Responses from Statutory Consultees and Other Bodies

Greater London Authority: Whilst the principle of the development is supported, the application as submitted does not comply with the London Plan for the reasons set out below. Subject to resolution of these issues the scheme could be made acceptable:

Loss of existing building: The loss of the existing buildings is disappointing. However, given that none of the existing buildings are protected, and in light of the high quality nature of the scheme proposed, their demolition, whilst disappointing, is acceptable in strategic planning terms.

Officer response: This is noted and also discussed in appraisal section 3.1.

Housing: It is not possible at this stage to determine whether the proposal provides the maximum reasonable amount of affordable housing in accordance with the London Plan. The lack of intermediate housing raises strategic concern and is contrary to the London Plan. Further discussions regarding the proportion and mix of housing is required.

Officer response: This is addressed in appraisal section 3.7.

Urban design and housing quality: Whilst the design of the proposal is broadly supported, the applicant should review the southern edge of Block A to increase the level of ground floor interaction and activity. An updated schedule showing all units as meeting London Plan space standards should be submitted. The Council should secure quality design, detailing and materials.

Officer response: Amendments have been submitted to introduce more activity to the southern elevation of Block A. It has been confirmed that all units meet London Plan internal space standards. As discussed in appraisal section 3.5, bay studies and schedules have been submitted to secure details such as window reveals and projecting balconies. These will be conditioned to be complied with, along with conditions requiring materials and landscaping to be approved.

Climate change adaption: Whilst the overall package of sustainability measures is welcomed, the applicant should seek to increase the amount of biodiverse roofs within the development.

Officer response: As discussed in appraisal section 3.14, the provision of green/brown roofs will be secured by condition.

Climate change mitigation: The applicant should prioritise connection to the Colindale Community Energy System (CCES) and the link secured by the Council. It should be confirmed that the System will serve all parts of the development. The applicant should provide DER and TER output sheets for the residential dwellings.

Officer response: A condition is recommended to require details of the connection to the CCES to be submitted and approved prior to commencement. The applicant has confirmed that all parts of the

development will be served and has provided the output sheets requested.

Transport: The level of car parking should be reduced. The applicant should review the trip generation and modelling – once additional information is provided TfL can confirm the extent of mitigation required. Construction, delivery and servicing details should be secured by condition. Travel plans should be secured through the S.106. The applicant should seek to increase cycle parking around the station.

Officer response: These matters are addressed in appraisal section 3.9.

Transport for London: Car parking provision should be reduced. Provision should be made for car club spaces. Electric vehicle charging points should be provided as per London Plan requirements. The number of additional trips generated by the site is likely to be low and will not cause any capacity issues on the rail or bus network, but there is the potential to relocate bus stops. A contribution should be made towards step free access and towards the public transport interchange. Concerns raised over junction modelling. Contributions should be made towards pedestrian and cycling environment. Cycle parking complies with London Plan standards. Construction, delivery and servicing details should be secured by condition. Travel plans should be secured through the S.106.

Environment Agency: The submitted Flood Risk Assessment is satisfactory and the development should be carried out in accordance with its recommendations.

Natural England: The proposal would not affect statutory sites and impact on protected species should be assessed based on standing advice. There is scope for landscape and biodiversity enhancements.

English Heritage: No archaeological requirements recommended.

London Fire and Emergency Planning Authority: The scheme is satisfactory with regard to fire brigade access.

Metropolitan Police (Secured by Design): Satisfied that reasonable measures to mitigate the risk of crime and disorder have been incorporated into the design.

Internal Consultation responses

Traffic and Development Team: The proposal is acceptable, subject to conditions and s.106 obligations requested.

Environmental Health Service: The proposal is acceptable, subject to conditions relating to the impact of noise on the completed development and on neighbouring occupiers, along with air quality and contaminated land.

Green Spaces: Landscaping works to the park should be secured through s.106 obligations and maintained by the developer. Details to be agreed prior to commencement and relevant licences obtained.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site comprises a roughly rectangular area of land of 2.2 hectares in area, located on the south side of Colindale Avenue. The site is currently occupied by buildings of up to 6 storeys associated with the British Library newspaper and magazine collections, along with associated hardstanding, trees and grassland. The land slopes gently down from north to south and from east to west, towards the Silk Stream. The site is not within a conservation area and none of the buildings are subject to listing. Areas of mature trees and vegetation are located on the eastern, southern and western boundaries, although none are the subject of preservation orders.

The five buildings on the site date back to the 1930's and are all of brick construction, with the exception of one metal framed building. The main building is built on a slope and comprises 6 storeys. The boiler house and westernmost buildings are single storey, and the southernmost building is a two storey building which includes a basement area. Access to the site is from Colindale Avenue.

The area surrounding the application site contains a mixture of uses and building forms. Opposite the site is Colindale Underground Station and piazza, with the Former Colindale Hospital (Pulse) development beyond. Also opposite the site is a terrace of two storey residential dwellings facing Colindale Avenue. To the west of the site is Colindale Business Centre (126 Colindale Avenue), whilst to the south are allotment gardens. Immediately to the east is Colindale Park with the Northern Line railway beyond. Residential properties on Chequers Close and Rankin Close are also located close to the south west and south east corners of the site respectively.

Large retail warehouses and foodstores are located some 450 metres to the west of the site, along the A5. Further north (beyond the Pulse development) are Montrose Park and Silkstream Park providing playing fields, sports facilities and playspace. Significant development is taking place in the wider Colindale area including the Beaufort Park development, redevelopment of Grahame Park Estate and the now complete redevelopment of the former Brent Works site (now known as the Rhythm development).

2.2 Description of the Proposed Development

Detailed planning permission is sought by the applicant (Fairview New Homes Ltd) for the redevelopment of the site to provide 395 flats, 772sqm of Use Class A1/A2/A3 space and 112sqm of floorspace to be used for either community uses (Use Class D1) or retail (Use Class A1/A2/A3). It is also proposed to carry out a range of associated works. A plan showing the layout of the site as proposed is provided in **Appendix 1** of this report.

The housing mix is set out in the table below. 27% of the flats would be family-sized three bedroom units. A total of 91 affordable housing units are proposed on site, equivalent to 23% of the number of units. All the new dwellings would be built to Lifetime Homes standards, 38 being Wheelchair Standard units.

Unit Type	Amount	% of Total
1 bed, 1 person	2	0.5%
1 bed, 2 person	116	29.4%
2 bed, 3 person	31	7.8%
2 bed, 4 person	140	35.5%
3 bed, 5 person	106	26.8%
Total	395	100%

772sqm of commercial floorspace is proposed and this would be located along the Colindale Avenue and Colindale Park frontages of Block A. This would comprise either Use Class A1 (retail), A2 (financial/professional services) or A3 (restaurant/café) floorspace. Also located adjacent to the Park would be an 112sqm ground floor unit for either community use (Use Class D1) or A1/A2/A3 use, which could accommodate a range of uses including a day care nursery.

In physical terms, the development would comprise 6 separate blocks, labelled A to F. Block A would face Colindale Avenue and Colindale Park and would comprise all the Use Class A1/A2/A3/D1 floorspace, which would be located on the ground floor frontages, with flats over. It would have an 11 storey feature corner with 9/10 storey shoulder blocks, which would be sited opposite the Underground Station. Other than this, the remainder of the scheme would be between 4 and 9 storeys and would be purely residential, comprising flats.

Vehicle access is proposed utilising a priority junction from Colindale Avenue to a network of internal streets. The main spine road running roughly north to south would provide access to parking courts to the west, serving Blocks B, D and F, whilst a one way route provides vehicle access around Blocks C and E.

Car parking would be provided through a mixture of undercroft podiums, open parking courtyards and on street spaces. Blocks A, B, C and E would have enclosed rear undercroft parking, which would also provide an amenity courtyard above for occupiers of these blocks. Blocks D and F would have open parking courtyards and there would be some on street provision, including some spaces assigned to the commercial space and a loading bay. The quantum and nature of parking proposed is set out in the below table:

Parking Type	Amount	Ratio
Residential		
Wheelchair Allocated	29	
Allocated	192	
<i>Total Allocated</i>	<i>221</i>	
Wheelchair Un-Allocated	10	
Un-Allocated	41	
<i>Total Un-Allocated</i>	<i>51</i>	
Total Residential	272	70%
Retail	6 + loading bay	
Total	278	70% podium, 30% on street

Cycle and refuse storage would generally be located in secure enclosures within the buildings, although some stand-alone enclosures are proposed adjacent to the western site boundary.

The building line is set back to allow a new area of public realm to be created adjacent to Colindale Avenue, which would also serve as a 'spill out' area for the commercial uses. The boundary fence adjacent to Colindale Park would be removed and vegetation thinned out to enable an extension of the park into the scheme and the entrance to the Park to be visually widened. The access roads, external parking areas and pedestrian footpaths would be constructed using a variety of hard surface materials and would be interspersed with planting.

The architecture of the proposed buildings would be contemporary, incorporating the use of two types of brick and metal cladding. The Colindale Avenue and Colindale Park frontages would incorporate varied storey heights and would have metal clad frame structures, as well as recessed and projecting balconies.

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

In addition to the application drawings the documents accompanying the submission include the following:

- Planning Statement
- Design and Access Statement
- Landscape Strategy
- Transport Assessment, Appendices and Travel Plan
- Land Contamination Report/Geotechnical Assessment and Ground Investigation
- Ecology Report
- Statement of Community Involvement
- Drainage Statement incorporating Flood Risk Assessment
- Affordable Housing Viability Assessment
- Sustainability Statement and Energy Statement
- Noise Impact Assessment
- Air Quality Assessment
- Sunlight and Daylight Assessment
- Heritage Statement
- Arboricultural Report
- Socio-Economic Report

3. PLANNING CONSIDERATIONS

3.1 Principle of the uses proposed and delivery of CAAP objectives

The site lies within the Colindale and Burnt Oak Opportunity Area, as set out in policy 2.13 of the London Plan. This policy requires development proposals to support strategic policy directions for these areas, optimise residential output, provide necessary infrastructure, promote sustainable transport and support the regeneration of the wider area. The Barnet Core Strategy was adopted in September 2012 and policy CS3 includes Colindale as one of the main areas for strategic housing growth in the borough.

The Colindale Area Action Plan (CAAP) provides site specific guidance for development sites in the area, as well as more general guidance on the Council's expectations of schemes coming forward in Colindale. The CAAP identifies the British Library site for mixed use housing led redevelopment, to include community and retail uses. CAAP policy 4.1(e) states that high density housing of approximately 150 dwellings per hectare would be appropriate on the site.

The scheme is also expected to deliver the southern part of the station piazza, which together with the northern piazza already constructed and the approved 'Aparthotel' scheme beyond will form the new public transport interchange for Colindale Underground Station, with a complimentary retail function.

Employment uses

Barnet Local Plan policies CS8 and DM14 seek to safeguard existing employment sites that meet the needs of modern business. Loss of employment floorspace will only be permitted where it can be demonstrated that a site is not suitable or viable for its existing or an alternative business use and that adequate marketing has been undertaken to demonstrate this. It is noted however that, whilst the site does generate some employment, it is a specialist use and is not strictly employment floorspace.

The CAAP acknowledges that there would be some loss of employment at the site, which the applicant estimates to be 27 full time equivalent jobs. It is expected however that this would be made up by the new retail provision, which could employ up to 36 people, albeit a different nature of employment. However, as mentioned the British Library's occupation of the site in connection with the curation of newspapers and magazines is a specialist use and the site is not considered to be in genuine business use at present, despite falling within the B8 Use Class. Furthermore, the CAAP identifies the site for housing led redevelopment and the principle of re-developing the site for predominantly residential use is considered acceptable in this case subject to compliance with other planning policies.

Community uses

Furthermore, the 'library' function of the site is specialist in nature and is not a community facility for the purposes of Barnet Local Plan policy DM13. The loss of the British Library's presence in Colindale would not result in a detrimental impact on the local community in terms of access to facilities. In addition, it is noted that a public library is to be provided as part of the nearby Grahame Park Estate scheme on Plot A8 (planning ref H/00320/14). Also, the proposed development would provide a community facility as required by the CAAP, in the form of an 112sqm ground floor unit that can be used for community purposes within Use Class D1. This could be occupied by a children's day care nursery or a community centre, for example. The legal agreement that would be completed following the committee resolution would ensure that this space is constructed to shell and core standard and offered to a suitable D1 occupier. A flexible consent is sought for this unit, giving the developer the ability to market the unit for retail use should no community user be found within 18 months of completion and this is considered reasonable.

Retail uses

The CAAP identifies the site for new retail provision, as part of a new sustainable and walkable neighbourhood centre to serve the new and existing population of Colindale. CAAP policy 4.1(c) identifies a convenience store provision of up to 2,500sqm as being appropriate for the Colindale Avenue Corridor of Change, along with additional retail and other commercial floorspace. A total of up to 884sqm of Use Class A1/A2/A3 floorspace could be provided as part of these proposals, which coupled with the 1,138sqm to be provided as part of the Aparthotel development to be constructed to the north and a possible 287sqm on the Pulse development would result in a total provision of 2,309sqm in this part of the Opportunity Area. The convenience store is likely to come forward as part of the Peel Centre redevelopment, whereas what is proposed here are smaller complimentary units that perform a place making function. The amount and type of retail development proposed is considered to be appropriate to provide ground floor activity that would contribute towards the creation of a new vibrant neighbourhood centre for Colindale, in line with the objectives of the CAAP.

Relationship with Colindale Business Centre

The adjacent site to the west, Colindale Business Centre, is included in the CAAP list of sites suitable for redevelopment, 'in the interests of comprehensive and well designed redevelopment of the south side of Colindale Avenue' (para 4.1.3). The owner of this site has submitted a planning application for a mixed use development (ref H/05703/13) and, in accordance with accepted practice where two adjacent willing landowners put forward proposals at the same time, officers have been working with both parties to ensure that the CAAP objective of a comprehensive design approach will be achieved.

As discussed in the below appraisal sections where relevant, the layout and scale of the development has regard the existing Business Centre building, as well as the proposed design and layout of the proposed development. Importantly, Fairview have agreed to provide road access between Blocks B and D to enable access to the rear of the adjacent development and to provide a visual and design link between the two sites and the adjacent Brent Works development, together providing a comprehensive and well thought out approach to development on this side of Colindale Avenue. Commercial terms between the two landowners have now been agreed and a s.106 obligation to provide this road link prior to occupation of the development has been agreed to by Fairview and is part of this recommendation. Whilst the Colindale Business Centre application itself is not reported on this agenda because it is in the process of being amended, this should not preclude permission being granted for development of the British Library site under the terms recommended in this report.

In summary, the proposed mix of uses proposed would accord with the site specific guidance set out in the CAAP. The scheme would also contribute to the local public realm, which the CAAP also requires, as well as providing a positive contribution towards the wider regeneration of Colindale, as discussed in more detail in the following appraisal sections.

3.2 Dwelling mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups. The council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough.

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

- 2 x one bedroom one person flats (0.5% of dwellings)
- 116 x one bedroom two person flats (29.4% of dwellings)
- 31 x two bedroom three person flats (7.8% of dwellings)
- 140 x two bedroom four person flats (35.5% of dwellings)
- 106 x three bedroom five person flats (approximately 26.8% of dwellings)

The dwelling mix proposed, including around 27% of the total dwellings which would have 3 bedrooms, 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. It would be expected that this site would deliver a large proportion of smaller flats given the suggested density set out in the CAAP on account of the proximity to the station, but the provision of over 60% of the units for 4 or 5 person occupancy is strongly supported.

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

3.3 Density of development

London Plan policy 3.4 seeks to optimise the housing potential of sites and references the density matrix contained in Table 3.2 set out below. This provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

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 4 (measured at the

Colindale Avenue edge of the site) and is within a suburban setting, as defined in the London Plan. The scheme averages 3 habitable rooms per unit. Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 70 and 130 units per hectare or 200 to 350 habitable rooms per hectare (see table above). The CAAP designation states that residential development with a density of 150 units per hectare would be appropriate for this site, taking advantage of the location opposite the station.

On the basis of a site area of 2.2 hectares, the proposed development would have a density of 179 dwellings per hectare and 533 habitable rooms per hectare, which would exceed the 'optimum' density ranges in the London Plan and the CAAP designation. However, London Plan policy 3.4 makes it clear that it is not appropriate to apply the density ranges mechanistically. Factors such as local context, design and transport capacity are important considerations. In this instance, whilst the site is located in a suburban context, it is close to Colindale Underground Station in an area that is expected to become more 'urban' in the context of the wider plan for growth in the area. This intensification of Colindale has already begun with the redevelopment of the former Colindale Hospital site and the Brent Works development, which have densities of 165 and 150 dwellings per hectare respectively. In addition, the sensitive perimeter block design located adjacent to a park would result in a high quality appearance and residential environment that would respect its surrounding context, whilst delivering a good standard of housing in a sustainable location.

As the other sections in this report outline the proposal is considered to be compliant with the objectives of policies on good design, local context and character, providing acceptable amenities for future occupiers of the new development, transport matters and protecting the amenities of neighbouring occupiers.

Overall, taking account of the factors outlined above officers consider that the density of development proposed is acceptable in this instance.

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's adopted supplementary planning documents (SPDs), Sustainable Design and Construction and Residential Design Guidance, and the Mayors adopted supplementary planning guidance, Housing, provide more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers. These include, in both documents, identifying minimum sizes for private external amenity space (balconies or terraces). The Barnet standards in this regard equate to 5m² per habitable room, with balconies expected to be at least 1.5m in depth in order to be usable. The Mayoral standards on this matter equate to 5m² for 1 person or 2 person dwellings with an extra 1m² expected for each additional bed space proposed.

The Residential Design Guidance SPD identifies that there should be minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 3.3 Minimum Space standards for new dwellings (adapted from London Plan)

	Dwelling Type (bedroom/persons- bed spaces)	Gross Internal Area Standard (m ²)
Flats	1 bedroom 1 person	37
	1 bedroom 2 person	50
	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86

The submitted plans demonstrate that the proposed flats would comply with or exceed these standards across the scheme. The individual dimensions and room sizes within the flats would comply with the standards set out in Annex 1 of the London Housing SPG (or the London Housing Design Guide, as applies to affordable housing).

Dwelling outlook, privacy and overlooking

Development plan policy requires that new dwellings are provided with adequate outlook. It is noted that the proposed development is high density in nature, but the perimeter block layout and orientation of the blocks would optimise living conditions for future occupiers.

The layout would minimise the number of single aspect units and only 17 of the flats would be single aspect and north facing. The windows would, where possible, be floor-to-ceiling to maximise outlook and the extent of fenestration would generally exceed 20% of the floor area of each habitable room, as recommended in Table 2.4 of the Sustainable Design and Construction SPD.

It is noted that some of the building separation distances across the internal streets do not meet the 21m privacy distances set out in the Council's Residential Design Guidance SPD. However, a high density scheme in a growth area such as this would not necessarily be expected to meticulously comply with these standards. Officers consider that the separation distances of between 17-20m would in this instance be adequate to ensure acceptable living conditions, having regard to the relative scale of the blocks in the tighter areas of the scheme and the overall quality of the residential environment. In particular, the southern orientation of the courtyard spaces for Blocks A and B, coupled with the varying scale of buildings and breaks in the building lines would maximise outlook from within the scheme.

Blocks B and D would be close to the western boundary of the site with the Colindale Business Centre. This comprises a two storey building set away from the boundary and a two level multi-storey car park at the rear. The submitted section drawings demonstrate that there would be an acceptable relationship with this adjoining property in terms of outlook, privacy and overlooking, provided that suitable privacy screens are installed along the western side of the courtyard of Block B to prevent mutual overlooking and that the secondary windows in close proximity to the boundary are obscure glazed and fixed closed. Conditions have been recommended to secure this. The layout of the scheme would also not prejudice the future redevelopment of this adjacent site, which is identified in the CAAP for comprehensive redevelopment in conjunction with the other sites on the south side of Colindale Avenue (as discussed in more detail in appraisal section 3.1). Council officers have been in discussions with both developers to ensure that both proposals would be compatible.

The north facing flats in Blocks A and B would face out onto Colindale Avenue. The likely impact on noise levels to these units is discussed in more detail below. Given the separation distances between the development and neighbouring buildings, including the consented 18 storey Aparthotel development to be constructed to the north of the station piazza to the rear of Colindale Underground Station, the flats on this side of the scheme would have acceptable outlook and the SPD recommended privacy distances would be complied with. There would be adequate separation distances between Blocks E and F and the southern boundary of the site to ensure that the boundary vegetation here would not unduly impact on the outlook from these south facing units. Furthermore, the east facing flats in Blocks A, C and E would look out over Colindale Park, with reduced boundary landscaping, so would have an acceptable outlook.

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

External amenity space provision

Barnet Local Plan policy DM02 and London Plan policy 3.6 state that proposals for dwellings should make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. According to the submitted Socio-Economic Report, the total

child yield of the development would be 97.

Guidance in Barnet’s Residential Design Guidance SPD sets out minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to be provided with 5m² of usable outdoor communal or private amenity space per habitable room proposed. For both houses and flats kitchens over 13m² are counted as a habitable room and habitable rooms over 20m² are counted as two habitable rooms for the purposes of calculating amenity space requirements.

All of the flats proposed, with the exception of 4, would have private balconies or terraces, all of which would meet the SPD minimum width requirement of 1.5 metres, therefore comprising usable amenity space. Each of the flatted blocks would also have private communal amenity space in the form of courtyards and podium gardens. The below table sets out the amount of private amenity space provided by the scheme, as well as the total amount of publically accessible open space that would be created.

Type	Amount (sqm)
Private open space on balconies and terraces	2604
Private communal space in courtyards and podium gardens	3933
Total private space	6537
Piazza and green finger street	3328
Improved area of Colindale Park	630
Total public space	3958

The below table summarises how the scheme performs against the Barnet Residential Design Guide overall requirement of 5sqm per habitable room for amenity space provision and the GLA standard of 5sqm of balcony space for every 1-2 person dwelling with an extra 1sqm for each additional occupant.

	Requirement (sqm)	Scheme Provision (sqm)
LBB Standard	5865	6537
GLA Standard	2604	2604

The figures demonstrate that the scheme would exceed the local requirements and would comply with the GLA’s standards on private balcony and terrace space. All of this space would be fully usable, would receive adequate light, natural surveillance and has the potential to accommodate high quality planting and other features (seating etc).

Daylight and sunlight

The submission includes an assessment of the daylight that would be received in the habitable rooms of the dwellings proposed. Using the methodology found in guidance from the Building Research Establishment this evaluation found that 99% of the habitable rooms proposed would meet the relevant daylight standards. In instances where one room in a flat does not comply, the other rooms in that unit would. In respect of sunlight, all but 17

of the new dwellings proposed would be dual aspect. The courtyard amenity areas would generally be open to the south and well lit. For these reasons the scheme is considered to be compliant with the objectives of development plan policy and provides an acceptable approach in terms of designing developments to maximise daylight and sunlight to new properties.

Noise and air quality

Subject to the glazing specifications recommended in the submitted Noise Report, principally elevations fronting the noisy Colindale Avenue, internal noise levels within the proposed flats would fall within British Standard and WHO guidance. A condition is recommended requiring a detailed scheme of noise insulation to be submitted and approved. In terms of the outdoor amenity space, it is expected that the majority of balconies, terraces and courtyards would comply with the WHO guidelines. The exception to this would be the balconies directly adjacent to Colindale Avenue, where the guidelines would be exceeded. However, taken in the round this would not be detrimental to the living conditions of future occupiers, as alternative quiet amenity space would be provided, in the form of the communal courtyards to which the occupiers would have access. The submitted Air Quality Assessment demonstrates that the proposal would not result in a breach of Air Quality Limit Value Regulations. A condition is also recommended requiring an acoustic fence to be installed between the development and the adjacent Colindale Business Centre, to ensure that vehicle movements and commercial activities from this adjacent site are not detrimental to the amenities of future occupiers of the development. The Council's Environmental Health Service considers the site to be suitable for residential use subject to the conditions recommended. The proposal is therefore found to be acceptable in respect of the noise and air quality environment that it would provide for the occupiers of the dwellings proposed.

Children's play space

London Plan policy 3.6 states that 'development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. The Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation sets out guidance to assist in this process'.

As mentioned, the child yield of the scheme would be 97. Typically, it would be expected that a scheme of this nature would provide on-site play space for under 5s and 5-11 age groups, 12+ play space to be provided off site. In this context, it is noted that the scheme would provide 3,933sqm of private communal open space, which would ensure opportunities for doorstep play, which would greatly exceed the Mayor's SPG requirements. Furthermore, the scheme would be less than 100m from the existing play area in Colindale Park. Montrose Park is also within 400m from the site and provides further access to play space and sports pitches. The substantial CIL payment associated with this scheme can be used to upgrade existing children's play facilities in the vicinity of the site and it is therefore considered that on site provision of play space is not required in this instance.

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, for the reasons outlined above, to provide future occupiers with acceptable amenities.

3.5 Design and character matters:

The National Planning Policy Framework 2012 (NPPF) 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 CAAP also includes more specific policies relating to the quality of the built environment, which seek to ensure that new development in Colindale is genuinely sustainable, by creating places with a distinct identity where people want to be. The policy explanation to CAAP policy 5.1 (Urban Design in Colindale) states that *'development will respond positively to the character and opportunities of the site and provide high quality contemporary urban design and architecture in Colindale. Taller buildings will only be supported closer to the public transport interchange and on important sites and corners which aid legibility and will be required to meet stricter tests on environmental impact and design. Buildings on the Colindale Hospital site, British Library and Peel Centre West sites fronting Colindale Avenue should be around six storeys high to reflect the importance of the route but must respect and be sensitive to existing buildings, particularly historic listed buildings.'*

Layout

The proposed development builds on the principles that Fairview has applied on the nearby Pulse and Rhythm developments, in terms of the perimeter

block layout with parking generally concealed to the rear along with courtyard amenity space. In addition, it is a built form that has been employed quite successfully on the nearby Beaufort Park development, so is in keeping with the emerging pattern of new development in Colindale. In urban design terms, this layout has a number of advantages. It ensures that natural surveillance of the public realm is maximised, as front doors and windows are orientated towards the street. It enables car parking to be tucked away in rear undercroft areas so that a conventional street layout can be provided where on street parking does not dominate. Above these parking areas communal amenity courtyards can be provided, which compliments the private balconies and roof terraces also proposed. In addition, within the proposed layout there is good definition between public and private space, which has an overall security benefit for the wider community, and results in a more legible and permeable environment for pedestrians. The principle of this layout is therefore supported.

The proposed network of streets would provide a logical grid layout that would serve the development and provide legible new publically accessible routes between Colindale Avenue and Colindale Park, as well as an area of public realm to the south of the station. There would also be a link provided to the adjacent Colindale Business Centre site to enable this redevelopment to come forward, as required by the CAAP and discussed in more detail in appraisal section 3.1. Other than this link, there is no urban design or access requirement to provide a link through the site, instead the street network is conceived as a series of landscaped residential thoroughfares, providing a pleasant outlook for future occupiers and a choice of routes for pedestrians. This includes a wider landscaped 'green finger' leading from Colindale Park into the scheme, which would help to bring the feel of the Park into the development. The submitted Landscape Strategy shows a variety of hard surfacing materials to be used, which would ensure a high quality finish and different treatments would denote different areas of the street. Conditions are recommended requiring samples of these materials to be submitted and approved.

The street widths within the scheme would be between 15m and 20m. This would reflect the proposed residential character, which would result in intimate spaces for future occupiers to look out on and would provide an appropriate setting for the buildings. The submitted drawings and Landscape Strategy demonstrate that the opportunities for the provision of planting has been maximised and this would be secured through planning conditions recommended at the beginning of this report.

Public realm

As mentioned in appraisal section 3.1, the creation of a new piece of public realm is an important objective of the redevelopment of this site. Policy 4.1(a) of the CAAP states that development in the Colindale Avenue Corridor of Change will be expected to 'develop a dynamic new public transport interchange and associated pedestrian piazzas on Colindale Hospital/Station House site, British Library site and Peel Centre West site'. The CAAP intends this interchange to comprise pedestrian piazzas on both sides of the street, with the potential for a new station entrance on the south side of Colindale Avenue. The demolition of Station House as part of the Pulse development has enabled the formation of the northern part of the piazza, which will be

framed by the consented 18 storey Aparthotel development.

The application proposes an area of wide hardsurfaced public realm adjacent to Colindale Avenue, with complementary retail uses fronting onto it. The angled nature of the building line results in this space gradually widening towards the east, thereby forming a piazza 19m wide at the end of Block A. This would then return round Block A into the top of Colindale Park, providing additional spill out space for cafes and restaurants that would be located on the ground floor. The ground floor retail frontage and double height feature corner is an appropriate architectural response to this new space. The submitted Landscape Strategy sets out the various options considered for this area, which have been discussed in detail with the Council's Green Spaces team. The chosen option reflects the angled design of the corner feature and the angled seating area creates a 'square' to the park edge. The threshold to Colindale Park would be softened through the planting of a boulevard of trees and new grass. As part of this area is outside of the applicant's ownership, it is intended that the developer will carry out the works under a licence from the Council, with part of the area maintained by the developer and part maintained by the Green Spaces team. This approach will ensure the delivery of a high quality piece of public realm, which would be integrated with the park and would be a catalyst for future proposals for wider park improvements.

The redevelopment of the Peel Centre will deliver a widened area of public realm on the south side of Colindale Avenue with potential for an additional or widened pedestrian bridge crossing the northern line. There are no firm plans for this area at this stage, but importantly the design of this part of the scheme would allow for a future connection across the underground line, should this come forward as part of wider development proposals.

In summary, the proposal would deliver the objectives of the CAAP in terms of the provision of high quality public realm to cater for the expanding population of Colindale. The Landscape Strategy provides a good level of detail on the types of materials and planting to be incorporated. As mentioned, conditions are recommended to require details of planting plans and hardsurfacing treatments to be submitted and approved.

Relationship with Colindale Park

The proposal presents an opportunity to create a high quality 'park edge' along the boundary of the site with Colindale Park and improve links into this open space. At present, the site has a turfed area of between 25 and 50 metres in width between the park boundary and the nearest structure. The proposal would result in the buildings being closer to the park (between 8 and 21 metres) and there would be an increase in scale, so overall the scheme would be more visually imposing when viewed from the park. However, whilst Colindale Park provides a popular pedestrian and cycle route between the station and residential areas to the south, it is underused for amenity purposes. This is in part due to physical constraints such as the narrow entrance from Colindale Avenue, the unsightly boundary treatments and a lack of natural surveillance. There is therefore an opportunity to remove the unsightly security fencing, thin out the boundary vegetation and introduce more activity to the park by increasing pedestrian permeability and providing natural surveillance.

The design rationale attempts to echo an historic London square, with a variety of building heights and designs sitting together as a unified backdrop to what will feel like more of an urban space, in keeping with the high density development envisaged for this part of Colindale. This is considered to be an appropriate architectural response and the buildings fronting onto the park would have a strong vertical emphasis, with visual interest created through tall clad balcony frames, uniform balcony arrangements and breaks in the building line allowing views into the scheme.

The public realm proposals for the station piazza (mentioned above) set the tone for improved links between the site and the park and, importantly, have the effect of widening the northern entrance and providing active frontages at ground floor level, thereby encouraging more activity into the park. The new area of turf to the east of Block A would effectively be read as an extension of the park and this area would be free of boundary treatments. To the south of Block A, along the remainder of the park edge, the existing security fencing would be removed and replaced with low level railings. The dense vegetation along the boundary would be thinned out and the trees would either be removed or crown lifted (depending on health etc) to improve visual permeability and thoughtful new planting would soften the impact of the development. There would be a gated pedestrian entrance through the railings between Blocks C and E, which would give residents easy access between the amenity courtyard between these blocks and the children's play area to the south of Colindale Park. The s.106 obligation agreed to by Fairview would ensure that planting in the Park adjacent to the site boundary would be carried out, in order to soften the impact of the development and improve the Park environment.

In summary, the proposals would remove the physical constraints of the existing park, whilst improving natural surveillance and increasing activity. The architectural approach to the park edge is considered appropriate and the scheme should guide future Council proposals for wider improvements to the park and play space, for the benefit of existing and new residents of Colindale.

Quality of courtyards

The below table shows a comparison of the rear amenity courtyard spaces for some of the blocks on the Pulse development and those proposed as part of this scheme.

Block	Dimensions (metres)	Enclosure (storeys above courtyard)
Pulse		
B/C	60 x 20	9-3
G/H	40 x 40	10-4
M	45 x 26	7
N	20	8-4
Q	45 x 28	6-4
Library Site		
A	38 x 27	10-2
C/E	54 x 27	7-2

These figures show that the courtyard areas are comparable in terms of width and enclosure. However, the layout proposed as part of this application generally incorporates lower scale blocks to the south of these amenity spaces, thereby providing a more open aspect to the prevailing sun direction. For example, Block A has a small 2 storey element in its southern aspect, but is otherwise open, whilst Block E is only 3-4 storeys on the southern side of this courtyard. In comparison to Pulse and Beaufort Park, these courtyard amenity spaces would be lighter, more pleasant to be in and therefore more usable, which is supported. The layout of the scheme has therefore been designed to maximise the quality of the residential environment.

It will be important that high quality landscaping is proposed in these areas, in order to enhance the quality of these spaces. Some detailed section drawings and planting plans have been submitted and are considered satisfactory. Conditions are recommended to secure full details for the whole development prior to commencement, and to ensure that this landscaping is implemented and managed appropriately. This is discussed in more detail in appraisal section 3.8.

Building height and scale

The development proposes an 11 storey feature corner building in the north eastern corner, which would face the Colindale Underground Station piazza. This element would also have 9 and 10 storey 'shoulder blocks'. Barnet Local Plan policy CS5 states that 'tall buildings (8 storeys (or 26 metres) or more) may be appropriate' in the Colindale Avenue Corridor of Change, where this site is located. Policy DM05 follows on from this to set out five criteria for judging the acceptability of such proposals:

- i) an active street frontage where appropriate;*
- ii) successful integration into the existing urban fabric;*
- iii) a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline;*
- iv) not cause harm to heritage assets and their setting;*
- v) that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.*

Policy 5.3 of the CAAP states that 'taller buildings (in excess of 6 storeys) will only be located in the most sustainable locations which benefit from good access to public transport facilities and shops and services. The area immediately around Colindale Underground station will become the most sustainable location within the AAP'. In addition, the policy specifies that a tall building should be of excellent design quality in its own right, should enhance the qualities of its setting and provide a positive landmark.

The proposal would provide appropriate active frontages along the Colindale Avenue and Colindale Park frontages in the form of flexible commercial and community space (criteria (i)). Nearby heritage assets include the listed Aeroville properties to the north and the listed former hospital administration building within the Pulse development. Given the separation distances, the intervening scale of development on the Pulse site and the consented Aparthotel development, there would be no discernible effect on the setting of

these listed buildings, or any other local heritage assets, as a result of the proposal (criteria (iv)). The submitted Sustainability Statement concludes that the proposed development has been designed to meet the Lawson Criteria for Distress and Comfort (criteria (v)).

In terms of criteria (ii) and (iii), these relate primarily to visual impact and character. It is noted that the site is located at the top of the rise of Colindale Avenue, so is a fairly prominent location. However, any views of the development are likely to be from further afield with minimal impact and the proposal would not affect local viewing corridors, nor would it adversely affect the skyline. Furthermore, the scheme would be significantly lower than the consented 18 storey Aparthotel development to the north. In this context, the application documents demonstrate that the scheme would sit well within its context, forming a lower counterpoint to the Aparthotel building, framing the piazza at the public transport interchange and the top of Colindale Park.

Whilst there is some 2 storey housing on the opposite side of Colindale Avenue, the main bulk of the feature corner would be sited some 40 metres from the nearest property in this row – a comparable distance to the relationship between the Aparthotel development and these houses. To the west, the building scale would step down to 6 (with a recessed 7th in part) and 5 storeys as the set back from the street decreases. This is considered to be an appropriate design response and the other frontage Block B, at the westernmost part of the site, would have a similar scale and set back to the Brent Works development to the west. The proposal would therefore be in keeping with the new frontage development along Colindale Avenue. The scale and setback would be appropriate, respecting the existing low rise housing opposite, and the scheme would therefore successfully integrate itself into the existing urban fabric.

In urban design terms, it is considered appropriate to have a feature corner here to act as a landmark opposite the 18 storey Aparthotel scheme that is to be constructed to the north. In view of the prominent nature of this corner and given that this would be the main aspect for people arriving in Colindale from the Underground Station, it is important that this part of the scheme is of the highest design quality, whilst providing an appropriate degree of enclosure and definition for the piazza.

The feature corner would comprise a cluster of built elements, principally the main 11 storey brick element, with subservient 9/10 storey shoulder blocks that would be separated from the main block by recessed elements. The shoulder blocks would also be clad in a bronze metal cladding, which would contrast with the buff brickwork proposed for the main corner element. The visual relief in the elevations created by the recesses, skyroom features, projecting balconies and deep window reveals would create visual interest and soften the scale and bulk of this part of the scheme. The use of good quality buff brick and cladding materials will ensure a high quality finish and conditions are recommended to ensure that a satisfactory sample panel is constructed on site, and approved by officers, before construction commences.

The remainder of the scheme would be between 4 and 9 storeys and this would be in keeping with the pattern of new development locally, including the

Pulse and Beaufort Park developments. There would also be a variation in height throughout the scheme, including recessed top floors, to add visual interest and reduce any enclosing effect. Importantly, the scale of buildings would step down towards the southern boundary of the site where there is an open aspect to the allotments with 2 and 3 storey residential properties diagonally adjacent on Rankin Close and Chequers Close. The height and scale of the buildings proposed would have an acceptable relationship with the adjacent Colindale Business Centre as it currently exists, and would also be of an appropriate scale to the redevelopment proposals for this site that are under discussion with officers.

In summary, the height and scale of the various components of the scheme would be in keeping with the pattern of new development in this part of Colindale. The scheme would deliver high density housing in a quality environment, whilst respecting its surrounding local context and skyline. Subject to the use of high quality materials and detailing, as discussed below, the proposal would have an acceptable visual impact.

Materials and Detailing

As mentioned above, the scheme has been designed to maximise visual interest through varied building heights, set backs and frame features. However, as with any development of this scale, there would be long elevations and large expanses of brickwork. It will be important therefore that high quality materials are used throughout and that sufficient detailing is incorporated into the design.

Detailed 'bay study' drawings have been submitted, which are listed and conditioned as approved plans to be complied and would control things like window reveal depths, brick returns and steps in building lines. A 170mm window reveal is proposed on the majority of public facing elevations, which is supported.

Officers are satisfied that the suite of documents submitted will give adequate control of detailed design matters on implementation of the development.

Unlike the Pulse development, which utilises a variety of materials and treatments throughout, this scheme proposes a more coherent language of materials to unify the buildings. Details of materials would be submitted pursuant to conditions, but a strong indication is provided with the submission, as set out below:

Brickwork – Two slightly contrasting buff bricks are proposed, the predominant one being lighter. It will be important that the chosen bricks have good tonal variation and texture to give a high quality finish and soften the impact of the larger expanses of brickwork.

Windows and doors – Grey uPVC or powder coated aluminium, details to be discussed and approved.

Balconies – The balconies, including the balcony frames, would be of bronze metal appearance. Many would have glazed balustrades, particularly those on the key elevations and within the recesses. Others would be solid metal or railings.

Other features – The projecting balcony frames, shoulder blocks on the feature corner and recessed storeys would be clad in an anodised aluminium

cladding. The balcony frame reveals would be treated with a coloured cladding board in a variety of subdued colours.

Car Parking

The scheme has been designed to minimise surface car parking, mainly through the undercroft podium arrangements serving Blocks A, B, C and E. This concept has been employed on the Pulse development and at Beaufort Park. These would ensure that the majority of the car parking is contained under the blocks, resulting in a streetscape that is less cluttered and has greater scope for planting. This approach has led to some blank frontages at ground floor level, due to ventilation requirements, but these have been minimised. Blocks D and F do not incorporate undercroft parking and a surface car park is proposed in the south western corner of the site to serve these blocks. However, the requirement to provide HGV access to a pumping station in this area makes the provision of a podium between these blocks impractical. The surface car park would be largely concealed behind the blocks and would therefore not be overly apparent when viewed from the main spine road in the scheme. Overall, the scheme would minimise the amount of surface car parking, as well as minimising the visual impact of this by sensitive landscaping. In addition, the extent of hardsurfacing is the minimum required for vehicular and pedestrian circulation, as well as for emergency services access.

Bin and Cycle Storage

As with Fairview's approach on the Pulse development, refuse bins would be stored within dedicated, ventilated areas within the blocks, with access to the street for collection. These storage areas would provide a convenient facility for residents, would be easily accessible for collection and would ensure that the visual impact of refuse is minimised. Cycle storage would also be contained within the blocks in convenient locations adjacent to parking areas or block entrances. Sheffield stands are also proposed in the public realm areas (10 in the piazza, 3 adjacent to the community space) and this is considered appropriate.

Heritage assets

Many of the consultation responses from local residents have expressed concerns over the loss of the main library building, as well as the loss of the British Library's presence in Colindale more generally. However, the British Library's decision to move the collections from Colindale to their new state of the art facility in Boston Spa is a commercial decision and is not something the Council can have control over.

Local support for the retention and conversion of the existing building is noted. However, the structural nature of the building is such that it does not easily lend itself to residential conversion, particularly as part of a high density scheme as envisaged for this site by the CAAP. Furthermore, there are no buildings on the site worthy of statutory listing – English Heritage has issued a Certificate of Immunity from Listing until 2015 in respect of the site. The demolition of the existing buildings cannot therefore be prevented.

The closest heritage assets to the site are the listed former administration block on the former Colindale Hospital (Pulse) site (some 200m north), Aeroville (some 200m north east) and Platt Hall (some 300m east). Due to the

separation distances and intervening development, there would be no discernible impact on the setting of any of these heritage assets.

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 Residential Design Guidance Supplementary Planning Document provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users. This includes stating that there should be minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

Overlooking and loss of privacy

There are a number of residential properties in close proximity to the application site, including the 2 storey housing on the north side of Colindale Avenue, the 3 storey flats on Chequers Close and the 2 storey housing on Rankin Close. At its closest point (Block B), the proposed buildings would be 22m from the front elevations of the facing dwellings on the north side of Colindale Avenue, thereby complying with the SPD standard. Block F would be located 30m from the nearest property on Chequers Close therefore comfortably complying with the standard, whilst there would be a separation distance of over 15m to the garden of this property. Block E would be sited some 32m from the adjacent property on Rankin Close, with over 20m separation to the garden of this property.

In terms of the impact on the adjacent Colindale Business Centre, it is noted that the principal windows in the rear of Block B would be 18m from the closest facing windows in the Business Centre. Whilst this would be below the SPD recommended distance of 21m, this would not be a significant shortfall and would be comparable to other separation distances within the scheme. Furthermore, these are largely commercial premises and cannot therefore be afforded the same separation as neighbouring residential properties, as the living conditions of the occupiers would not be unduly affected.

It is also noted that Colindale Business Centre has recently had approval under the prior notification procedure for residential conversion of the first floor (ref H/02976/14). This has been partially implemented. Regard has been had to the approved layout of this conversion, but the impact on these units would be acceptable. As mentioned above, whilst the separation distance to the closest facing windows of the Business Centre would not meet the SPD recommended distance, the shortfall would not be significant. In addition, the facing windows that are closest to the scheme would be secondary living room windows, so adequate outlook would be available from the primary windows serving these rooms. The 21m privacy distance would be complied

with in relation to other facing windows within the Colindale Business Centre.

A condition is recommended to ensure that the flank wall windows of Blocks B and D facing the Business Centre are obscure glazed and fixed closed. Also, as mentioned above, a condition is recommended requiring a privacy screen to be installed along the podium amenity space for Block B, to ensure that there would be no unacceptable overlooking of the Business Centre. Subject to these conditions the impact on adjacent occupiers in terms of overlooking and loss of privacy is considered to be acceptable.

Daylight and sunlight

The application is accompanied by an assessment (prepared by Savills) of the proposals impact on the daylight and sunlight received at neighbouring residential properties. This report finds that the relevant criteria relating to daylight and sunlight would be met at all neighbouring properties. It is therefore reasonable to conclude that there would be no significant adverse affects on the daylight or sunlight received at neighbouring residential properties. For the reasons outlined officers find that the application is acceptable in this regard.

Outlook and visual impact

The documents submitted with the application include plans showing the impact of the proposed development on properties in the area surrounding the site and show the relationship of the proposed buildings with neighbouring properties and spaces. As discussed, the closest existing residential properties to the application site are houses situated on the north side of Colindale Avenue and residential flats to the south on Chequers Close, Rankin Close and within the Colindale Business Centre.

It is noted that the proposed development would result in an increase in scale compared to the current situation. This would be apparent when viewed from all these neighbouring properties, as well as over the allotments to the south. However, the scheme has been designed to step down in scale towards these sensitive boundaries, generally being 4 or 5 storeys only. Also, as mentioned above, the separation distances to neighbouring properties are generous in most cases and comply with SPD privacy standards, with the exception of a minor shortfall to the Colindale Business Centre.

Overall, 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 and spaces. The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

Noise

The residential dwellings proposed in the development are of a nature that they would be expected not to generate unacceptably high levels of noise and disturbance to the extent that they would harm the amenities of the occupiers of neighbouring properties in the normal course of their occupation. It is however noted that the use of the parking areas by vehicles, which is unavoidable due to the number of units proposed, could give rise to some noise emissions. The Council's Environmental Health Officer has commented that a condition should be imposed requiring an acoustic fence/barrier to be

provided where car parking spaces are proposed adjacent to residential boundaries, such as in the south western part of the scheme. Subject to this condition, it is considered that the use of the parking areas by vehicles would have an acceptable impact on the amenities of neighbouring occupiers.

Concerns have been raised by occupiers of the adjacent Colindale Business Centre that the proximity of residential flats within the scheme to the boundary of these commercial units would have an impact on the business uses that occupy this property. However, the occupiers of these commercial units are office occupiers (Use Class B1(a)), a use which by definition should not be detrimental to residential amenity. It is noted that there could be some vehicular movements associated with these uses close to the proposed flats, but it is considered that these would not be so significant as to unduly impact on residential amenity. Furthermore, a planning condition restricts deliveries and collections to and from the Business Centre, to between 8am and 7pm during the week and between 8am and 1pm on Saturdays. This is outside the hours that most residential occupiers would be asleep. Overall therefore, it is considered that the proximity of the proposed flats to the adjacent Business Centre would not unduly impact on the commercial uses going forward.

In addition to this a condition has been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance. This includes 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. Subject to these conditions the proposal is considered to be acceptable in terms of the noise impacts.

Impacts from lighting associated with the development

Policy DM01 of the Barnet Local Plan requires new lighting schemes to not impact upon amenity. A condition has been recommended requiring the implementation of the development in accordance with details of the external lighting installed as part of the development. Subject to this condition the proposal is considered to be acceptable and compliant with the objectives of policy in terms of preventing unacceptable lighting impacts from new development.

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.

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 affordable family housing provision

Affordable housing negotiations are required to take account of a site's individual circumstances, including development viability, the resources available from registered providers, the implications of phased development and other scheme requirements. London Plan policies also make 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. To explain and justify this position the applicant has submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council has then commissioned the Valuation Office Agency (VOA) 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 (set out in further detail below), and the value that the applicant would be likely to generate from the scheme, the VOA conclude that the application scheme can only provide 23% of the units as affordable housing (91 units, 24.7% of habitable rooms), based on the Council's preferred mix and a 64:36 split in favour of affordable rent (compared to the London Plan requirement of 60:40), as set out below:

Affordable Rent

23 x 1 bed, 2 person
 9 x 2 bed, 4 person
 26 x 3 bed, 5 person

Intermediate

2 x 1 bed, 1 person
 13 x 1 bed, 2 person
 3 x 2 bed, 3 person
 9 x 2 bed, 4 person
 6 x 3 bed, 5 person

Officers are satisfied that the conclusions of the VOA report are robust and represent an accurate representation of the viability of the scheme. In light of these circumstances in this instance the proposed affordable housing provision is considered to be acceptable and compliant with the objectives of planning policies. The affordable rented offer contains 40% 3 bed 5 person units and this is strongly supported as it would provide a high proportion of family accommodation. It is noted that the tenure split is not exactly as required by the London Plan, but this is due to the desire to contain the

affordable rented units within Block D only and for this practical reason the split proposed is considered acceptable.

A review mechanism has also been agreed as part of the s.106, which will ensure that the scheme is reappraised once the actual sales values of the flats are better established, and any additionality paid to the Council as a commuted sum towards the provision of affordable housing elsewhere in the Borough.

3.8 Impact on existing trees and proposed planting:

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

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

The policy also states (k) 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.

Tree loss

The application submission includes an Arboricultural Report, incorporating a tree survey. This identifies that of the 31 individual trees and 2 groups of trees on the site, none of which are the subject of a Tree Preservation Order (TPO). The report identifies 2 trees that could be retained, but these are Category C trees with no particular merit. If they were to be retained however, they would impinge on the communal amenity space for Block F and the canopy spread would be close to the building, which could affect light and outlook. Overall, a better arrangement could be achieved through the removal of these trees and the provision of sensitive new planting. There is a possibility that some of the mature trees in the group adjacent to the Colindale Park boundary could be retained as part of the new landscaping along this boundary, depending upon the health of the individual trees and their reliance upon other trees and vegetation, which is to be removed.

Landscape concept

The scheme proposed includes a Landscape Strategy and detailed planting plans for some areas, which details the planting of new trees and additional landscaped areas to mitigate the trees and landscaping which would be lost through the works and also as part of providing suitable landscaping for the development more widely.



In terms of the public realm areas, the Landscape Strategy (LS) identifies four main character areas (as defined on the above diagram) with design principles for each:

‘Heart’ of Colindale – It is intended that this area would form the southern part of the station piazza, the northern portion already having been laid out adjacent to the station. As mentioned, this is a key deliverable for the scheme emerging from the CAAP. The LS aims to ensure that the northern piazza is reflected to create a unified ‘Heart’ of Colindale. The main principles are to ensure ease of movement between the site, Colindale Park and Colindale Underground Station, as well as creating a community space for residents and visitors’ use. Café and restaurant ‘spill out’ space would be provided adjacent to the ground floor retail units.

This would be achieved through the provision of a new public square surrounded by seating, with amenity grass extending southwards into the Park. The space adjacent to Colindale Avenue would incorporate ‘avenue’ style tree planting. An appropriate mix of hard surface treatments is proposed, including paving and resin bonded gravel.

Park Edge – This area comprises what would be the threshold between the new scheme and Colindale Park. As mentioned, the architectural rationale is for the buildings to reflect the appearance of an historic London square. It will be important therefore that the landscaped setting reflects this and the proposal is to remove much of the boundary vegetation and trees in order to increase visual permeability. New trees would be planted where possible,

although it is noted that planting within the site would not be possible along much of the boundary due to the siting of the road around Blocks C and E. Railings would define the boundary. The landscaping works shown on the application drawings for the Park would be carried out by Fairview under a licence obtained from the Council's Green Spaces team. Green Spaces have confirmed this approach is acceptable and conditions/s.106 obligations have been recommended and agreed to secure this.

Green Finger – This would draw the feeling of the Park into the development along a wider street. Careful design of the internal streets and on street parking has enabled the creation of a 10m wide green space between Blocks A and C, which would be fully usable and would provide a genuinely green street.

Main Street – The LS demonstrates that the scope for planting has been maximised throughout the streets and parking areas within the scheme. A mixed palette of hard surfacing is proposed for the internal street network to define pedestrian and vehicle routes, as well as raised surfaces and crossings – this is supported.

In terms of the private amenity areas, these would be laid out to ensure that the usability of the spaces would be maximised as they count towards communal amenity space provision. Accordingly, much of the courtyards and podium gardens are given over to amenity lawn, but this would be broken up by thoughtful tree and shrub planting. This would ensure an attractive outlook for residents and would create usable gardens that would be pleasant for people to be in.

New planting

Overall, up to 154 new trees would be planted under the submitted landscaping scheme, including 24 London planes within the public realm along Colindale Avenue and 9 oaks at the top of Colindale Park. A mixture of smaller trees would be planted along the internal streets and amenity areas, including cherry, field maple and Himalayan birch. Ground floor terraces would be enclosed with a variety of hedging types, including oval leafed privet, hornbeam and beech, whilst a mixture of shrub planting is also proposed to provide colour. Full planting plans, including plant sizes, densities and planter sizes has been provided for most of the development and a condition is recommended to ensure compliance with these plans, as well as requiring detailed plans for the remaining areas.

Officers consider that the new trees and other landscaping works proposed provide adequate mitigation for the existing trees and landscaping which would be lost in this instance. It is noted that none of the trees are protected by preservation orders and therefore all trees on the site could be removed without further reference to the Council. Conditions have been recommended to ensure that the trees and wider landscaping implemented as part of the proposal would be of a sufficient quality, including new trees of a suitable size and species as detailed in the submitted drawings. The conditions recommended also include requirements to ensure that appropriate measures are taken to protect the trees immediately adjacent to the application site, as well as any to be retained on the site as part of the scheme. Officers take the view that adequate consideration has been given to trees in this instance.

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, given the constraints of the scheme. It is noted that much of the site would be given over to surface car parking. However, this has been minimised where possible through a low parking ratio and the use of podium parking arrangements. The landscaping scheme includes new areas of lawn, trees 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 quality and makes a positive contribution to the area.

The management and maintenance of the planting will be very important and this is alluded to in the submitted Landscape Strategy and accompanying drawings. Accordingly, a condition is recommended requiring a Landscape Management Plan to be submitted and approved. This will include maintenance schedules, measures for replacement of dead or dying trees/shrubs and watering/pruning schedules.

Matters relating to access, parking and 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 scheme provides adequate mitigation for the existing trees and other landscaping which would be lost as part of the works proposed and that the development is acceptable and compliant with policy in respect of tree and landscaping matters with the conditions recommended.

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, seek more environmentally friendly transport networks, ensure 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. Larger schemes are also required to implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Site Location and Surrounding Area

The development site was used by the British Library as a newspaper archive facility with very few staff. The site included 40 car parking spaces with access off Colindale Avenue and is in very close proximity to Colindale Underground Station. When the site was open and operational it attracted some visitors and had few deliveries.

The site is located on Colindale Avenue, directly opposite the Chalcot Road junction (which serves the former Colindale Hospital development) and Colindale Underground Station. Colindale Underground Station is served by the Northern Line and several bus routes.

The Public Transport Accessibility Level (PTAL) is graded from 1 for poor accessibility to 5/6 for excellent accessibility. The Public Transport Accessibility Level (PTAL) was downloaded from TfL's PTAL website. For the proposed site the PTAL score is 4 and is therefore within a medium accessibility level area.

It is also acknowledged that the recent transformations on the highways network and the diversion of the bus Route 186 contributed to the improvements in the vicinity and the higher PTAL rate for this site could be considered appropriate for the whole site.

There are a number of other bus routes operating nearby: route 204 (Sudbury to Edgware); route 303 (Grahame Park to Edgware), as well as N5 (night bus- Edgware to Trafalgar Square); and those which can be accessed and in walking distance, from A5/ Edgware Road: routes 32 (Edgware to Kilburn Park) and 142 (Brent Cross to Watford) and N16 (night bus- Edgware to Victoria).

Current parking restrictions in the vicinity of the development are not uniform. The roads surrounding the site are within Colindale Controlled Parking Zone (CPZ) which restricts parking to 1 hour during weekdays from 2pm to 3pm and include part of Booth Road and Annesley Avenue. Colindale Avenue includes one hour restrictions and also has some parts that operate a Monday to Sunday (8am-6:30pm) restriction with exception of the area near the Underground Station where no waiting at any time applies.

Parking

This proposal includes a total of 272 parking spaces for the residential units, and 6 spaces for the commercial/retail staff use. Out of the total number of spaces provided, 194 will be located in the undercroft area, whereas the remaining 84 spaces will be on street level.

Initially two residential parking spaces will be converted for car club use, with the option of converting an additional space if there is a demand. The exact location is to be determined later and to form part of the Car Parking Management Plan Condition recommended, whereby the final parking and allocation will be presented.

The Colindale Area Action Plan (CAAP) Policy 3.5 states: "Residential parking requirements will vary across the Colindale area depending on the location of each development site. 1 space per unit will be taken as the maximum

standard but a lower provision of 0.7 spaces per unit will be encouraged on sites within close proximity to the public transport interchange, neighbourhood centre and high frequency bus routes. Non residential parking will be provided at levels consistent with Annex 4 of the London Plan.”

The pre-application discussions with the developer included talks about car parking provision and where it was requested to analyse the parking element to ensure that the same level of provision within the CAAP was still relevant and is considered appropriate. The ratio proposed is 0.7, the same as that approved on the Former Colindale Hospital development opposite.

The proposed parking provision is therefore in accordance with the parking standards in London Borough of Barnet’s Local Plan Policy DM17 of Development Management Policies (Adopted) September 2012 and is considered acceptable on highways grounds for a development in this location.

The proposed parking layout is generally acceptable on highways grounds, subject to additional details required through the Car Parking Management Plan condition. For example 40% of the parking spaces should be suitable for disabled parking and electric vehicle charging points (20% active and 20% passive should be provided. Conditions are recommended in this regard.

As part of this development proposal there are 36 units adaptable for wheelchair users but only 2 units built at the point of construction. To correspond the number of wheelchair accessible units there are 36 car parking spaces for disabled users. Out of the total spaces provided, 4 are located on the street level with an additional three reserved for retail use. The remaining 11 are provided on the undercroft area of Block A, whereas three are provided on the undercroft of Block B and the rest are located on the undercroft of Blocks C and E.

It is recommended that disabled car parking spaces to have an additional 1.2m strip on two sides. The drawings submitted do not show this to be the case. The applicant is advised to make amendments to the submitted drawings as part of the Car Parking Management Plan condition. It is also recommended that the car parking spaces for disabled user be rearranged so that they are as near as possible to main entrances. It is noted that a parking management company will be employed to deal with parking in entirety within this development. Also, it is up to the management company to distribute parking permits, maintain and enforce all parking areas – details of these arrangements will be approved through the Car Parking Management Plan.

Parking Restrictions

This site is within the CAAP area capturing several large developments. In order to prevent parking displacement from other approved nearby developments, s.106 parking related contributions were secured from various developers. It includes contributions from earlier phases of the nearby development known as the former Colindale Hospital site. In the near future those parking contributions will be used to analyse the current parking

requirements in the area. Subject to consultation, a revised or extended Controlled Parking Zone (CPZ) could be introduced.

In addition and following the Safety Audit advice it is recommended that parts of the single yellow line on Colindale Avenue should be converted to double yellow lines. This will restrict further parking and waiting along Colindale Avenue and in turn will improve the traffic flow and bus movements. It was noted that TfL supported the safety's Audit recommendation to implement double yellow lines along Colindale Avenue in order to address the current problem of loading and parking on single yellow lines. A S.106 contribution of £7,000 has been agreed to implement these changes.

Cycle Parking

The London Plan policy 6.9 on cycling provision states that planning decisions for developments should provide secure, integrated and accessible cycle parking facilities in line with minimum standards set out in Table 6.3. For C3 (Dwellings), for one and two bed units one cycle parking space is recommended, whereas for units with 3 or more bedrooms, 2 cycle spaces should be provided.

A total of 491 cycle parking spaces are included in this proposal for the residential part of this development. In addition, 10 cycle spaces will be provided within the public area for visitors and users that form the commercial part of the proposal. Considering the above, the proposed cycle parking provision for the residential and the other part of this development is considered acceptable.

More details related to cycle spaces should be provided, for example, what type of racks are proposed for the whole development, allocations of spaces, gaining access to areas where the cycle spaces are located and maintenance of these areas. All proposed cycle parking spaces must be retained throughout the 'life' of this development and made available for use to residents and visitors from the start of the occupation. A condition is recommended requiring this and further details to be submitted and approved.

Vehicle Access and Pedestrian Environment

A new priority junction from Colindale Avenue is proposed to serve the development. The siting and design of this junction is considered to be acceptable for the intensity of use associated with the development. The developer will be required to enter into a S.278 agreement with the Highways Authority to carry out the necessary works to the highway to facilitate this link.

Following on from the applicant's Transport Assessment, a contribution of £40,000 has been agreed to fund pedestrian crossing and pedestrian environment improvements, as recommended by the PERS Assessment.

Refuse Collection

The LBB's guidance notes "Information for developers and architects – provision of domestic and organic waste collection services, and recycling facilities" includes details on refuse bin sizes recommended for new residential units and provisions required for recycling. The walking distance from the kerb to the location of the bins is recommended to be less than 10m in all cases.

The applicant has stated that this scheme is designed in compliance with the above guidance.

In the submitted Design and Access Statement some details on the refuse and recycle strategy are included as well as a drawing which shows some enclosed areas separate for the retail uses and for residential blocks serving this development at different points.

The new roads designed to serve this development are not likely to be offered for adoption to the Highway Authority. For that reason an indemnity agreement is required between the applicant and the Council (which includes contractors working on their behalf), indemnifying them against any damages caused by the lorries while entering this site. Additional details are to be agreed with the applicant. Notwithstanding this, all new roads within this development must be constructed to adoptable standards and to withstand the largest vehicle load that is likely to enter/exit this site while carrying the refuse/recycling servicing. Also, the applicant must provide dropped kerbs near the points of collection, to enable safe collection.

A Delivery and Servicing Plan (Nov 2013) is enclosed as part of the submission, where three drawings are included showing vehicle swept paths for several types of vehicle. The tracking of vehicles used for refuse and recycle must be assessed taking using the measurements provided on the guidance notes, as highlighted above. Points of collections will have to be agreed in advance with the collectors, including access to these enclosed areas. A condition is recommended to ensure details are submitted and approved prior to occupation.

Demolition/Construction Management Plan

A Demolition/Construction Management Plan (DCMP) must be submitted to and approved by the local planning authority prior to the commencement of works. Careful consideration must also be given to optimum route(s) for construction traffic and Highways should be consulted in advance.

The applicant is advised that due to its location, deliveries associated with construction must not take place between 0800 hrs - 0930 hrs and 1630 hrs - 1800 hrs.

The submitted DCMP should also to include limits on the lorry times of operation, to identify a designated safe route that ensures minimal interference to public users and highway movements and to demonstrate how the operation and construction/demolition can be undertaken safely.

Trip Generation and Access

The Council's Highways Officers have reviewed the submitted Transport Assessment in respect of the likely vehicle trip generation associated with the proposed development, which is set out in the below tables. These figures have been derived through comparison with other similar developments in the area, such as Colindale Hospital and Beaufort Park, as well as using the TRAVL database.

Trip rates for the AM peak

AM Peak (8:00- 9:00)	Arrivals	Departures	Total
	21	66	82

Trip rates for the PM peak

PM Peak (17:00-18:00)	Arrivals	Departures	Total
	46	30	76

Having regard to these figures, officers are satisfied that the proposed development would not have a significant detrimental impact on the highway network. This conclusion is also reached when the traffic impacts of relevant committed developments in the surrounding area are taken into consideration. As such the proposal is considered to be acceptable and compliant with the objectives of policies in this respect. The substantial CIL payment associated with this scheme can be used to carry out local highways improvements if deemed necessary.

A Stage 1 Road Safety Audit was submitted to assess the impact of the access into the development. This concludes that the proposed new priority junction access to Colindale Avenue to serve the development would be acceptable in highway safety terms. The associated highway works would be carried out under a S.278 agreement.

Travel Plan (TP)

A Framework Travel Plan has been submitted that is similar in style and content to the TP's submitted for Colindale Hospital Phase 1 and Phase 2. The TP makes some reference to the previous documents but does not utilise the information gathered via the Year 1 monitoring completed for Phase 1 and the Former Brent Works development and reported in the document 'Colindale: Pulse and Rhythm Travel Plan monitoring (Year 1)'. This monitoring review reports lower car use in the occupied section of Phase 1 for both work and recreation travel in comparison with the mode split for the Colindale Hospital site from the Colindale Area Action Plan. The targets for this new TP will need to be revised in light of the data in the monitoring report.

The TP identifies a similar range of measures as the Colindale Hospital TPs with timescales for their implementation given in the included action plan. However, there is some concern over the take up of these, so an alternative set of TP incentives has been devised and agreed with the applicant, to include the provision of 2 car club spaces and up to £300 per unit incentive package, as detailed in appraisal section 3.17. These are as recommended in the Planning Obligations SPD.

Since the development of the travel plans for Phase 1 and 2 of the Colindale Hospital development, the Transport for London guidance 'Travel Planning for new development in London' has been published and adopted by the Council as the basis for TP content and methodology for monitoring. The TP states that it has been prepared in line with the objectives and principles laid out in the TfL guidance, however further information and more details will be required. Therefore the requirement for a Strategic Level Travel Plan that meets the criteria in the Transport for London document 'Travel Planning for new development in London' and that is ATTrBuTE and TRAVL compliant will be secured through the s.106 agreement.

Conclusion

In summary, the impact of the proposed development on local traffic congestion would be acceptable. Alongside this, a Travel Plan will encourage users of the site to use more sustainable modes of transport. Conditions are recommended in relation construction management, delivery and servicing and car park management in line with the highways officer's request. Accordingly, the proposal is considered to comply with the objectives of the policies set out above.

It is not considered necessary as part of this application to require contributions towards public transport improvements, given the substantial CIL payments associated with the scheme. It is also not considered necessary to require bus stops to be moved as part of this proposal. Obligations have however been agreed towards pedestrian improvements, parking permit exemptions and parking restriction amendments.

3.10 Creating inclusive environments for all members of the community:

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out specific considerations for development proposals. With regard to residential developments such as this proposal, all units should comply with Lifetime Homes standards with 10% wheelchair home compliance, as per London Plan policy 3.8. The retail/community units, public realm areas, streets and footpaths should also consider inclusive design principles.

The submitted Design and Access Statement explains that the scheme has been designed with accessibility in mind, with the levels of the public realm areas being gently sloping, as well as clear footpaths of adequate width or shared surfaces providing access to all main entrance doors. Core entrances would be easily identified and accessed with level thresholds, whilst all block cores have lifts enabling wheelchair access to all of the accommodation. All wheelchair standard units are located on the ground or podium (first floor) levels. All of the proposed flats would comply with Lifetime Homes standards. 36 of the units would be wheelchair adaptable, whilst 2 would already be adapted, making a total of 38 wheelchair standard compliant units, thereby complying with the 10% requirement set out in the London Plan. 33 wheelchair accessible parking spaces are proposed for the flats, along with 3 for the retail uses, which would comply with Lifetime Homes standards. It is noted that there are no detailed internal layouts submitted for the retail or community uses, but each of the units would be of an adequate size to enable wheelchair accessible layouts and facilities to be provided.

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 have reviewed the submitted Geotechnical and Geoenvironmental Report and Remediation Strategy and

have confirmed that any concerns they may have regarding contaminated land issues are adequately addressed through mitigation measures such as soil capping and geotextile separation. Thames Water has requested that petrol/oil interceptors be fitted in all car parking areas and an appropriate condition is recommended. 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 have not raised any objection to the proposal or requested that conditions are placed upon any grant of consent. The design and layout of the development proposed and the degree of natural surveillance is considered to be such that, provided adequate external lighting and fencing is provided, it would provide a safe and secure environment. Conditions are recommended requiring a lighting scheme and boundary treatment details to be submitted and approved. 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, although the proposed development would increase the amount of hardsurfacing across the site, so there would be the potential for increased surface water run-off. Sustainable Urban Drainage Systems (SuDS) would be incorporated into the scheme, which would achieve greenfield run-off rates for the 1, 30 and 100 year events, with an additional 30% allowance made for climate change for the 100 year event. The dense nature of the development limits the provision of open green space and site investigations have revealed that the underlying strata is generally impermeable. The proposed SuDS features therefore comprise:

- Permeable paving in private parking areas and non-adopted highways, providing attenuation;
- Void system beneath the permeable paving in the podium deck areas to provide attenuation and improve water quality, integrated with the irrigation system;
- Attenuation tanks below private road and parking areas to attenuate uncontaminated run-off from roof areas and to provide attenuation from road areas.

Design drawings and calculations have been included in the submission, which demonstrate that adequate attenuation capacity can be provided. A condition is recommended to require detailed designs to be submitted and approved prior to commencement. The Environment Agency have raised no objections to the application and confirmed that the submitted Flood Risk Assessment is acceptable.

Thames Water has 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 applicant states that there is sufficient capacity in terms of utilities in the vicinity of the site.

Conditions have been recommended to ensure that water use by the development is minimised. Subject to these conditions the development is found to be acceptable in this respect. Both businesses potentially supplying water to the development (Veolia 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 40% reduction in carbon dioxide emissions when compared to 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 Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes. The CAAP provides that schemes such as this should achieve Code Level 4 or above against the Code for Sustainable Homes and BREEAM 'Excellent' for non-residential uses.

The site is close to the Colindale Community Energy System (CCES), which is located within the Pulse development, also constructed by Fairview. This facility has sufficient capacity to supply heat through an underground heat main to the application site. Heat and/or power would be supplied to the scheme from a central heat source comprising biomass and gas boilers, and gas fired Combined Heat and Power (CHP) units. Residents will receive

exactly the same functionality as if they had their own individual boiler within the dwelling, but without the direct responsibility for servicing their boilers or providing fuel.

Carbon dioxide emissions

The application is accompanied by a Sustainability Statement and Energy Statement, which include an assessment of the options considered under the Mayor's hierarchy. The chosen options include built fabric improvements such as high insulation values, low energy lighting and high efficiency boilers. These measures, together with connection to the CCES, would reduce CO2 emissions for the whole development by more than 45%. This would therefore exceed the requirements of London Plan policy 5.2.

The Sustainability Statement sets out the applicant's commitment to achieving level 4 under the Code for Sustainable Homes and BREEAM 'Excellent' for the commercial elements of the scheme. Code for Sustainable Homes and BREEAM pre-assessments have been included, which demonstrate compliance with these standards. A condition has been recommended to ensure that the development achieves these levels 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.

Electricity and gas supply

London Plan policy 5.4A requires developers to engage with energy companies at an early stage to ensure that there are no strategic concerns with regard to energy supply capacity. However, it is noted that this proposal is located within a growth area where a significant amount of development has been planned. Energy and water companies have been consulted and have not raised any capacity issues. It would be expected that the developer would liaise with utilities companies as part of their construction programme.

Biodiversity matters

Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity. Where development would affect a Site of Importance for Nature Conservation (SINC) or a species of importance the council will apply the following hierarchy:

1. Avoid adverse impact to biodiversity interest.
2. Minimise impact and seek mitigation.
3. Only in exceptional cases, where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

The application site is not designated as a SINC, but does contain some habitats that could attract protected species, including buildings that could accommodate bats. The Silk Stream, to the south beyond the allotments, is a designated SINC Borough Level Grade 2, but there are no other ecology designations in the vicinity of the site, with the Brent Reservoir SSSI located some 1.5km to the south.

Notwithstanding this a Phase 1 habitat survey has been undertaken and has been submitted with this application. The report concludes that the habitats within the site generally consist of common and widespread species, which in

themselves are of no intrinsic ecological interest. Limited evidence of protected fauna was discovered and the habitats that do exist within the site would not be relied upon by such species.

However, the report suggests that it is appropriate for the development to provide biodiversity enhancements. More specifically they have suggested that enhancements are provided in relation to bats and birds, as well as through the type of landscaping used and green roofs. These findings are accepted and conditions have been recommended to ensure that bird boxes are erected and appropriate new planting takes place.

The tree and wider landscaping conditions recommended are considered sufficient to ensure that the scheme makes appropriate contributions to biodiversity generally and that the new planting which takes place 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 the objectives of planning policy on biodiversity and nature conservation matters.

Other aspects of sustainable design and construction

The proposal includes a number of features that have been incorporated to develop in a sustainable way, mitigate and adapt to climate change, conserve resources and minimise pollution. These include elements such as new planting, the provision of appropriate recycling facilities, the inclusion of energy efficiency measures and the installation of facilities for cycle storage. A condition is recommended requiring a Site Waste Management Plan to be submitted and approved, to ensure that materials are sourced sustainably where possible and measures are put in place to minimise waste. Specifications for external lighting will exceed 'Dark Sky' requirements and a condition is recommended requiring details of lighting to be approved.

The submission (in the Energy Statement) demonstrates that the proposal would achieve Code for Sustainable Homes Level 4 and BREEAM 'Excellent'. 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. 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. Areas of green roof would also be provided on some of the blocks and this is detailed in the landscaping plans submitted. Conditions have been recommended to ensure that the site is appropriately landscaped at the implementation stage of the development.

The submitted Sustainability Statement demonstrates a reduction in average per person water use within the development from 145 litres/day to 105 litres/day, in line with the requirements of London Plan policy 5.15. This would be achieved through dual flush WCs, flow restricted taps/showers and standard washing machine settings. Water butts would be provided in communal gardens to collect rainwater for irrigation.

In terms of ambient noise and air quality, as mentioned above the Council's Environmental Health Service considers the site to be suitable for residential use subject to the conditions recommended. In summary, the proposal is considered to be fully compliant with Local Plan and London Plan policies on energy and sustainability.

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'.

A Screening Opinion was issued by the Council on the 2nd August 2013 (reference H/02892/13) confirming that it was not necessary to carry out an Environmental Impact Assessment in respect of this scheme. 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 Socio-economic impact:

Health

Policy 7.3 of the CAAP seeks to ensure that new health facilities will be provided in the Colindale Avenue Corridor of Change, to complement reprovided facilities at the Grahame Park Estate. It is intended that these facilities would provide for primary health care, comprising GPs, dentistry and pharmacy. As the supporting text to this policy mentions, Fairview originally proposed a 1,132sqm primary care facility within the Pulse development, which was to be located close to the station. However, during the course of construction of this building, NHS Barnet confirmed that they did not require the facility, as existing practices in the area had capacity to address the population growth at the time. Planning permission was granted to change the use of this part of the development, subject to a contribution towards healthcare provision in the area (ref H/02041/10). There is currently no site earmarked for a new facility.

It is noted that the circumstances have changed since this decision, notably with this site and the Peel Centre now coming forward for housing development. However, whilst Council officers have been in discussion with the NHS with regard to the opportunity to include a health centre on this site, at the time of submission Fairview had not received an expression of interest

from them. NHS England and Barnet Clinical Commissioning Group (CCG) are currently undertaking a review of facilities in the area to establish future requirements and explore options for health care provision including expansion of existing facilities and construction of new premises. It is expected that other sites in Colindale would be able to accommodate a health centre. For example, CAAP paragraph 7.2.12 identifies the Peel Centre West site as being capable of accommodating this.

In summary, the submitted Socio-Economic Report demonstrates that there is adequate capacity at local GP and dentist surgeries to cater for the future population of this development. The development is therefore not required to provide for any additional capacity to mitigate its impact. It is acknowledged that the strategic plan for healthcare provision in Colindale is a concern, but this can only be resolved through effective engagement with the NHS and Barnet CCG and there is adequate capacity on other sites in the area to accommodate a health facility.

Education

The proposed development is expected to generate a child yield of 97, 49 of which would require provision in state funded schools. The figures set out in the Socio-Economic Report show that there is adequate capacity in local schools to accommodate these children. Other sites in Colindale are expected to deliver additional school capacity in the form of new schools, such as the new 4 form entry Orion School that opened in April 2014, the Barnet & Southgate College site on Grahame Park Way, which will deliver a 1.6 hectare site for education purposes and the Peel Centre site. The substantial CIL payment associated with this scheme would in part contribute to the provision of local education facilities and the impacts of the proposed development are considered to be able to be satisfactorily mitigated in this regard.

Overall, the development is expected to contribute positively to the local socio-economic situation in a number of ways, including increased retail expenditure, enhanced open space, housing and employment delivery.

3.17 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 and the Council's supplementary planning documents the following obligations are required to be secured through a legal agreement with the developer. With these obligations secured (alongside the other mitigation provided by the development and secured through the conditions recommended) the proposal is considered to be acceptable in terms of delivering the infrastructure, facilities and services needed to mitigate the impacts it would generate. It is noted that education, healthcare and library provision is covered by the Barnet Community Infrastructure Levy.

Affordable Housing

Provision of 91 affordable housing units (including full nomination rights on these units) on the site in accordance with the following mix:-

Affordable Rent

23 x 1 bed, 2 person

9 x 2 bed, 4 person

26 x 3 bed, 5 person

Intermediate

2 x 1 bed, 1 person

13 x 1 bed, 2 person

3 x 2 bed, 3 person

9 x 2 bed, 4 person

6 x 3 bed, 5 person

Provision of a review mechanism to reappraise the viability of the development upon occupation of 80% of the units. If this re-appraisal concludes that it is viable to provide more affordable housing, the applicant shall pay a commuted sum to the Council equivalent to this value and up to the total value of 17% of the units (which is equivalent to a 40% affordable housing provision overall, as 23% would be delivered on site). These monies can then be used to provide affordable housing elsewhere in the Borough.

These obligations are required to ensure compliance with London Plan and Barnet Local Plan policy on affordable housing.

Notting Hill Housing Construction Training Initiative

To enter into a formal agreement with the Notting Hill Housing Trust to include provision for the following:-

- (a) The agreed number of trainee places to be provided on the site of the Affordable Housing Scheme and the duration of each placement;
- (b) A commitment by the Owners to pay a percentage of the build costs in respect of the Affordable Housing Scheme such payment to cover general running costs such as trainees' fees fares and tools;
- (c) A commitment by the Owners to pay a "provisional sum" expressed as a percentage of the build costs in respect of the Affordable Housing Scheme to cover trainees' wages.

Travel Plan

The applicant shall enter into a strategic level Travel Plan that seeks to reduce reliance on the use of the private car and to ensure the sustainability of the development, as required by Barnet Local Plan policy. The Travel Plan shall include the following obligations to facilitate modal shift in the choice of transport mode available to occupiers of the residential units as follows:-

- (i) The Travel Plan shall link in with the Car Club provided on the main Colindale Hospital development and shall provide suitable dedicated car club parking spaces;
- (ii) Provision of a Travel Incentive Fund of £300 per unit (£118,500 total cost to the applicant) to provide two of the three incentives set out below for first occupiers:
 - (a) £150 towards Oyster card credit;
 - (b) £150 towards lifetime Car Club membership and associated Car Club usage;
 - (c) £150 voucher for purchasing a bicycle.
- (iii) The Travel Plan shall include an evidence based target for take up

and provision of these incentives.

Travel Plan Monitoring Contribution

Payment of a financial contribution of £15,000 to the Council towards its costs in promoting more sustainable modes of transport and monitoring the Travel Plan that will be submitted for the development. This is required by the Barnet's Planning Obligations SPD.

Parking Restriction Contribution

A contribution of £7,000 towards the modification of parking restrictions along Colindale Avenue. This is required to mitigate the impact of the development, as it fronts onto Colindale Avenue.

Parking Permit Exemption

A contribution of £5,000 in order to facilitate a parking permit exemption scheme for residents of the development. This is required to ensure that existing residents are not disenfranchised by occupants of the new development in terms of parking permit or parking bay availability.

Pedestrian Environment Contribution

A contribution of £40,000 towards improvements to pedestrian crossings and the pedestrian environment in the vicinity of the development. These improvements are identified in the applicant's Transport Assessment as being required.

Colindale Park Landscaping

The developer to carry out a scheme of landscaping in Colindale Park, adjacent to the site boundary, subject to the granting of a license by the Council and subject to the approval of detailed planting plans for these areas (up to a value of £40,000). This is required to provide a landscaped setting for the development.

Community Space

The construction and fit out (to shell and core standard) of the community space on the ground floor of Block A. If after a period of 18 months following commencement of marketing, the unit is not taken up for community use, an A1/A2/A3 use can commence. This is required, as a development of this scale would be expected to provide a community facility.

Apprenticeships

The applicant shall secure the provision of a minimum of:

2 x Level 2 apprenticeships

3 x Level 3 apprenticeships

1 x Level 4 apprenticeships (or alternative graduate scheme to be agreed)

including costs of wages and training to be delivered in line with the National Apprenticeship Service Framework. These are required to ensure the development provides adequate training opportunities, in line with the Planning Obligations SPD.

Road link to Colindale Business Centre

The provision of a road link between the application site and Colindale Business Centre, at a time to be agreed, to facilitate the functional operation of the completed development on the adjacent site. This is required to enable

a comprehensive approach to the development of sites on the south side of Colindale Avenue, in line with CAAP requirements.

Monitoring of the Section 106 Agreement

A contribution of £2,000 index linked towards the monitoring and management of the S106 planning obligations. This is required by the Planning Obligations SPD.

3.18 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. Without 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 **£2,975,913**.

3.19 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. Without 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 **£992,606**.

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 development, as controlled by the conditions recommended, would ensure that in several regards the building 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 development is such that the site would, as an area of land, become significantly more accessible to all members of the community. In this sense the development would 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 support the council in meeting its statutory equality responsibilities.

5. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised are considered in the above appraisal and analysis.

6. CONCLUSION

In summary, the proposed development would deliver a number of CAAP

objectives, including the southern part of the station piazza, which together with the complimentary retail uses also proposed. The scheme would also make a significant contribution towards the borough's housing delivery targets and these homes would be located in a highly sustainable location. This recommendation also incorporates measures to ensure that the adjacent Colindale Business Centre site can come forward for development.

The scheme would achieve a high standard of design, which will ensure that this high density development would have an acceptable visual impact. Strong controls are in place to ensure that the buildings are constructed to a high standard of detailing. The layout of the proposal would ensure a legible network of streets and would enhance the setting of Colindale Park, whilst providing high quality homes for future residents, with appropriate amenity space provision.

A high standard of landscaping is proposed and the scheme also incorporates proposals to enhance the edges of Colindale Park. The development would result in the limited removal of the existing trees from the site. However, none of these are protected by a preservation order and it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

The development would provide an appropriate mix of unit sizes and tenures and would deliver the maximum number of affordable homes possible, having regard to the viability of the development.

The scheme provides an appropriate level of car parking on site, with the emphasis on parking restraint in this accessible location. A contribution has been secured to ensure that parking controls can be implemented on surrounding roads should overspill parking occur. Alongside this, Travel Plans will encourage users of the site to use more sustainable modes of transport and further mitigation will be secured by condition to control details of construction, delivery and servicing and car parking management.

More generally the application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new homes would meet Code for Sustainable Homes Level 4 and the commercial units would meet BREEAM 'Excellent'. There are also requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

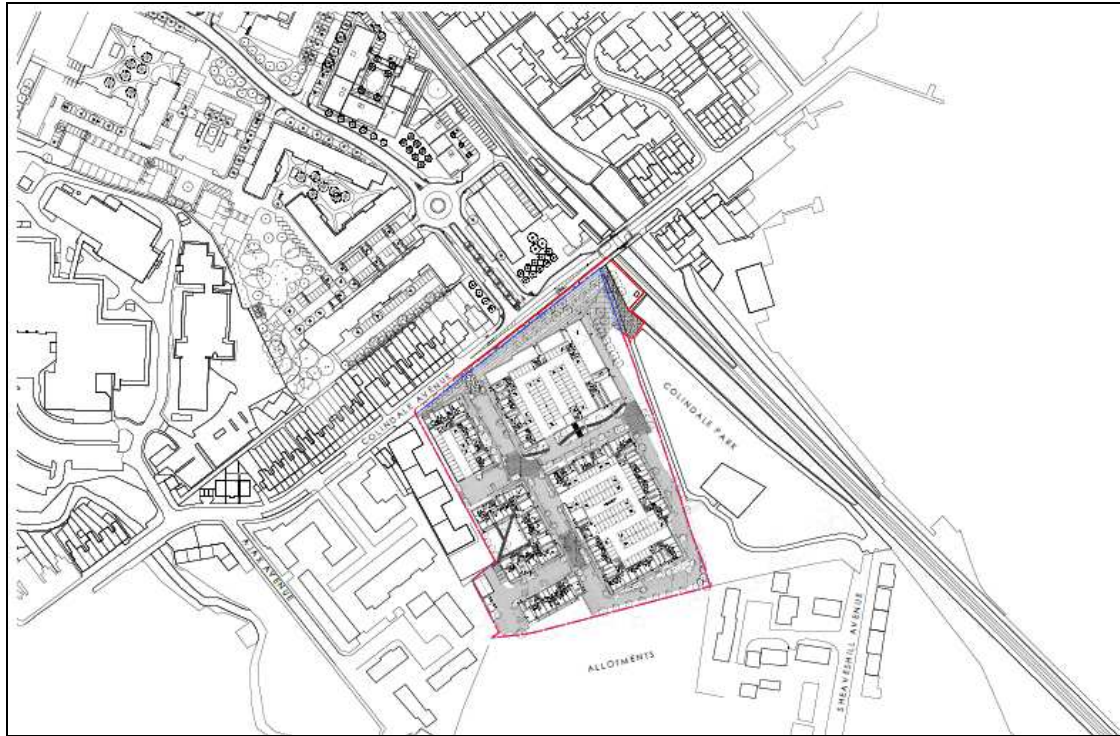
A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers or biodiversity, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal, such as from sources of land contamination or surface water flood risk.

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 development 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: PLANS OF THE PROPOSED DEVELOPMENT

Site layout and context as proposed



APPENDIX 2: INFORMATIVES

1. A summary of the development plan (London Plan 2011, Barnet Core Strategy 2012 and Development Management Policies DPD 2012) 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 – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall buildings)

DM06 (Barnet's heritage and conservation)

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

DM10 (Affordable housing contributions)

DM11 (Development principles in the town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

London Plan 2011 (set out by chapter):

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas) and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing Thresholds); and 3.16 (Protection and Enhancement of Social Infrastructure)

London's Economy:

4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.4A (Electricity and Gas Supply); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity) and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Lifetime Neighbourhoods); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location and Design of Tall and Large Buildings); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.18 (Protecting Public Open Space and Addressing Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

2. 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. In this case, formal pre-application advice was sought prior to submission of the application and the proposal was generally in accordance with this advice. 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.

3. In complying with the contaminated land condition parts 1 and 2:
 - a) Reference should be made at all stages to appropriate current guidance and codes of practice at 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).
4. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

The 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.

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

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

6. 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 a developer proposes to discharge water to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
7. 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.

8. Following the planning consent the developer will be required to agree with Highways Authority highway works on the public highway fronting this development. The works are to facilitate the proposed development under Section 278 of the Highways Act 1980. Any existing street furniture or lighting column affected by the proposed works would be relocated and charged under a rechargeable works agreement by the Council's term contractor for Highway Works.
9. The applicant is advised that Colindale Avenue is a Traffic Sensitive road. Activities associated with refuse, recycling including deliveries during the construction period, should not take place between 8.00am-9.30am and 4.30pm-6.30pm Monday to Friday. Also, careful consideration must be given to the optimum route(s) to be used by construction traffic and Highways Manager should be consulted in advance.
10. 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 £992,606 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 been assessed at this time as liable for a £2,975,913 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.

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.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can potentially apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whatto-submit/cil> for further details on exemption and relief

APPENDIX 3: KEY POLICY CONTEXT AND ANALYSIS

Table 1: Analysis of the proposals compliance with London Plan (2011/2013/2014) 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 and are sustainably located, the use of measures encouraging travel by non car modes of transport, the commitment to the delivery of public realm and the delivery of apprenticeships.</p>
2.13 (Opportunity areas and intensification areas)	Seek to support these strategic policy designations by optimising residential and non-residential outputs and densities, by providing necessary social and transport infrastructure, as well as better integration with surrounding areas.	<p>Compliant: The proposal is considered to comply with the key objectives of this policy, as well as the relevant opportunity area planning framework (CAAP).</p> <p>Specifically, this includes optimising residential density through high quality design, better integration with Colindale Park, providing necessary public realm improvements and a commitment to contributions towards sustainable travel objectives.</p>
2.18 (Green infrastructure: the network of 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. The scheme would also integrate with the adjacent Colindale Park.
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 British Library, have sold the site and are relocating to a new purpose built facility in Boston Spa, Lincolnshire.
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 23,489 over the next 10 years with an annual monitoring target of 2,349.	Compliant: The proposal would provide 395 new dwellings contributing towards strategic housing targets for Barnet and London.
3.4 (Optimising housing)	Development should optimise housing output for different types of location	Compliant: The application site is in a location with a PTAL of

potential)	<p>taking into account local context and character, the London Plan design principles and public transport capacity. Proposals which compromise this policy should be resisted.</p>	<p>4. In terms of its 'setting' the site is considered to fall within an area of transition with some urban characteristics (Colindale Avenue, having regard to future development) and some strongly suburban characteristics (the surrounding residential roads to the south) using the features identified in the London Plan. The scheme averages 3 habitable rooms per unit. Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 70 and 130 units per hectare or 200 to 350 habitable rooms per hectare for a site within a suburban setting.</p> <p>However, this site falls within an area of transition, as recognised in the CAAP designation, which states that residential development with a density of 150 units per hectare would be appropriate for this site, taking advantage of the location opposite the station.</p> <p>On the basis of a site area of 2.2 hectares, the proposed development would have a density of 179 dwellings per hectare and 533 habitable rooms per hectare, which would exceed the 'optimum' density ranges in the London Plan and the CAAP designation.</p> <p>However, overall the scheme is considered to comply with the objective of this policy and is found to provide an optimum density of development in this highly sustainable location. 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 doorstep play and informal recreation and conditions have been recommended to ensure that the space provided is implemented in a manner which meets the objectives of this policy. CIL contributions associated with the development can be used to improve local play areas. The</p>

		provision of amenity and open space at the site is discussed in greater detail in section 3 of the report.
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 (Negotiating affordable housing on individual private residential and mixed use schemes); and 3.13 (Affordable housing thresholds)	<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 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 site's 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>Compliant: The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 91 affordable dwellings is the maximum contribution that it is financially viable for the development to make. This assessment and its conclusions have been independently verified. 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>
3.16 (Protection and enhancement of social	London requires additional and enhanced social infrastructure provision to meet the needs of its population.	Compliant: Alongside the infrastructure which would be delivered on site and through the financial contributions that the scheme is required to make under the Barnet and Mayoral Community

infrastructure)	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.	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.
4.7 (Retail and town centre development)	<p>Seeks a strong, partnership approach to assessing need and bringing forward retail, commercial and leisure development in town centres.</p> <p>Planning decision makers should take into account the scale of development proposed and its relationship to the size, role and function of the centre, as well as the impact of such development. This policy re-enforces the town centre first approach set out in the NPPF.</p> <p>Local Plans should identify future need, undertake town centre health checks, take a proactive approach to bring forward appropriate development and resist inappropriate out of centre proposals.</p>	Compliant: Although the site is not located within an existing town centre, Local Plan policies seek to create a new shopping centre in Colindale to serve the local population. The amount and type of retail development proposed is considered to be appropriate to provide ground floor activity that would contribute towards the creation of a new vibrant neighbourhood centre for Colindale.
4.8 (Supporting a successful and diverse retail sector and related facilities and services)	<p>A successful, competitive and diverse retail sector should be supported, which promotes sustainable access to goods and services.</p> <p>Local Plans should bring forward capacity for additional comparison goods retailing, support convenience retail in district and neighbourhood centres, provide a policy framework for managing local shopping facilities and support diverse or locally important retail clusters and related facilities.</p>	Compliant: The proposals would provide small scale, walk-to shopping facilities for local people and would contribute to the creation of a neighbourhood centre for Colindale.
4.12 (Improving opportunities)	Strategic development proposals should support local employment, skills development and training opportunities.	Compliant: The heads of terms recommended for the Section 106 Agreement which would accompany the application include a requirement for the applicant to deliver construction apprenticeships at a mix of levels.

<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>2013 to 2016: 40% (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. This includes reducing CO₂ emissions by more than 40% and compliance with Code for Sustainable Homes level 4. 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>5.4A (Electricity and gas supply)</p>	<p>Promotes strategic investment in electricity and gas infrastructure where and when it is required to accommodate growth.</p> <p>Seeks to ensure that developers engage with energy companies to identify gas and electricity requirements for new developments. Seeks to ensure that boroughs work with energy companies and across boundaries to identify capacity shortfalls.</p>	<p>Compliant: Energy and water companies have been consulted and have not raised any capacity issues. It would be expected that the developer would liaise with utilities companies as part of their construction programme.</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 connect to the Colindale Community Energy System. Conditions have been recommended to ensure that this occurs and as controlled the proposal is considered to be acceptable in this instance.</p>
<p>5.7 (Renewable energy); and 5.9 (Overheating)</p>	<p>Within the framework of the energy hierarchy proposals should provide a reduction in expected carbon dioxide</p>	<p>Compliant: The submission demonstrates how the development proposed would achieve acceptable levels of carbon dioxide emissions and have good</p>

and cooling)	<p>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>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>	<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.</p>
5.12 (Flood risk management); and 5.13 (Sustainable drainage)	<p>Proposals must comply with the flood risk assessment and management requirements as 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 Flood Risk Assessment and Drainage Strategy. This has been submitted to the Environment Agency who have responded and not raised any objections to the proposal provided this is complied with.</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)	<p>Suitable waste and recycling facilities are required in all new development.</p>	<p>Compliant: Conditions have been recommended which require the provision of suitable waste and recycling facilities.</p>
5.18 (Construction, excavation and demolition waste)	<p>Waste should be removed from construction sites, and materials brought to the site, by water or rail transport wherever that is practicable.</p>	<p>Compliant: It would not be practicable to transport waste materials, other than by road.</p>
5.21 (Contaminated land)	<p>Appropriate measures should be taken to ensure that contaminate land does not activate or spread contamination.</p>	<p>Compliant: Conditions are proposed to require the appropriate investigation and mitigation of any contamination.</p>
6.1 (Strategic approach); 6.2 (Providing public transport capacity and safeguarding	<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</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</p>

<p>land for transport); 6.3 (Assessing effects of development on transport capacity)</p>	<p>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 prepared in accordance with the relevant guidance.</p>	<p>obligations and conditions recommended.</p> <p>The Transport Assessment 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>
<p>6.5 (Funding Crossrail and other strategically important transport infrastructure)</p>	<p>Contributions will be sought from developments to Crossrail and other transport infrastructure of regional strategic importance to London's regeneration and development.</p>	<p>Compliant: The development would be required to make a contribution under the Mayoral Community Infrastructure Levy.</p>
<p>6.7 (Better streets and surface transport)</p>	<p>Seeks to improve the quality of bus, bus transit and tram services, through the appropriate allocation of road space, ensuring secure and pleasant access and making provision for transport interchanges where appropriate.</p>	<p>Compliant: The development would not unduly impact on bus capacity. The scheme would provide public realm adjacent to Colindale Avenue, which would contribute to the creation of a high quality public transport interchange at Colindale Underground Station.</p>
<p>6.9 (Cycling); 6.10 (Walking)</p>	<p>Proposals should provide secure, integrated and accessible cycle parking facilities in line with in minimum standards and provide on-site changing facilities for cyclists.</p> <p>Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.</p>	<p>Compliant: Officers consider that the scheme proposes a suitable quality of pedestrian environment and the proposal would provide appropriate facilities for cycles and cyclists. Conditions have been recommended to ensure that the objectives of these policies would be carried through to implementation.</p>
<p>6.11 (Smoothing traffic flow and tackling congestion)</p>	<p>Take a coordinated approach to smoothing traffic flow and tackling congestion.</p>	<p>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, which would be enforceable under the planning obligations recommended.</p> <p>The Transport Assessment 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.</p>

6.12 (Road Network Capacity)	Proposals should take account of contribution towards sustainable development, impact of additional traffic on capacity, impact on environment and how safety and pedestrian/cycle environment can be improved.	The Transport Assessment 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, as well as requiring details of delivery and servicing.
7.1 (Lifetime Neighbourhoods)	In their neighbourhoods people should have a good quality environment in an active and supportive local community based on lifetime neighbourhood principles.	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 without being overbearing or intimidating.	Compliant: The proposal includes a number of elements to meet the requirements of this policy and the Metropolitan Police Service has been 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.

7.7 (Location and design of tall and large buildings)	<p>Tall and large buildings should be appropriately located and not have an unacceptably harmful impact on their surroundings.</p> <p>Such buildings should generally be limited to growth areas or town centres, should be in keeping with their surroundings, should improve legibility, should have ground floor activity and incorporate the highest design and sustainability standards. There should be no undue impact on heritage assets as a result of proposals for tall or large buildings. Applications should include an urban design analysis.</p>	Compliant: The proposed tall buildings would be appropriately located in strategic policy terms and would be located close to Colindale's public transport interchange – thereby improving legibility. A full urban design analysis has been submitted, which provides an appropriate rationale for the heights of buildings proposed and demonstrates no undue impact on nearby heritage assets. The buildings would be of high design quality and sustainability. These matters are addressed in greater detail in section 3 of the main report.
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 development emissions this is usually on site. 	<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>
7.15 (Reducing noise)	<p>Proposals should seek to reduce noise by:</p> <ul style="list-style-type: none"> - Avoiding significant adverse noise impacts on health and quality of life as a result of new development. - Mitigating and minimising existing and potential adverse impacts of noise, whilst not constraining development or business. - Improving and enhancing the 	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.

	<p>acoustic environment.</p> <ul style="list-style-type: none"> – Separating new noise sensitive development from major noise sources. 	
7.18 (Protecting public open space and addressing deficiency)	Supports the creation of new open space to address deficiency. Resists the loss of protected open spaces unless equivalent or better provision is made locally.	Compliant: There would be no loss of designated open space as a result of the proposal. Furthermore, the adjacent Colindale Park would be enhanced and additional public realm and green space would be created within the development. The scheme would also provide policy compliant amenity space.
7.19 (Biodiversity and access to nature)	<p>Proposals should:</p> <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. 	<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.</p> <p>Conditions have been recommended to ensure that the key objectives of this policy would be carried through at implementation.</p>
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)	<p>Development proposals should address strategic as well as local priorities in planning obligations.</p> <p>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.</p> <p>Importance should also be given to talking climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.</p>	<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>

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

Policy	Content Summary	Extent of Compliance and Comment

Core Strategy

<p>CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)</p>	<p>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.</p>	<p>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.</p>
<p>CS1 (Barnet's place shaping strategy – The Three Strands Approach)</p>	<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. 	<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 highly sustainable and is within an area identified for growth in this policy (Colindale). The site is therefore 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 achieving the highest standards of urban design.</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>
<p>CS3 (Distribution of growth in meeting housing aspirations)</p>	<p>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.</p>	<p>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 location is highly sustainable and is within an area identified for growth in this policy (Colindale).</p>
<p>CS4 (Providing quality homes and housing choice in Barnet)</p>	<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 the relevant inclusive design principles. - 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. 	<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 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 91 on site affordable dwellings is the maximum contribution that it is</p>

	<ul style="list-style-type: none"> - 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>financially viable for the development to make. This assessment and its conclusions have been independently verified.</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. - Protect and enhance Barnet's heritage. - Only include tall buildings in certain strategic locations. 	<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 its priority town centres.</p>	<p>Compliant: The proposal would include retail floorspace to enhance the local walk-to shopping offer in Colindale. The amount and nature of retail floorspace proposed would not result in an adverse impact on any neighbouring town centres.</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. - 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, 	<p>Compliant: The proposal provides sufficient quantities of green open space, including new communal areas of amenity space and other soft landscaped areas. There would also be improvements carried out to the public open space at Colindale Park. Conditions have been recommended to ensure that the green open spaces provided are implemented in a manner which meets the objectives of this policy.</p> <p>The submission is considered to demonstrate the influence of this policy and shows compliance with its key objectives.</p>

	<p>trees, hedgerows and watercourses.</p> <ul style="list-style-type: none"> - Protecting existing site ecology and ensuring development makes the fullest contributions enhancing biodiversity. - Enhancing local food production. 	
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 apprenticeships at a mix of levels. There would be no loss of an employment site as a result of the proposal.</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 Assessment 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>An appropriate parking ratio has been incorporated, influenced by the principles of parking restraint. Measures have been recommended to ensure that the occupiers of the proposed development are encouraged to use 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), a contribution towards implementation of a Controlled Parking Zone (CPZ) and a restriction on the occupiers of the new development from obtaining permits for the CPZ. 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: The proposal would deliver a ground floor unit for flexible community use and this would be delivered through the Section 106 Agreement. The scheme would also be liable for making a financial contribution under the Barnet CIL. This can also 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 Colindale Avenue and the Northern Line. The provision of new open spaces for residents and the enhancement of Colindale Park would also contribute to 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. The scheme would provide streets and spaces that are well overlooked and would improve natural surveillance of Colindale Park.</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, in addition to connection to the Colindale Community Energy System.</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 Flood Risk Assessment and Drainage Strategy. This has been submitted to the Environment Agency who have responded and not raised any objections to the proposal. Conditions have been recommended to</p>

		<p>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 provides appropriate waste storage facilities. A Construction Environmental Management Plan would be required by condition, and this would seek to minimise construction waste. 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</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>

	<p>potential occupiers and users. Lighting 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 surrounding area; contributes to biodiversity (including the retention of existing wildlife habitat and trees); and adequately protects existing trees 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 tree 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.

<p>DM04 (Environmental considerations)</p>	<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 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>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, in addition to connection to the Colindale Community Energy System.</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 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 Flood Risk Assessment and Drainage Strategy. 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. 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>
<p>DM05 (Tall buildings)</p>	<p>Proposals for tall buildings will need to demonstrate an active street frontage, successful integration into the urban fabric, a regard to topography and local views, not cause harm to heritage assets and provide comfortable microclimatic conditions in the adjacent public realm.</p>	<p>Compliant: The proposed tall buildings would satisfy all the criteria set out in this policy and are supported by a robust urban design justification, as well as high quality design and detailing.</p>
<p>DM06 (Barnet's heritage and conservation)</p>	<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</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>

	archaeological remains.	
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>	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.
DM10 (Affordable housing contributions)	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.	Compliant: The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 91 on site affordable dwellings is the maximum contribution that it is financially viable for the development to make. This assessment and its conclusions have been independently verified. This issue is addressed in greater detail in section 3 of the main report, in particular section 3.7.
DM11 (Development principles in the town centres)	The council will seek an appropriate mix of uses as part of town centre development, will resist significant out of centre retail development and will protect retail frontage in existing centres.	Compliant: The proposal would include retail floorspace to enhance the local walk-to shopping offer in Colindale. The amount and nature of retail floorspace proposed would not result in an adverse impact on any neighbouring town centres.
DM13 (Community and education uses)	Loss of community facilities will only be acceptable in exceptional circumstances. New facilities should be located in sustainable locations.	Compliant: There would be no loss of existing community or education facilities. The proposed community use would be highly accessible by public transport and would not unduly impact on local highway safety.
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>	Compliant: 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. However, the British Library have confirmed that the site is no longer appropriate for its previous use and the site is allocated in the CAAP for residential development. Furthermore, the proposed retail units are expected to employ as many full time equivalent staff as the existing facility, although it is noted that this would be a different type of employment. It is also noted that the applicant is providing to a contribution to employment and training in the borough through the planning obligations recommended to secure apprenticeships. 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.
DM15 (Green belt and open spaces)	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.	Compliant: The application is considered to demonstrate the influence of this policy. The scheme would result in improved public open space and is found to provide sufficient areas of new green open space for its future occupiers.
DM16 (Biodiversity)	The Council will seek the retention and enhancement, or the creation of biodiversity.	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.
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 pedestrian facilities. - 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>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 Assessment 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>An appropriate parking ratio has been incorporated, influenced by the principles of parking restraint. Measures have been recommended to ensure that the occupiers of the proposed development are encouraged to use 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), a contribution towards implementation of a Controlled Parking Zone (CPZ) and a restriction on the occupiers of the new development from obtaining permits for the CPZ. 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>

LOCATION: Phase 2, Dollis Valley Estate, Barnet, Herts, EN5

REFERENCE: B/02349/14

Received: 02 May 2014

Accepted: 16 May 2014

WARD(S): Underhill

Expiry: 15 August 2014

AGENDA ITEM 8

Final Revisions:

APPLICANT: Countryside Properties (UK) Limited

PROPOSAL: Reserved matters application seeking approval of landscaping, appearance, scale, access and layout for Phase 2 of the Dollis Valley Estate Redevelopment pursuant to Condition 7 of the Hybrid planning permission reference B/00354/13 dated 01/10/2013 involving the erection of 163 residential dwellings (Use Class C3) comprising 84 houses and 79 apartments including associated infrastructure, new site access off Mays Lane at the existing Dollis Valley Drive/ Way junction, new public open space, car parking and landscaping, together with details to discharge the requirements of the following conditions:

- 6 (Phasing and Implementation);
- 16 (Car Parking)
- 23 (Refuse and Recycling)
- 35 (Stopping Up of Highways);
- 37 (Levels);
- 39 (Children's Play Space);
- 40 (Tree Protective Fencing);
- 48 (Archaeology);
- 49 (Contaminated Land Method Statement);
- 51 (Ventilation and Extraction Details);
- 53 (Sound Insulation);
- 89 (Daylight, Sunlight, Overshadowing Assessment)

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. Approved Plans

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

Drawing Title	Drawing Number
Location Plan	2376_A_101
Reserved Matters Application Boundary	2376_A_102
Topography	2376_A_103
Demolition	2376_A_104
Masterplan	2376_A_121 Rev D
Levels Plan	2376_A_122 Rev E
Master Plan – Parking	2376_A_123 Rev A
Master Plan – Tenure Mix	2376_A_124 Rev A
Ground Floor Plan	2376_A_125 Rev A
Roof Plan	2376_A_126 Rev A
Site Sections A-A1 & B-B1	2376_A_130 Rev B
Site Sections A-A2 & B-B2	2376_A_131 Rev B
Site Sections C-C1, C-C2, D-D1& E-E1	2376_A_132 Rev B
Site Sections E-E2 & F-F1	2376_A_133
Site Sections G-G1 & G-G2	2376_A_134 Rev B
Site Sections H-H1, J-J1, O-O1 & U-U1	2376_A_135 Rev B
Site Sections K-K1, L-L1, M-M1 & N-N1	2376_A_136
Site Sections P-P1, Q-Q1, R-R1, S-S1, T-T1 & V-V1	2376_A_137 Rev B
Phase 2 Tree Protection Plan	2376_A_153 Rev B
Tree Protection Plan – Demolition	TPP-01 Rev 2
Tree Protection Plan – Construction Works	TPP-02 Rev 2
Arboricultural Report and Method Statement for works adjacent to Oak T77 only	Ruskins ref: 0412-1489 Rev 2
Clarification of Proposals for Works Around Retained Oak Tree T77	DOL-102-AR-9880 03.07.2014
DV1b Terraced House	2376_A_200
DV1c Terraced House	2376_A_201
DV1d Terraced House	2376_A_202
DV7 Townhouse Plans	2376_A_203
DV7 Townhouse Elevations & Sections	2376_A_204
DV11a Townhouse	2376_A_205
DV11b Townhouse	2376_A_206
DV13b Townhouse	2376_A_207
DV14 Townhouse	2376_A_208 Rev A
DV15 Townhouse Plans	2376_A_209
DV15 Townhouse Elevations & Sections	2376_A_210 Rev A
Block 2 Site Plan	2376_A_220 Rev B

Block 2 Ground Floor Plan	2376_A_221 Rev A
Block 2 First Floor Plan	2376_A_222 Rev B
Block 2 Second Floor Plan	2376_A_223
Block 2 Third Floor Plan	2376_A_224
Block 2 Roof Plan	2376_A_225
Block 2 East and South Elevations	2376_A_226 Rev A
Block 2 West Elevation and Section	2376_A_227 Rev B
Block 2 North Elevation	2376_A_228 Rev A
Block 3 & 5 Site Plan	2376_A_230 Rev A
Block 3 & 5 East and West Elevations	2376_A_231 Rev B
Block 3 Ground Floor Plan	2376_A_232 Rev A
Block 3 First and Second Floor Plan	2376_A_233 Rev A
Block 3 Third Floor and Roof Plans	2376_A_234 Rev A
Block 3 Sections	2376_A_235 Rev A
Block 3 North and South Elevations	2376_A_236 Rev A
Block 3 East and West Elevations	2376_A_237 Rev A
Block 5 Ground Floor Plan	2376_A_250 Rev B
Block 5 First and Second Floor Plans	2376_A_251 Rev A
Block 5 Third Floor and Roof Plans	2376_A_252 Rev A
Block 5 Sections	2376_A_253 Rev B
Block 5 North and South Elevations	2376_A_254 Rev B
Block 5 East and West Elevations	2376_A_255 Rev B
Block 5 North and South Short Elevations	2376_A_256 Rev B
Design and Access Statement Section 3.4 – Phasing and Implementation Strategy (Condition 6)	
Areas of Existing Public Highway Subject to Stopping Up (Condition 35)	11274/SK/03 P2
West Square Landscape Proposals (Children’s Playspace Condition 39)	2376_A_154 Rev B
East Square Proposals (Children’s Playspace Condition 39)	2376_A_155 Rev A
Block 2 Courtyard Garden	2376_A_156
Heritage Statement	Planning Statement Appendix 2
Contaminated Land Method Statement	Ground Conditions Report, Planning Statement Appendix 3
Extraction and Ventilation Equipment – Residential extracting fan Fusion HRV95 details	Planning Statement Appendix 4
External Façade Sound Insulation Report	WSP dated 15/04/2014
Daylight and Sunlight assessment and overshadowing assessment	PRP ref: AE 3433C(V2)
Addendum Letter to Daylight and Sunlight Report dated 17 July 2014 (PRP)	

Unit Type Landscape Proposals 1 of 3	2376_A_157
Unit Type Landscape Proposals 2 of 3	2376_A_158
Unit Type Landscape Proposals 3 of 3	2376_A_159

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 CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

2. Commencement

The development hereby approved shall be begun within 3 years of 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.

3. Block 2 Windows

Before apartments 248 and 250 in block 2 are occupied, windows in the north end elevation of the block serving these units and facing plots 253 and 254, 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).

4. Block 2 Balcony Openings

Before the relevant units within block 2 are occupied, the north facing balcony openings serving units 248 and 250 facing plots 253 and 254 shall be screened in accordance with the details as shown on plan 2376_A_228 rev. A and shall be permanently retained as such thereafter.

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).

5. Block 2 Windows

Before apartment 234 (Block 2) is occupied, windows in the north elevation serving this unit facing towards the rear garden of 83 Mays Lane 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).

6. Windows to Bin Stores

Before apartment blocks 2, 3 and 5 are occupied, windows serving internal bin stores shall be fitted with obscure glass and shall be permanently fixed shut and retained as such thereafter.

Reason:

To safeguard the appearance of the blocks in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 of the Adopted Barnet Core Strategy DPD (2012).

7. DV7 Privacy Measures

Before the DV7 dwellings hereby approved at plots 203-209 are occupied privacy screens to the first floor rear facing balconies should be erected comprising a solid screen of a minimum height of 1.5m. These shall be permanently maintained thereafter.

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).

8. Restriction of Permitted Development Rights – Extensions

Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1980 (or any Order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended in any manner whatsoever.

Reason:

To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

9. Restriction of Additional Windows and Doors

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) no additional windows or doors shall be inserted into any of the residential dwellings hereby approved, other than those expressly authorised by this permission.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties and to safeguard the character of the locality in accordance with

policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

10. Restrictions of Permitted Development – Telecommunication

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) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) 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 policy DM01 and DM18 of the Adopted Barnet Development Management Policies DPD (2012).

11. Telecommunications Equipment

Prior to commencement of the development hereby permitted, a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on the roof of all apartment blocks hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be retained and made available for use by all occupiers of the development.

Reason:

To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the townscape and character of the area, so that it accords with policies CS5 and DM01 Barnet Local Plan.

12. Architectural Details

Prior to the commencement of the development hereby approved, details of architectural features within this phase shall be submitted at the appropriate scale (1:10/ 1:20) to the Local Planning Authority and agreed in writing. These details shall be in general accordance with the principles outlined at page 48 of the Reserved Matters Design and Access Statement section 9.2 *Materials and Details – Apartment Blocks* (as amended and received 17/07/2014). These details should include (but are not limited to):

- Balconies and balustrades (including soffit details)
- Roof parapets
- Entrances to apartment blocks
- Apartment block building splays
- Porches
- Window reveals
- Shadow gap along DV1 typology party walls
- Dormer Windows

- Location and design of rainwater goods
- Brick detailing on the east elevation of block 2 to car park

The development shall be carried out in accordance with the approved details.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

13. Provision of kerb build outs and street planting

The 2no. kerb build outs and associated tree planting on the south side of the east west street as shown on plan 2807/SK/037C shall be installed in accordance with plan 2376_A_121 Rev D (Master Plan) hereby approved within 3 months of the completion of this east west street within Phase 3 of the Dollis Valley regeneration as identified on phasing plan 2346_A_111 dated 25.01.2013 (as approved under the Hybrid Planning Consent reference B/00354/13) and shown within Section 3.4 of the Phase 2 Design and Access Statement. The kerb build outs and landscaping shall be maintained thereafter.

Reason:

In order to allow clear passage for refuse collection vehicles along the east west street which will only partially be delivered in Phase 2, the kerb build outs and associated tree planting shall not be implemented for a temporary period. This condition is to ensure that the kerb build outs shall be installed and trees planted in full accordance with the approved details at such time as the east west street is completed in Phase 3 of the development at which point refuse vehicles will be able to traverse the full length of the street without needing to turn around.

14. Children's Play Space

The play space and associated equipment shall be carried out in accordance with the details shown on plans 2376_A_154 Rev B, 2376_A_155 Rev A and 2376_A_156 and permanently maintained thereafter.

Reason:

To ensure a satisfactory appearance to the development and ensure suitable facilities for play are provided in accordance with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan.

15. Landscaping

The details required to be submitted under condition 38 (Hard and Soft Landscaping) of the Hybrid Planning Permission B/00354/13 in relation to this phase shall be in general accordance with the principles outlined in Section 12.7 *Streetscape Character* (page 102 amended 21/07/2014) of the Phase 2 Design and Access Statement and the indicative planting strategy illustrated on drawing SK-140716-01 dated 16.07.2014.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

INFORMATIVE(S):

1. 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. In this case, formal pre-application advice was sought prior to submission of the application.
2. Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection.
3. The applicant is advised that Mays Lane Barnet is Traffic Sensitive Road; deliveries during the construction period should not take place between 7.30am-10am & 4pm-7pm Mon-Fri. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
4. The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.

SUMMARY OF PROPOSAL

The Dollis Valley Estate is designated as one of the Council's Priority Housing Estates for Regeneration in its Local Plan (Core Strategy) Development Plan Document (2012). It forms part of the Barnet's Place Shaping Strategy, the Three Strands Approach 'Protection, Enhancement and Growth' which seeks to guide regeneration in the Borough.

There is a recognised need for physical improvements to the Estate in order to tackle the poor quality built environment and the current isolation of the estate from the

surrounding area as well as its ability to deliver new housing and create a new revived neighbourhood.

The redevelopment of the Estate (along with other similar housing estates within the Borough) has been a longstanding priority for the Council for many years. In 2011, following a competitive dialogue process, Countryside Properties (CP) and London and Quadrant Housing Trust (L&Q) were selected as Barnet Council's preferred development partner for the regeneration of the Dollis Valley Estate.

A hybrid planning application was granted in October 2013 under planning application B/00354/13 for the redevelopment of the Dollis Valley Estate to accommodate up to 631 residential units, replacement community space, new open space and infrastructure.

The application was submitted in a part outline/ part detailed form (referred to as a 'hybrid' application), with detailed consent being sought for Phase 1 of the development comprising of 108 residential units the new community space and associated café and nursery and associated public open space, road network and parking and outline consent for phases 2-5 comprising the balance of 523 units and associated road network, open space provision and parking. The outline element of the hybrid planning permission approved a masterplan for the development which established the siting of the new buildings and the points of access and road layout. The scale of the buildings, external appearance and landscaping were 'reserved' for future consideration (the Reserved Matters).

Phase 1 of the regeneration is now under construction with the first units expected to be handed over in March 2015.

In order to maintain momentum of the regeneration, Countryside Properties and London and Quadrant Housing Trust have submitted a reserved matters application for Phase 2 of the regeneration which seeks approval for the scale and external appearance of buildings and landscaping for the phase. Phase 2 is the largest of the five construction phases planned for the site with the development providing 163 dwellings comprising of 84 houses and 79 apartments. Of the 163 units, 95 will be for private sale, 63 for affordable rent and 5 intermediate, representing an affordable housing provision of 42%. In addition to the proposed housing, two out of the three public squares proposed under the outline consent will be located with Phase 2, along with associated children's play equipment and landscaping. Reserved matters applications for the remaining phases of the development (3-5) will come forward at a later date.

The reserved matters of detailed design, appearance and landscaping have been assessed and it is considered that the proposals will deliver high quality, sustainable, residential accommodation. The vision of the development to create a contemporary Arts and Crafts garden suburb is carried forward in the detailed design of the houses and flats whilst the scale and form of the buildings respect the surrounding residential context. The use of high quality brick throughout these zones will provide a robust material as well as continuity across the overall masterplan. The overall

layout and design of the buildings and landscape is considered to create a high quality residential environment and enhanced public realm.

The detailed design proposed for Phase 2 includes a number of adjustments in relation to the approved parameters of the masterplan. This primarily consists of minor alterations to the scale, layout and dimensions of the proposed houses and apartment blocks contained within the scheme. The main points of access and street layout remain unchanged. The proposed changes and adjustments to the detailed design of Phase 2 are not considered to be a significant departure from the approved parameters established by the hybrid consent under reference B/00354/13 and result in a high quality design. The proposals provide appropriate level of car parking and landscaping in accordance with the requirements of the hybrid consent.

This application is the first reserved matters application submitted pursuant to the hybrid approval and is found to be acceptable when assessed against the parameters of the hybrid consent and relevant development plan policies. This reserved matters application will allow the next phase of the regeneration of the Dollis Valley Estate to be delivered and will contribute to the objective of creating a new, mixed and balanced community comprising new private sale homes as well as affordable housing that will bring social, economic and environmental benefits to the surrounding area.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

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

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 Mayor's London Plan: July 2011

The replacement London Plan was adopted on 22nd July 2011 and provides the strategic planning guidance and policies for the capital. It promotes sustainable growth and environmentally responsive development.

Relevant London Plan Policies: 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).

Barnet Core Strategy (Adopted 2012)

The Planning & Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies DPD.

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

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).

Development Management Plan (Adopted 2012)

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).

1.2 Relevant Planning History

Application Reference:	B/00354/13
Case Officer:	Josleen Chug
Proposal:	Hybrid planning application for the redevelopment of Dollis Valley Estate to accommodate up to 631 residential units, replacement community space, new open space and infrastructure comprising: Outline permission for the demolition of existing buildings and the construction of up to 523 new residential units, together with new public open spaces, junction improvements to existing access onto Mays Lane, enhanced pedestrian, cycle and public transport facilities, car parking, infrastructure and other ancillary works. Detailed element (Phase 1) for the demolition of existing buildings (including the former Barnet Hill School, 131-135 Mays Lane and Barnet South Community Association Hall) and construction of 108 new residential units and 417sqm of non-residential (class D1 use) floorspace (new community centre and

	nursery space), together with new public open space, creation of new vehicular access from Mays Lane and new car parking, bike storage, infrastructure and other ancillary works. Submission of Environmental Statement
Stat Start Date	08/02/2013
Application Type	Hybrid Application
Decision	Granted
Decision Date	01/10/2013

1.3 Pre-Application Public Consultation

The applicant has submitted a Statement of Community Involvement (SCI) with the application.

The submitted document outlines the community and stakeholder consultation activities that have taken place between February 2013 and March 2014. The following activities have been undertaken in relation to the Phase 2 development:

- Newsletters, in the period February 2013 to April 2014 3 newsletters have been delivered, to residents on the estate and the surrounding area;
- A website has been set up and maintained to enable the sharing of information;
- Exhibitions and open days held for all stakeholders;
- Onsite surgeries held;
- Consultation and engagement team set up;
- Communication channels set up;
- Art project for young people held to design site hoardings;
- Two Public Exhibitions were held on Saturday 8th February and Wednesday 12th February 2014;

Public Exhibition

Two Public Exhibitions were held on Saturday 8th February between 10:00 and 13:30 (attendance 80 people) and Wednesday 12th February 2014 between 14:00 and 20:00 (attendance 75 people).

The exhibitions were advertised one month prior to the event with letters being delivered to all properties within the Estate. The exhibitions were held at the Valley Centre, Dollis Valley Drive.

The exhibitions provided a series of displays illustrating the details of the proposed development and representatives from Countryside Properties were present to take any questions and to take feedback. A signing in book and feedback forms were also provided.

Feedback was generally positive and supportive of the design of the scheme, however detailed comments were raised concerning detailed design aspects of the scheme in relation to their individual circumstances, relationship of proposal to existing properties on Mays Lane, management of open spaces traffic issues and construction disturbance.

Changes as a Result of Feedback

As a result of pre-application feedback Countryside made a number of minor changes to the scheme, reducing the height and repositioning a property facing Mays Lane, retaining an access path to the rear garden of 63 Mays Lane and amended the design of some of the houses by introducing a new house type and reduction in balconies.

1.4 Consultations and Views Expressed

Public Consultation

Neighbours Consulted: 1110 Replies: 3
Neighbours Wishing To Speak 1

The following is a summary of the comments received grouped by topic:

- Increase in traffic using Mays Lane, parking restrictions should be put into place at the bottom of Hillside Gardens and at the top of Mays Lane where it joins Barnet Hill.

Officer Comment

The traffic impact of the development was assessed during the consideration of the hybrid application (B/00354/13). The S106 Schedule D paragraph 3, contains a parking review mechanism, allowing for the impact of the development on parking demand on surrounding roads to be assessed. The review will include Mays Lane and Hillside Gardens.

- Increase in through traffic passing through Hardy and Hammond Close which were previously cul de sacs and are now through roads.

Officer Comment

The internal site layout including the road network was established under the hybrid consent. The principle of connecting Hammond Close and Hardy Close into the wider development has therefore been established and considered acceptable. The road layout will not be altered by the current reserved matters application.

- Level of Parking Provision for the development is inadequate and will result in spill over parking on surrounding roads.

Officer Comment

The level of car parking provision is considered acceptable by Council Highway Officers and accords with the parameters of the outline consent and TFL guidelines.

- Concerns expressed by a future resident regarding flooding, the build quality of the proposed development, levels of soundproofing and sunlight, condensation and proximity to families with children.

Officer Comment

Issues regarding the build quality of the development, condensation and sound proofing between floors are matters which are covered by building regulation legislation. The application is accompanied by a daylight and sunlight assessment which concludes that all habitable rooms will receive adequate levels of daylight, the site has been assessed as at low risk of flooding. The Environment Agency were consulted on the Hybrid Application and found the scheme to be acceptable. Drainage details are dealt with under Condition 47. The housing of tenants and whether tenants without children are placed next to tenants with children is a matter for London and Quadrant Housing Trust.

Dollis Valley Partnership Board

A letter of support has been submitted by the Dollis Valley Partnership Board that represents residents and leaseholders on the estate. The letter is addressed to the Chairman of the Planning Committee and states the following:

I am writing in my capacity as Chair of the Dollis Valley Partnership Board to express the Board's support for the Dollis Valley Phase 2 Reserved Matters Planning Application submitted by Countryside.

As set out in its Constitution the Dollis Valley Partnership Board "is the formal resident involvement structure between the residents of Dollis Valley Estate, the Regeneration Partnership of L&Q and Countryside, Barnet Homes and the London Borough of Barnet in relation to the Regeneration of the Dollis Valley Estate".

On 17th June 2013 your Committee approved the Masterplan and Phase 1 proposals for the regeneration of Dollis Valley including the provision new homes for existing secure tenants and leaseholders and new community facilities. The masterplan and the latest application have been subject to extensive consultation with the residents of Dollis Valley and its neighbours and enjoy overwhelming support.

The work on the Phase 1 is now well underway, providing the first of the much needed new homes, a new nursery and a new community centre.

The application before you this evening continues and builds on this and we would urge you to approve it.

Internal /external and Other Consultations:

Environmental Health

Details submitted regarding sound insulation and extraction/ ventilation are considered acceptable. The content of the contaminated land survey is considered satisfactory, however the use of a geotextile membrane on private residential gardens may be required in addition to the proposed topsoil and subsoil recommendations depending on validation results.

Highways

No Objection in principle raised to the proposal subject to appropriate conditions. Detailed comments are incorporated in the Highway Section of the report below.

Trees and Landscape

No objection in principle to proposal subject to confirmation of levels.

Transport for London

Concerns expressed regarding swept path analysis and ability of buses to navigate the corners. Concerns also expressed regarding the limited width of the road and the private nature of the east west road which will form the future temporary bus route which could affect the enforcement of parking restrictions. Concern also expressed regarding layout of parking including tandem parking provision necessitating reversing movements into the highway to the detriment of highway safety.

Officer Comment

The applicant has withdrawn conditions 33 (Bus Swept Paths) and 34 (Temporary Bus Route) from consideration under this reserved matters application to allow discussions with TFL to continue. Revised information will be submitted for the discharge of conditions 33 and 34 and TFL will be consulted at that time.

Highways Agency

No Objection to Proposals.

National Grid

Advise that gas pipes and associated equipment are located in proximity to the proposed development and any development will need to not infringe National Grid's legal rights a (i.e. easements or wayleaves) and follow HSE guidance on safe working.

Officer Comment

The developer is aware of gas easements running through the site and the layout of the development has been designed with this in mind and buildings have been located to avoid them.

Thames Water

No Objections in relation to waste water. Insufficient information submitted in relation to surface water run off.

Officer Comment

The applicant has withdrawn the drainage information relating to condition 47. Revised information will be submitted for discharge of condition 47 and Thames Water will be consulted at that time.

Metropolitan Police

No Objections to the proposal as submitted.

London Fire Brigade

No Objections raised.

English Heritage (Archaeology)

Recommend Condition 48 (Archaeology) is discharged.

Natural England

No Objections raised.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Background to Application

The Dollis Valley Estate is designated as one of the Council's Priority Housing Estates for Regeneration in its Local Plan (Core Strategy) Development Plan Document (2012). It forms part of the Barnet's Place Shaping Strategy, the Three Strands Approach 'Protection, Enhancement and Growth' which seeks to guide regeneration in the Borough.

There is a recognised need for physical improvements to the Estate in order to tackle the poor quality built environment and the current isolation of the estate from the surrounding area as well as its ability to deliver new housing and create a new revived neighbourhood.

The redevelopment of the Estate (along with other similar housing estates within the Borough) has been a longstanding priority for the Council for many years. A development partner (Warden Housing Association) was selected in 2003 to deliver the regeneration of the site involving redevelopment to provide new homes (affordable rented, shared ownership and private sale) together with new community facilities and the rebuild and expansion of the Barnet Hill primary school.

The Council published a Vision Statement in 2005 which outlined the key issues that the Estate faced determined through consultation with relevant stakeholders and residents and set out guiding principles for the redevelopment of the area.

The proposals developed by Warden Housing involved the demolition of the existing flats on the estate and the replacement with 1000 units comprising the provision of 450 affordable dwellings targeted at existing residents of the estate with the remaining units being flats for private sale. The scheme was dependent on a high density development that relied on grant from the Housing Corporation in order to re-provide all existing affordable homes. The scheme failed to secure grant and ultimately the proposals were deemed to be unviable and as such a planning application for the redevelopment of the site was never submitted and the objectives of the much needed regeneration were not realised.

The application site incorporated the site of the former Barnet Hill Junior Mixed Infant and Nursery School (Barnet Hill School) and associated grounds consisting of a playing field. The school is currently in temporary use following agreement for its closure by the Council in 2005 as part of the Primary School Capital Investment Programme (PSCIP) which sought to close identified school sites in order to invest in the provision of 10 new schools in the borough. The Barnet Hill School, a single form entry school, was identified for closure with the capacity absorbed into the facility at Whitings Hill School which as a part of PSCIP was rebuilt to provide an additional form of entry. The Whitings Hill School site is approximately 1.5km from Barnet Hill and as such school catchment boundaries were varied accordingly.

Delays to the regeneration of the estate have meant that the school site is currently being used temporarily for education purposes by an independent school despite formal agreement to dispose of the land from the Secretary of State.

In 2009 LBB sought to secure a new development partner to deliver the long awaited regeneration of the Estate.

In 2011, following a competitive dialogue process, Countryside Properties (CP) and London and Quadrant Housing Trust (L&Q) were selected as Barnet Council's preferred development partner for the regeneration of the Dollis Valley Estate. The proposals developed by CP aimed to ensure that there was no reliance on public subsidy or affordable housing grant in order to deliver the scheme and were focused around the concept of a low density 'garden suburb' layout dominated by houses with private gardens with a traditional pattern of streets and spaces.

The Hybrid Consent

A hybrid planning application was submitted in February 2013 for: the redevelopment of the Dollis Valley Estate and comprising of the demolition of all existing buildings (440 residential units, retail and community buildings) within the defined planning application boundary and the:

- Construction of up to 631 new residential units to be provided as a mix of houses and flats with 230 for social rent, 20 intermediate units and 381 units for private sale;
- Provision of 417sqm of community space (Use Class D1) including the provision of a nursery;
- Provision of 3 new areas of open space totalling 3,485sqm;
- New access road from Mays Lane;
- Alterations to the Dollis Valley Drive junction with Mays Lane, the existing means of access to the site;
- New internal road network;
- Provision of a maximum of 788 parking spaces
- Pedestrian and cycle routes across the site linking into the pedestrian and cycle network in the surrounding area and the Dollis Valley Green Walk;
- Enhanced public transport facilities and provision of 3 new bus stops;
- New street planting and landscaping.

The application was submitted in a part outline/ part detailed form (referred to as a 'hybrid' application), with detailed consent being sought for phase 1 of the development comprising of 108 residential units the new community space and associated café and nursery and associated public open space, road network and parking and outline consent for phases 2-5 comprising the balance of 523 units and associated road network, open space provision and parking.

The Planning and Environment Committee resolved to Grant Planning Permission subject to the completion of an associated S106 and Direction from the Mayor of London. The S106 was signed and the planning decision issued on the 1 October

2013 following confirmation from the Mayor of London that they did not wish to direct refusal.

2.2 Site Description and Surroundings

Dollis Valley Estate and the Outline Consent

The application site is located in the north part of Barnet in the Underhill Ward. It lies within the valley south of Chipping/ High Barnet and north of the Totteridge and the Dollis Valley Brook. It extends to an area of approximately 10.8 hectares, to the south of Mays Lane and comprises of the majority of the Dollis Valley Estate, built in 1967 on a historic sewage disposal site. It also includes Hammond Close and land to the west of the estate which is occupied by the former Barnet Hill School and nursery buildings, the Barnet South Community Association building which fronts Mays Lane and 3 residential dwellings north of the site also fronting Mays Lane.

The site is bounded by residential properties on all sides and the locality is predominantly characterised by two-storey dwellings of a modest scale. In the immediate surroundings streets are generally lined with terraced and semi-detached dwellings of a modest scale. Further north, towards the historic town centre of Chipping Barnet, larger detached and semi-detached dwellings of a diversity of sizes and ages are found.

The land referred to above as the Dollis Valley Estate consists of several blocks of flats and maisonettes providing 436 units. The buildings range from 2-5 storeys and are mostly of pre-fabricated concrete construction with shallow pitched roofs. The estate's main access and egress is from Dollis Valley Drive/ Dollis Valley Way, off Mays Lane, which forms a continuous loop around the main estate and connects to the smaller residential streets of Bryant Close, Crocus Field, Meadow Close and Rossiter Fields which are excluded from the site.

In addition to the residential units on the estate there are 2 independent community centres The Valley Centre and the Rainbow Centre, and 3 retail units (A1 class use) although only 1 remains in use. Given the location of these facilities within the estate, they are not readily accessible to the wider community.

The levels fall from north to south. The slope is steepest in the northern part of the site and becomes gentler towards Dollis Brook. Despite the relatively wide gap in the Mays Lane street scene at the Dollis Valley Drive/ Way junction, the presence of mature trees and steepness of the slope mean there is little visual connection with the Estate from the north and pedestrian movement is secondary to the dominance of the road network.

Site in Relation to Phase 2

Phase 2 is the largest of the five construction phases, planned for the Dollis Valley development, extending from the south western corner with Rossiter Fields to the north eastern corner with Mays Lane. The site adjoins Phase 1 of the development which is currently under construction to the east. Numbers 63 – 129 Mays Lane

adjoin the northern boundary and the future phase 3 and 4a to the east and south. Access will be provided via Dollis Valley Way and the new central access road from Mays Lane which is currently under construction in Phase 1.

2.3 Description of Proposal

The application seeks approval of matters reserved under the outline element of the hybrid planning consent ref B/00354/13 (access, appearance, landscaping, layout and scale) in relation to Phase 2 of the Dollis Valley Estate regeneration to redevelop the site for residential purposes.

Housing:

Phase 2 is the largest of the five construction phases planned for the site with the development providing 163 dwellings comprising of 84 houses and 79 apartments. Of the 163 units, 95 will be for private sale, 63 for affordable rent and 5 intermediate, representing an affordable housing provision of 42%.

The proposed housing mix is as follows:

28 x one bed two person flats;
28 x two bed three person flats;
17 x two bed four person flats;
6 x three bed five person flats;
4 x two bed four person houses;
39 x three bed five person houses;
23 x three bed six person houses;
5 x four bed six person houses; and
13 x four bed seven person houses.

Landscaping, Open Space and Play Space

In addition to the proposed housing, two out of the three public squares proposed under the outline consent will be located with Phase 2, along with associated children's play equipment and landscaping.

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 discharged insofar as the details submitted relate to Phase 2 are as follows:

- Condition 6 (Phasing and Implementation);

Requires details of the proposed phasing of Phases 2-5 prior to the commencement of development within each phase.

- Condition 16 (Car Parking);

Requires details of the number, location and layout of car parking spaces prior to the commencement of development within each phase.

- Condition 23 (Refuse and Recycling);
Requires details of the screened storage or refuse and recycling along with details of collection points and arrangements prior to the commencement of development within each phase.
- Condition 35 (Stopping Up of Highways);
Requires details of any highways to be stopped up prior to the commencement of development within each phase.
- Condition 37 (Levels);
Requires details of the levels of proposed buildings, roads, footpaths and landscaped areas prior to the commencement of development within each phase.
- Condition 39 (Children's Play Space);
Requires details of appropriate facilities for children and toddler play prior to the commencement of development within each phase.
- Condition 40 (Tree Protective Fencing);
Requires details of protective fencing to retained trees prior to the commencement of development within each phase.
- Condition 48 (Archaeology);
Requires the submission of a written scheme of investigation prior to the commencement of development within each phase.
- Condition 49 (Contaminated Land Method Statement);
Requires the submission of a contaminated land desktop study prior to the commencement of development within each phase.
- Condition 51 (Ventilation and Extraction Details);
Requires details of all proposed extraction and ventilation equipment prior to the commencement of development within each phase.
- Condition 53 (Sound Insulation);
Required details of proposed sound insulation measures prior to the commencement of development within each phase.
- Condition 89 (Daylight, Sunlight, Overshadowing Assessment).
Requires a daylight and sunlight and overshadowing assessment to be submitted with each reserved matters application.

The application originally submitted details for the discharge of condition 47 in relation to drainage however this information has subsequently been withdrawn to enable further discussion with Thames Water.

The application also originally submitted details for the discharge of condition 33 in relation to bus route swept paths and condition 34 in relation to the proposed temporary bus route however this information has subsequently been withdrawn to enable further discussion with Transport for London (TfL).

3. PLANNING CONSIDERATIONS

3.1 The Principle of Development

The principle of constructing 163 residential dwellings and provision of public open space is established by the outline planning consent. Condition 6 (Phasing and Implementation) 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 of each phase of the Regeneration.

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 was established at outline stage. This current application shows roads in the same location in compliance with the outline parameters for access.

The outline element of the hybrid planning permission provided for 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 2346_A_110: Development Zones
This plan defines the extent of private space occupied by the buildings and their associated front and rear gardens and prescribes the maximum developable area per zone (the maximum Gross Internal Area). Outside of these defined zones is space belonging to the public realm comprising of roads, footpaths and public open spaces.

- **Parameter Plan 2346_A_111: Phasing**
This plan defines the phasing strategy for the redevelopment. As the redevelopment of the estate involves re-housing existing tenants the phase boundaries are defined by land availability, maintaining access and the decant requirements of each phase. These phases may in future be varied with the prior approval of the Council on the application of the developers, provided the variations are unlikely to cause significant unanticipated adverse environmental effects and/or to undermine comprehensive development in accordance with planning policy.
- **Parameter Plan 2346_A_112: Storey Numbers, Building Heights, Site Levels**
This establishes per development zone the maximum number of storeys above ground level, maximum height of buildings from ground level and sets parameters for future ground levels within the site.
- **Parameter Plan 2346_A_113: Access and Circulation**
Establishes the movement strategy for the site and the locations of primary and secondary access points to the site for vehicles, cycles and pedestrians including connections to the surrounding network as well as identifying street hierarchy, bus routes and locations for bus stops.
- **Parameter Plan 2346_A_114: Land Uses**
Establishes the parameters for the distribution of land uses across the site.
- **Parameter Plan 2346_A_115: Strategic Landscape**
Establishes the location and extent of public open spaces and associated shared surfaces together with the tree planting strategy.

These plans are read in conjunction with the Design Guidelines and Scale Threshold Tables (contained within chapters 1, 5, 6, 7 and 8 of the Design and Access Statement) which support and expand upon the details in the Parameter Plans. Collectively these 3 tools establish a series of development principles that will be used to guide the detail of future phases and the preparation of Reserved Matters applications to ensure the resultant development is in accordance with the outline elements of the hybrid consent. The Design Guidelines comprise of:

- Chapter 5 of the D&AS: Urban Design Guidelines
- Chapter 6 of the D&AS: Landscape Design Guidelines
- Chapter 7 of the D&AS: Building Design Guidelines
- Chapter 8 of the D&AS: Character Areas

Comparison against Parameters

The application broadly accords with the agreed parameters of the outline consent with the exception of several minor deviations. These deviations and an assessment thereof are discussed in detail in the relevant sub sections below.

3.2 Amount of Development

Housing

The approved hybrid application set out an indicative approved tenure mix for the redevelopment of the Dollis Valley Estate, although the officer committee report makes clear that the mix in future phases would need to be adjusted to take account of changing housing needs throughout the lifetime of the development.

A dedicated Phase 2 Housing Needs Survey was completed prior to the commencement of design work concerning the affordable housing element of the Phase 2 Reserved Matters application. This study has identified that in relation to Phase 2 there is a need for a greater number of small affordable dwellings (1 bed 2 person and 2 bed 3 person) and large affordable family dwellings (4 bed 6 person) in comparison to the indicative housing mix approved under the hybrid permission which focused on medium sized dwellings (2 bed 4 person and 3 bed 5 person) which were considered to provide the best flexibility to cover the majority of tenant needs. A comparison of the currently proposed housing mix with the hybrid approval can be seen in the diagrams below.



In addition to the changes in housing mix, one additional 1 bed 2 person affordable unit has been provided in this phase over the indicative mix in the hybrid permission, raising the total number of affordable units to be delivered in this phase to 63 in order to speed up the decant process for existing residents.

The proposed changes which are informed by a detailed housing needs survey of existing residents, are considered minor in nature and would satisfactorily provide for a mix of dwellings catering for the housing needs of the locality.

Public Open Space

In addition to housing, two out of the three new public spaces within the Dollis Valley Estate redevelopment will be delivered within Phase 2, namely the Eastern and Western Entrance Squares. The Planning Statement submitted in support of the application advises that the design of the areas of open space as illustrated in the Design and Access Statement are illustrative only as discussions concerning the position of street trees are still on going and as such conditions 38 (Hard and Soft Landscaping) and 88 (Open Space Strategy) attached to the hybrid permission cannot be discharged at this stage. Details of Playspace provision (Condition 39) has been provided with the aim of discharging these conditions. The planning merits of which are discussed in Section 4.6 of this report.

3.3 Scale

Height

Parameter Plan 2346_A_112 (Scale) sets out the approved site levels and the maximum permissible dimensional height and maximum level of storeys throughout the wider Dollis Valley Development.

In relation to Phase 2 the development predominately accords with the approved parameter plans with the exception of a short line of terrace houses located on Brent Place on the north eastern corner of the phase, which provide three storeys accommodation, although the building heights remain within the permitted maximum height levels for 2 storey dwellings. Overall the proposed deviation is considered minor in nature and would not result in any additional massing when viewed from the surrounding area. Given the overall height of these houses has not changed there are no overshadowing or outlook impacts on neighbouring properties.

Footprint

Chapter 5.7 of the Design and Access Statement approved under the Hybrid Consent which sets Design Guidelines and Scale Threshold Tables for future outline phases, sets maximum Gross Internal Development Areas for future plots. On the whole the development accords with these dimensions, with the exception of Apartment Block 3, where the development footprint exceeds the maximum dimensions by 114sq.m. The reason for this change is due to the necessity of locating cycle and bin store structures to positions outside a designated gas easement which runs through the site, which have resulted in these structures being integrated into the building rather than being standalone structures. It is considered that in the context of the scale of the development, this alteration is a relatively minor change which would not result in any significant increase in massing, or reductions in public realm.

Chapter 5.13.5 of the Design and Access Statement also sets out detailed design dimensions for the proposed development within the Phase 2, setting minimum and maximum dimensions, lengths of active frontage and back to back and back to side distances.

The development accords with the maximum height dimensions and minimum back to back distances, however the proposed development differs in various elements from the specifications contained within the Design and Access Statement. The main points of deviation are as follows:

- The length of active frontages is less than the approved parameters in relation to zone D2 measuring between 23 and 36m in comparison to the guideline dimensions of between 28 and 32. In contrast the development within zone E2 marginally exceeds the stated guidelines measuring between 18 and 37m compared to the figure of between 17 and 35m outlined in the approved

parameters. The justification for this is due to site constraints in particular the gas easement which passes through the site;

- The minimum back to side distances between adjoining plots has been reduced by 0.7m and 1.3m from those outlined in chapter 5.13.5, with resultant distance separations ranging from between 12.5m to 26.7m. The stated justification for this is due to wider urban design principles seeking to extend active frontages and reducing gaps between dwellings in order to achieve a traditional urban block layout;
- The minimum and maximum depths of the footprint of the apartment blocks is less than the figures specified in chapter 5.13.5, with Block 2 now measuring between 9.6m (min) and 15.8m (max) in depth. Block 3 between 8.8m (min) and 15m (max) in depth and Block 5 between 9.4 (min) and 14.4m (max in depth). In comparison the guideline figures are between 9.6m and 15.8m, between 8.8m and 15m for block 3 and between 9.4m and 14.4m for block 5. The stated justification for the proposed change is due to detailed assessment of the design of the proposed dwellings to provide similar design layouts, adequate daylight to habitable rooms, optimal façade lengths and rational internal circulation solutions.

The proposed changes above relatively minor departures, which have been adequately justified by the applicant. The proposed changes do not raise any significant urban design or amenity issues.

Levels

Site Levels drop fairly significantly from north to south throughout the site, in particular in the north east corner. The levels information which has been submitted in support of the application accord with the levels set out in the parameter plans, however the stated levels for roads and footpaths will need to be agreed at detailed highway design stage.

Amended Plans have been submitted by the applicant providing a step in the rear gardens of plots 251-260 along Mays Lane to be lowered enabling the retaining garden boundary walls to be lowered minimising the impact on the amenities of the immediately adjoining properties at 83 and 63 Mays Lane. In each instance there is a gap separating the garden wall from the fences of the adjacent Mays Lane properties. Taking into consideration this separation combined with the lowered garden levels, the proposals are not considered to result in significant detrimental impacts on the amenities of the neighbouring residential occupiers.

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 providing 163 dwellings at 255 habitable rooms per hectare (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 Suburban sites with a PTAL between 2-3. The proposed development is marginally above the top end of the maximum density levels however the scheme can be considered to broadly accord with the density levels established by London Plan Policy.

3.4 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. Proposals should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime.

The proposed layout for Phase 2 is shown in **Appendix 1**. The proposals demonstrate a building layout in broad accordance with the Illustrative Masterplan and is considered to achieve the requirements of Policies CS5 and DM01. The detailed design of the development is discussed in greater detail later in the report under Design Considerations.

Access

The main access point into the development is via the revised access to Mays Lane in the North East corner of the site which will replace Dollis Valley Way. An East West distributor road will then run through Phase 2 and connect to the central access to Mays Lane which is being constructed in Phase 1 of the development. New Entrance Squares are proposed at either end to provide an appropriate demarcation point and entrance feature to the development. To the south the proposed roads will connect to the future internal route system for the Dollis Valley Estate redevelopment. New temporary bus stops are proposed on the eastern and western end of this phase, with a through route being provided at a later stage following the completion of building works.

Parking

The application proposes the provision of 188 car parking spaces of which 181 are allocated and 7 non allocated. Spaces will be allocated at the ratio of 1 space per 1-3 bed units and 2 spaces for 4 bed and above dwellings.

The majority of the spaces are provided within plots for the houses and in the form of communal surface parking courts for the proposed apartments. An undercroft car park is provided for Block 2.

Cycle Parking is also provided in the form of dedicated outbuildings providing space for 2 cycles in the rear curtilages of the proposed houses. In relation to the apartment blocks, internal communal cycle storage is provided for apartment blocks 3 and 5. In relation to apartment block 2, secure cycle parking is provided in the form of a standalone structure which is covered but not enclosed.

The level of parking is discussed in the highways section of this report.

Crime

The proposed layout follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages. The submitted Design and Access Statement advises that the proposals have been discussed with the Secured by Design Officer of the Metropolitan Police and that the scheme will be built out to meet Secured by Design Standards.

3.5 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.

The development within Phase 2 consists of residential properties in the form of 84 houses measuring 2-3 storeys in height of ten differing house types along with 79 apartments located in three 3- 4 storey apartment blocks. The application proposal can be split into three main character areas, the eastern and western site entrances from Mays Lane and the residential streets running from east to west with houses along them.

Eastern Mays Lane Site Entrance

The application proposal aims to provide a public face and entrance point into the development while also integrating with the wider streetscape along Mays Lane.

The application proposes the use of a 2 storey DV1c house type along the Mays Lane frontage involving a short terrace of four houses adjacent to number 83 Mays Lane and another short terrace of six houses on the opposite side of the Dollis Valley Way entrance. The houses are two storey 3 bed five person units with steep pitch mansard roofs with central flat roof elements containing PV Panels and projecting shallow pitched 2 storey projections and inset first floor balconies.

The existing houses on Mays Lane are predominately two-storey terraced and semi-detached houses constructed between the 1920's and 50's. The new houses proposed on this frontage, while two storeys in height are taller than the existing houses at both eaves and ridge level, predominately due to the step up in ground levels and the higher roof pitch on the proposed houses to incorporate the solar PV panels. However the new houses remain sympathetic in scale incorporating hipped roofs to match the adjoining properties and allowing for the height to step up gradually. Overall it is considered that overall the proposed dwellings would accord with the scale of the surrounding streetscene while presenting a distinctive and contemporary appearance and important gateway into the development and are considered acceptable.

Turning into the Dollis Valley Way a staggered line of 7 terraced houses, Type DV14 4 bed 6 person are proposed on the eastern side of the road alongside the eastern entrance square with the flank wall of the Block 2 Apartment Block on the western side of the road. The proposed houses are two storeys in height with projecting first floor element with Juliet balconies and recessed ground floor providing covered refuse and recycling storage, a side single storey link extension with first floor balcony above helps break up the massing of the terrace allowing the terrace to gradually step down taken account of the steep drop of levels along Dollis Valley Way. Car parking and soft landscaping is proposed to the front of the proposed houses.

Additional sketch drawing DOL-102-SK-140716-01 was submitted on the 17th July in response to officers concerns about the height of the flank retaining wall in relation to Dollis Valley Drive streetscene. The sketch information illustrates the potential soft landscape treatment which would be proposed to soften the visual appearance of the wall within the streetscene. The final landscape planting details will be secured via the landscaping condition. Combined with a reduction in the height of the wall due to changes in levels of the gardens of the adjacent houses, the proposed sketch planting detail is considered sufficient to ensure an attractive appearance to the streetscene.

In relation to the proposed apartment block, the eastern elevation is formed of three separate linked elements allowing the development to take account of the changing levels of the site with the portion closest to Mays Lane providing 3 storeys of accommodation rising to 4 storeys of accommodation on the lower portion of the development adjoining the east west road. The block provides a varied staggered building line along each of the 3 sections and incorporates architectural measures such as utilising both recessed and projecting balconies and a varied fenestration pattern in order to provide contrast and to break up the façade.

The Design of both the houses and the apartments are considered to relate satisfactorily to the challenging levels on this portion of the site, providing a gradual step down from Mays Lane to the lower levels of the East West Road, while maintaining a scale sympathetic to surrounding development.

Brent Place

A line of four terraced houses is proposed behind the houses located on Dollis Valley Drive. These properties are physically isolated from the rest of the development, forming a cul de sac accessed from Brent Place to the East, with no access to the rest of the Dollis Valley Development. The proposed houses are of a DV15 house type containing habitable roof accommodation and a small balcony area to the front. The design of these houses is considered acceptable, relating satisfactorily in scale and form to the surrounding pattern of development.

Western Mays Lane Site Entrance and Entrance Square

At its western boundary Phase 2 joins the central access road in Phase 1 which connects to Mays Lane. The properties fronting the western square on the eastern

side are of the DV11a Type which are the same as the consented houses in Phase 1 fronting Mays Lane. The houses are three storeys in height with pitched faux mansard roof to the front and flat roof beyond containing PV panels. The properties incorporate projecting bronze metallic GRP dormers in roof slopes and projecting aluminium bronze metallic porches to the front. The second floor rear of the building is timber clad with second floor roof terraces.

Beyond the entrance square on the western side of the road are located two apartment blocks 3 and 5. These apartment blocks are 4 storeys in height while slightly dropping down in height with the change in levels from north to south. Similarly to Block 2 the blocks are built in several sections allowing for a varied building line and incorporates the use of recessed and projecting balconies and a varied fenestration pattern in order to maintain architectural variety and interest in the elevation.

Overall the design of the properties in this portion of the development is considered to represent an appropriate standard of design in keeping with the design and scale of the adjoining development being built out in Phase 1.

East West Streets

Phase 2 of the development contains one complete east west road running along the northern edge of this phase and another partial east west road which will be completed under subsequent reserved matters applications for latter phases. The layout of these roads follows a traditional layout with houses located on both sides of the road. The street frontage will be composed out of several groups of houses of a range of house types forming a series of terraces. Each group will have no less than three and no more than 8 houses of the same type in succession. Due to the design of these different house types, with various degrees of setbacks and gaps at first floor level, the terrace would provide adequate articulation and variety breaking up the appearance of the terrace into smaller distinctive elements. The height of the properties proposed are predominately 2 storeys with several 3 storey properties with mansard roofs. Overall the design of these houses is considered acceptable, providing a variety of house types to maintain architectural interest.

Materials

The Development proposes the use of two different buff bricks with the properties located in the north eastern corner facing the Mays Lane Entrance and the western part of the development being built in Mystique Brick and the remainder of the dwellings in the centre of the development and in Brent Place to the north east being built out of Ivanhoe Cream Brick. Roofs throughout the development will be built out of dark grey fibre synthetic slate. Other materials include dark grey RAL 7016 upvc windows and doors, GRP dormer surrounds, aluminium composite porches and bronze coloured steel balcony railings to the apartment blocks to match the proposed brickwork. Timber cladding is proposed for the inside of entrances, porches and balconies.

The proposed material palette reflects the materials approved in Phase 1 of the development. Final materials will need to be agreed and approved through the conditions attached to the hybrid consent.

Architectural Details

The detailed design of a number of key architectural features of the houses and apartment buildings are critical to the success of the overall design approach for Phase 2 and the quality of the development. The Design and Access Statement submitted with the application includes some illustrations and images of some of these architectural details. Notwithstanding the information submitted, these details require further discussion with officers before they can be agreed and a condition is recommended to require the submission of plans and sections at appropriate scale in order that officers can be satisfied that a high quality scheme will be delivered.

Conclusion for External Appearance

Overall, the proposal successfully incorporates various architectural styles within a coherent design and is considered acceptable in principle resulting in a high quality development in accordance with the requirements of Policies CS5 and DM01 and compliant with the parameter plans and design guidelines approved under the outline element of the hybrid consent for Dollis Valley.

3.6 Landscaping

The Hybrid Planning Approval for the regeneration of the Dollis Valley estate proposed a total of 26,366 m² of amenity space of which 3,485 m² would be public open space in the form of public squares and greens, 1,200 m² shared semi private amenity space i.e. for apartment blocks and 21,680m² private amenity space in the form of residential gardens.

Public Open Space

The Dollis Valley Hybrid consent proposed three areas of public open space, including a proposed green on the southern portion of the site to be built out in future phases and the eastern and western entrance squares both of which are located with the Phase 2 Reserved Matters Application site boundary.

West Square Landscape Proposals

The proposed Western Square is located on the western portion of the Phase 2 development directly to the north of apartment Block 3. The landscape proposals for this space include the provision of a single axial path along the western side of the space containing bench seating and stepped gravel terraces leading into open grassed areas which are also designated Local Areas of Play. Grids of Birch trees will be built alongside these raised terraces providing shade in summer months. The perimeter to the area will be planted with mixed shrub and herbaceous planting designed to encourage biodiversity with a formal hedge to the west and railings to the back of the footpath to the east.

East Square Landscape Proposals

The Eastern Square is located on the eastern side of the development facing the Block 2 apartment block on the eastern side of Dollis Valley Drive. The proposed materials will be similar to the West Square incorporating sleeper steps to create grassed terraces containing local areas of play and formal and informal seating. The boundary to Dollis Valley Drive will be hedge backed railings set on top of a small retaining wall in order to improve the ambience of the space. Planting throughout the square will incorporate bio diverse species mixes in the hedge base and will also contain a large specimen tree in the centre of the square.

Street Landscaping

The application proposes street tree planting along all roads within the Phase 2 development, however the planting proposals including the species are only indicative as discussions with the highway authority regarding position and species are still progressing and are subject to sightlines, visibility splays, car parking and vehicle swept path analysis

The indicative planting proposals differ depending on road type with paired semi mature hornbeam trees proposed on the future adopted roads on the eastern and western avenues to create a traditional London street typology and strong green corridor. On other quieter residential streets the application proposes the planting of single rows of medium sized trees along with seasonal specimen trees. Suggested species include Field Maple, Juneberry and Cherry.

Front and Rear Residential Gardens

The application proposals for Phase 2 propose the widespread use of hedges to house frontages mixed with climber planting to flanking walls to soften the appearance of the development. Where planting space is limited the application proposes the use of pre grown ivy screens as boundaries between properties to reduce the visual impact of parked cars and to soften long views of the streets. Set back areas and planting around parking bays will contain mixes of shrubs and herbaceous planting, the choice of which will depend on shade tolerance and the solar orientation of the development. Rear gardens will be fenced with 1.8m close boarded fences, and will in some cases contain planted trees.

Play space

London Plan policy 3.6 states that new residential developments should include provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

The Hybrid permission provided for the provision of 100sq.m of formal and equipped doorstep play space within both the east and west entrance squares contained within Phase 2, with an additional 300 sq.m of local and formally equipped play space to be

provided on the Green adjoining Dollis Brook at the southern end of the Dollis Valley redevelopment outside the current reserved matters application.

The applicant has provided details of proposed play equipment which is proposed in the eastern and western entrance squares. These consist of 3 x timber wobbly sheep, 1 set of timber stepping stones and 4 x artificial stones finished in brushed steel set in the grass, 3 x timber snails along with informal and formal seating.

The quantum of play space is in accordance with the hybrid consent. The play equipment proposed is sufficient for doorstep play for under 5's. A greater range of equipment is expected to be provided in the Green in later phases.

Trees

London Plan policy 7.21 Trees and woodlands seeks to ensure protection, maintenance and enhancement of trees and woodlands. The policy states that existing trees of value should be retained and any loss should be replaced. Where appropriate, planting of additional trees should be secured.

Local Plan policy DM01 seeks to ensure trees are safeguarded, and when protected trees are to be felled, replanting with a suitable size and species will be required.

The approved Masterplan Tree Strategy approved under the hybrid planning approval proposed the removal of 193 trees out of 208 trees within the Wider Dollis Valley Development.

In relation to Phase 2 the application proposed the retention of two mature category B mature trees (T31 Lime and T77 English Oak) and 2 groups of mature or early mature C trees containing the following tree specimens, (TG9 Apple, Cherry and Ash) and (TG10 (Elder, Damson and Hawthorn)). All trees which are to be removed are to be replaced on a 2 for 1 basis.

Deviation from approved tree removal strategy

The submitted reserved matters application proposes the additional removal of the TG10 group of trees located in the north eastern corner of the site. The stated reason for the refusal is that following detailed design work and due to the challenging levels within the area, the need to provide retaining walls and in order to create usable amenity area. Advice from the Council's Arboriculturalist is that these trees are of limited amenity value and no objection is raised subject to adequate replacement in line with the Masterplan Tree Strategy i.e. 2 for 1 provision.

Replacement Planting

The proposal as a result of the removal of TG10 will in total result in the loss of 49 trees. The indicative tree strategy submitted in mitigation in support of the application proposes the planting of 59 on street trees (with 8 deferred to future phases due to issues with Bus Radii), 10 trees on site parks and 25 trees within on site gardens, resulting in a total of 94 trees in comparison with the 88 trees proposed under the

hybrid approval. The planting strategy is indicative only as the position of trees still needs to be agreed by the Highway Authority.

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 method statement demonstrates that the two retained trees in particular the T77 English Oak which is located in close proximity to an adjoining terrace can be retained and safeguarded through the use of a raised timber decking allowing the retention of existing site levels in the proximity of the tree along with a 25% crown reduction to provide a 2m clearance to neighbouring dwellings. The Council's Tree Officer has no objections to the proposed details.

Maintenance

The applicant has submitted a landscape maintenance schedule specifying site specific management requirements for the establishment period (years 1-5) including regular inspections, use of fertilizer, mulching, grass cutting pruning of shrubs and replacement of damaged plants.

Hard areas

Proposed hard surface materials for Phase 2 are as per the agreed specifications for Phase 1 concrete block paving along footpaths, silver grey granite kerbs and block paving to crossovers. The non-adopted east west streets are shown to be predominantly tarmac. Plans have been submitted to indicate where areas of block paving bands can be added at entrances and at locations along the streets to help break up the visual appearance of the tarmac. This principle is supported and final details for these block paved/alternative material areas will be discussed further with the applicant and final details approved under the landscaping condition. Concrete blocks will be used for shared surfaces on non adopted road and buff coloured resin bonded gravel of footpaths within the entrance squares, seating and bins will be of a contemporary design to be agreed with the Local Planning Authority. The final materials for the streets will be secured through the landscaping details condition.

Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set in the parameter plans 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.

3.7 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 2 maximizes the outlook of occupiers of the

new dwellings, with all houses being located on a north south or east west axis. A Daylight/ Sunlight and Overshadowing Assessment has been submitted in support of the application. The Assessment assess the level of daylight and sunlight which will be achieved by all habitable rooms within the development as well as an assessment of overshadowing of open spaces within the Phase 2 development.

The results of the assessment show that all habitable rooms will receive levels of daylight which accord with the Building Research Establishment (BRE) guidelines and as such will receive adequate levels of daylight. In relation to sunlight the assessment indicated that 140 out of 163 living rooms have at least one window located within 90° of due south and will accord with the BRE requirement to achieve at least 25% of Annual Probable Sunlight Hours (APSH). In relation to Winter Probable Sunlight Hours (WPSH) 139 out of 163 living rooms will achieve the 5% BRE requirement.

Overall the percentage of units achieving the BRE sunlight criteria is considered acceptable given the layout of the scheme following the approved internal estate layout, which means that not all living rooms can be designed to be located within 90° of due south without compromising other urban design standards such as the need for active perimeter block layouts with back facing backs and fronts facing fronts.

In relation to open space including private rear gardens, the assessment shows that 60 out of the 90 open spaces comply with the BRE requirement that at least 50% of the site receives more than 2 hours of sun on the 21st March. In relation to the spaces which do not pass, this is predominately due to their orientation facing north. These gardens will still receive a level of sunlight and a number of these properties have secondary amenity space in the form of roof terraces. The proposals are considered acceptable in the context of the development and the wider objectives of the regeneration.

Noise

The application is accompanied by a noise report assessing levels of background noise in relation to properties fronting Mays Lane. The findings of the report indicate that enhanced sound proofed glazing and the provision of alternative mechanical ventilation should be provided to all dwellings fronting Mays Lane. In relation to other dwellings standard double glazing is considered to provide acceptable internal noise levels. The Council's Environmental Health Officer has confirmed that the submitted details are considered satisfactory in accordance with Conditions 51 and 53 of the Outline element of the Hybrid Approval.

Privacy

The Council's Supplementary Planning Document Residential Design Guide recommends minimum distances between habitable room windows and to neighbouring gardens to protect privacy.

It was accepted during the consideration of the hybrid planning application that not all back to back (across gardens) or front to front distance (across streets) would accord with the Council's 21m recommended separation distance. This has been established and approved in the parameter plans for Dollis Valley which establish the minimum distances which would be permitted in the development. In relation to the current application, the position of the proposed houses is broadly in accordance with the illustrated Masterplan approved as part of the Hybrid consent. Distance separations between dwellings are a minimum of 17.5m back to back and between 12- 14m front to front. While it is acceptable that this level is below SPD guidelines, the Council's SPD acknowledges that shorter distances between facing habitable room windows and to neighbouring gardens may be acceptable within regeneration areas where there are material justifications. It is considered in this case that the high quality urban environment proposed and the wider regeneration benefits of the proposals justify the relaxation of these standards. The proposals comply with the minimum distances specified in the parameter plans approved under the hybrid planning consent for Dollis Valley Estate. The distances across streets contribute to the character and feel of the streets within the development. The back to back distances still enable a good level of privacy to be achieved.

Drawing 2376_A_228 rev A has been submitted to confirm that obscure glass screens will be installed to the north facing balconies on the north elevation of Block 2 to ensure that there will be no overlooking into the gardens of plots 252, 253 and 254.

The proposals are considered to result in an acceptable level of privacy for future occupiers of the development.

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 including both the houses and apartments would have gross internal floor areas which exceed the requirements of the London Plan. The proposal complies with policy and is therefore considered to be acceptable in this regard.

Amenity space

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance requires the provision of 5 sq.m of amenity space per habitable room for flats, and between 40 and 85 sq.m for houses depending on the number of habitable rooms.

Every dwelling has access to some form of private amenity space. The houses all have individual front and rear gardens and several of the houses also have front, side or rear facing balconies or terraces. The applicant has submitted a schedule of the amenity space provided for each plot. Rooms exceeding 20 sq.m are counted as

two habitable rooms and driveways, front gardens and areas occupied by bike shed are excluded from the calculation in accordance with Barnet's SPD (April 2013).

Of the 84 houses proposed in this phase, 8 would fall short of the amenity space standard with the shortfall ranging between 1.7 sq.m and 11.2 sq.m. In all of the other plots the standards are exceeded and in most cases by over 10 sq.m. The instances where plots fall short of the standard are considered to be acceptable given specific site constraints and the overall regeneration objectives to achieve a robust urban design layout.

Several of the properties, particularly in the southern portion of the site along the southern east west road have changes in levels in their rear garden. These gardens therefore have a split level to ensure flat usable areas are provided. The change in levels is more significant for some of the gardens of the proposed houses backing onto the gardens of the Mays Lane properties. For some of these properties the change in levels would necessitate the use of low retaining walls to create stepped terraces. An area of paved patio space is provided immediately to the rear of the houses with upper terraces which could either be turfed or paved to provide usable space. In relation to plots 216 through to 224, there is an existing hedge along the Mays Lane boundary. In order to retain this hedge the gardens are split into three levels. The top most level being given over entirely to the retained hedge. This reduces the amount of usable garden area. For plots 216 to 219 which comprise type DV13b the garden area returns beneath a raised terrace between the houses. This additional area plus the upper terrace are sufficient to ensure that these properties have sufficient amenity space. Plots 220 to 224 do not have this additional space. For these properties a sketch alternative garden layout has been submitted which illustrates how additional usable garden space could be provided if the existing hedge was removed. Replacement planting would be provided in this instance to mitigate the loss of the hedge and provide a degree of screening for the Mays Lane properties to the north. The final landscape details will be agreed under the discharge of condition 38 of the hybrid planning consent.

In relation to the apartments these are all provided with individual amenity space in the form of balconies, gardens or roof terraces along with access to shared amenity space in the form of podium courtyards and roof terraces. Blocks 2 and 3 exceed the minimum amenity space requirements providing between 5.2 sq.m and 7 sq.m respectively per habitable room. The amenity space provision for Block 5 is slightly below standard with 4.3sq.m of amenity space being provided for each habitable room. It is noted however that this Block will still provide a total of 492.5 sq.m of either private or shared amenity space and on balance, given the limited nature of the shortfall and taking into account the wider public open space provision both within and outside the Dollis Valley boundary is considered acceptable in this instance.

3.8 Impacts on amenities of neighbouring and surrounding occupiers and users

The periphery of the site to the north adjoins the rear gardens of numbers 83 – 129 Mays Lane to the north.

The proposed dwellings along the east west road are located over 40m from the rear building line of buildings on Mays Lane. Due to this distance separation, the drop in levels from north to south and the 2-3 storey nature of the dwellings to be constructed on the east west road, the proposal will not result in any demonstrable loss of daylight, sunlight or privacy between habitable room windows. In relation to overlooking of amenity areas, the rear gardens of the proposed units are shorter than the policy requirement of 10.5m as set out in Barnet's adopted Residential Design Guidance SPD with rear gardens measuring between 7.5m and 9.5m in depth. However the position of the houses has already been established by the original hybrid consent, and any overlooking will be limited to rearmost portion of substantial gardens to the properties in Mays Lane. Taking into account the change in levels, substantial size of the Mays Lane gardens and privacy screen measures to be secured by condition, it is not considered that the proposal would be significantly harmful to the amenities of these properties.

Plots 267 – 270 along Dollis Valley Drive back onto the side garden of number 39 Brent Place. The proposed properties are located between 6-7m from the side curtilage and 26m (at the closest point) from the actual house. The boundary is currently screened by a Leyland hedge along with a Mature English Oak which are proposed to be retained and it is not considered that the proposal would be significantly harmful to the amenities of this property. The flank wall of plot 264 adjoins the rear gardens of no's 39-43 Brent Place. The proposed building is located over 31m from the rear wall of these properties is considered minimal and the proposal would not result in any significant loss of daylight or sunlight. No side facing windows are proposed and as such the proposal will not result in any loss of privacy to the rear gardens of these properties.

In relation to the proposed dwellings fronting Mays Lane, the property located closest to number 83 Mays Lane (Plot 250) roughly aligns front and rear with number 83. There is a 3m gap between the properties and therefore it is not considered that the amenities of number 83 Mays Lane would be unduly impacted upon by the proposal.

In relation to plot 259 on the western side of number 63 Mays Lane. The proposed building extends 3m beyond the rear building line of number 63 at a distance of 1m to the boundary and 2m to the adjoining flank wall. Number 63 has been extended at the rear in the form of a rear conservatory and the applicant has made changes to the layout of the rear gardens introducing a step allowing the height of the gardens and hence the height of the retaining boundary retaining walls to be lowered. Due to these factors and taking into consideration the south facing aspect of the garden to 63 Mays Lane, it is considered that the amenities of number 63 Mays Lane would not be unduly impacted upon by the proposals.

The hybrid Planning Application was accompanied by a Daylight and Sunlight assessment in relation to the impact of both the detailed Phase 1 portion of the development and the outline portion of the development comprising phases 2-5. The report concluded that the proposal would not result in daylight or sunlight levels being reduced below acceptable levels as defined in the Building Research Establishment (BRE) guidelines. The applicant has assessed the impact of changes

to the Phase 2 development in comparison to the masterplan approved under the hybrid consent and concluded that the proposed changes would not result in any significant impact over and above the approved plans and as such a revised Daylight and Sunlight Assessment is not required.

In relation to future phases located to the south and east of the development, no detailed reserved matters application have been submitted, however the distance separation between the development and these future plots will be similar to the relationship of plots to the north and west as well as the current internal relationship within this phase and it is not considered that the proposal would significantly affect the amenities of dwellings contained within future phases or be unduly impacted upon by future development.

3.9 Transport, parking and highways matters:

Access

As part of the Phase Two development the existing Dollis Valley Way access off May Lane is proposed to be redesigned increasing the junction radii and visibility splays. The submitted plans have been examined by the Council's Highway Team who advise that in principle the proposal is acceptable. However, detailed drawings will need to be submitted to the Planning Authority for approval before the proposed junction works can commence.

Temporary Routing of Bus Route 326:

Currently the 326 bus route passes through part of the Dollis Valley Estate. As a result of the proposed building work, the through bus route will be temporarily affected while works take place. In order to address this, the applicant has proposed two temporary bus routes and turning circles and temporary bus stops which will be provided when the western and eastern portions of phase 2 are built out. Following completion of phase 2 it is intended that buses will transverse the northern estate road (westbound only). This route is intended to be retained until the completion of phase 5 when the adopted loop road will be complete and the permanent bus route available.

The submitted proposals have been examined by Transport for London and the Council's Highway Officers. Transport for London have expressed concerns regarding swept path analysis and ability of buses to navigate the corners, the private nature of the road limiting the ability to enforce illegal parking and the layout of parking spaces including tandem parking arrangements which would require parked vehicles to either reverse into the spaces or out into the road, potentially to the detriment of highway safety.

As a response to the comments, the applicant has agreed to withdraw conditions 33 (Bus Swept Paths) and 34 (Temporary Bus Route) from consideration under this reserved matters application to allow discussions with TFL to continue and these matters will be addressed in a future discharge of condition application.

Travel Plan:

Travel Plan requirements for the entire Dollis Valley Development have been identified and included in the hybrid planning application B/00354/13 approved by planning and as such are not required to be submitted with this reserved matters application.

Pedestrian Facilities

The hybrid planning permission sought, as one of its core objectives, to improve the pedestrian environment within the Dollis Valley Estate. The application proposal incorporates 1.8m wide pedestrian footpaths along all proposed roads linking in with the temporary bus facilities and areas of open space. All footpaths will be lit and overlooked and is considered to represent a satisfactory pedestrian environment.

On a wider basis, future pedestrian connections from the Dollis Valley Estate to the wider neighbourhood will include a footpath to Barnet Lane and an enhanced link to Dollis Brook and King George V Playing Fields to the south and east of the site.

Parking

Parking Standards set out in the Local Plan Policy DM17 are 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)

Overall 788 parking spaces are to be provided for the completed development. A total of 188 car parking spaces are being proposed for phase 2 development which forms part of the overall provision. This falls mid-way within the range set out in the Local Plan.

The table below shows the total number of units and the parking requirement for the Phase 2 development:

Type of Units	LP maximum Parking Range	LP Parking spaces (low end of range)	LP Parking spaces (high end of range)
1 Bed	(0.0-1.0) =	0	28
2 Bed	(1.0-1.5) =	49	73.5
3 Bed	(1.0-1.5) =	68	102
4+ Bed	(1.5-2.0) =	27	36
Total		144	239.5

It is proposed that 181 parking spaces will be allocated parking spaces and 7 non-allocated. The level of parking proposed is in accordance with the Barnet Local Plan Development Management Policies approved in September 2012 and the levels of parking established by the hybrid planning consent for Dollis Valley, therefore the level of car parking provision is considered acceptable

A Car Parking Management Strategy has yet to be submitted and must be submitted prior to the commencement of phase 2 in order to accord with the conditions of the hybrid consent. This will demonstrate how vehicles will be prevented from parking on the non designated areas.

Accessibility and Inclusivity

Thirteen houses within Phase 2 are designed to be wheelchair adaptable, which equates to 10% and in compliance with Condition 14 (Wheelchair Standards) of the outline element of the hybrid consent. None of the existing tenants within the Dollis Valley Estate which are due to be rehoused within these units are currently registered disabled and therefore the units have been designed to accord with the Wheelchair Accessible Housing Best Practice Guidance rather than being specifically designed for any end user.

All of the proposed dwellings are designed to comply with the internal design criteria necessary to meet Lifetime Homes standards in accordance with Condition 11 (Lifetime Homes) of the outline element of the hybrid consent.

Sustainable travel

Secure cycle storage is provided in the form of dedicated outbuildings providing space for 2 cycles in the rear curtilages of the proposed houses. In relation to the apartment blocks, internal communal cycle storage is provided for apartment blocks 3 and 5. In relation to apartment block 2, secure cycle parking is provided in the form a standalone structure which is covered but not enclosed. The Design and Access Statement advises that this will meet Secured by Design Standards and is considered acceptable.

No details of proposed electric charging has been provided with the application however Condition 17 of the outline element of the hybrid consent requires that a minimum of 20% active and 20% passive are provided in accordance with current GLA Policy

Waste Management

The refuse strategy for the development provides for refuse storage facilities in the rear curtilages of the proposed houses with collection points being located to the front. Refuse collection for the apartment blocks will take the form of an integrated communal refuse stores for blocks 3 and 5 and a split integrated and freestanding store for block 2. Amendments to the street layout have been made following representations from the Council's Highway Officer removing several car parking

spaces in order to ensure satisfactory access for refuse and emergency vehicles and the proposed refuse and recycling details are considered acceptable.

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 Dollis Valley development. The submission of details of street lighting is required before the commencement of each phase in accordance with Condition 29 of the Hybrid Consent.

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.

3.10 Environmental issues

Construction management

No details have been provided with this reserved matters application, however condition 26 of the outline element of the hybrid consent requires the submission of a demolition, construction and traffic management plan prior to the commencement of each phase and as such appropriate safeguards exist in order to safeguard the amenity of neighbouring residential properties and highway and pedestrian safety.

The construction management plan for Phase 2 will be based on the principles approved for Phase 1.

Contamination

Condition 49 of the outline element of the outline consent requires the submission of a contaminated land desktop study prior to the commencement of each phase identifying where appropriate a risk assessment and method statement detailing any necessary remediation measures.

A preliminary risk assessment has been submitted with the current reserved matters application. The assessment notes that samples which have been taken indicated that there are localised hotspots of TPH (Total Petroleum Hydrocarbons (TPHs) which will need to be remediated. The remediation strategy will involve the removal of contaminated soils and backfilling with clean imported top soil. Advice from the Council's Environmental Health Officer is that this approach is predominately satisfactory however the use of a geotextile membrane may also be required depending on validation results. However it is considered that the pre commencement element of Condition 49 can be discharged.

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

Sustainable design and construction

The Mayor's Energy Hierarchy as specified in policies 5.2 and 5.3 of the London Plan sets out three methods for achieving a minimum (Post October 2013) a 40% 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

Condition 54 of the hybrid planning permission also requires the submission of an energy strategy prior to the commencement of any phase *'incorporating full details of the photovoltaic panels, including quantum, to be installed in the relevant phase and measures to achieve carbon dioxide reductions in accordance with the previously submitted site-wide Energy Statement dated January 2013'*.

The application is accompanied by an energy statement, which illustrates how the development can achieve the required policy requirement. However the application documents advise that this strategy is for information only as the specification of the proposed PV Panels is not known at this stage and these matters will be considered under a future discharge of condition application

Water resources and Drainage

Condition 47 of the Hybrid consent requires a detailed surface water drainage scheme to be submitted prior to the development of any phase based on the agreed Flood Risk Assessment. The applicant has submitted a drainage strategy with the application which makes the following comments and recommendations.

In relation to flooding the site is located on sloping ground located over 140m from the Dollis Brook which is the closest watercourse to the development. The development falls within Flood Zone 1 and is therefore considered to be limited risk of flooding with a 1 in 1000 risk of flooding from a river source.

In relation to surface water drainage, at present surface water on the Estate drains into a network of Thames Water maintained sewers and the application does not propose any significant alterations to this system. Where existing sewers need to be replaced or diverted a design strategy will be adopted to ensure that drainage to all properties upstream of the diversion will not be affected.

In relation to foul water drainage Phase 2 will discharge to existing Thames Water foul sewers. Flow rates are considered likely to be similar or only slightly higher than existing flow rates and as such no major adaptations will be required. Similarly to the surface water sewers where existing sewers need to be replaced or diverted a design strategy will be adopted to ensure that drainage to all properties upstream of the diversion will not be affected.

Thames Water have been consulted on the application and have raised no objection to the proposed waste water plans, however additional information is required in relation to surface water. In order to allow sufficient time to prepare the additional information the applicant has withdrawn condition 47 from the current application. Once the revised details are ready they will be submitted under a discharge of condition application and Thames Water will be consulted.

Biodiversity and Ecology

Condition 46 of the outline element of the hybrid approval requires details of measures to enhance biodiversity to be submitted prior to the commencement of any phase. The application is not seeking permission for the discharge of this condition however an indicative biodiversity appraisal is included with the application. The appraisal notes that the habitat survey submitted with the original hybrid application did not find any evidence of badgers, great crested newts, bats or reptiles within the phase 2 site area. Ecological enhancement measures proposed include additional tree, hedgerow and shrub planting, the setting up of deadwood habitats in appropriate locations and the provision of bat and bird boxes on identified trees.

Natural England have been consulted on this application and have advised that they do not wish to raise any objections to the scheme.

3.12 Archaeology

Condition 48 of the hybrid planning permission requires the implementation of a programme of archaeological mitigation with each phase. The applicant has submitted a statement in support of their application advising that no archaeological sites or deposits have been found in the Phase 1 part of the development and that due to the level of ground works which were carried out when Dollis Valley Estate was constructed in the 1960's it is unlikely that Phase 2 has any sites of archaeological interest and therefore no further investigation is required. English Heritage have been consulted on this application and have advised that they have no objection to the discharge of this condition.

4. COMMENTS ON GROUNDS OF OBJECTIONS

The traffic impact of the development was assessed during the consideration of the hybrid application (B/00354/13). The S106 Schedule D paragraph 3, contains a parking review mechanism, allowing for the impact of the development on parking demand on surrounding roads to be assessed. The review will include Mays Lane and Hillside Gardens.

The internal site layout including the road network was established under the hybrid consent. The principle of connecting Hammond Close and Hardy Close into the wider development has therefore been established and considered acceptable. The road layout will not be altered by the current reserved matters application.

The level of car parking provision is considered acceptable by Council Highway Officers and accords with the parameters of the outline consent and TFL guidelines.

Issues regarding the build quality of the development, condensation and sound proofing between floors are matters which are covered by building regulation legislation. The application is accompanied by a daylight and sunlight assessment which concludes that all habitable rooms will receive adequate levels of daylight, the site has been assessed as at low risk of flooding. The Environment Agency were consulted on the Hybrid Application and found the scheme to be acceptable. Drainage details are dealt with under Condition 47. The housing of tenants and whether tenants without children are placed next to tenants with children is not a material planning consideration. London and Quadrant Housing Trust will be responsible for liaising with secure tenants in relation to their housing options.

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 2 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 13 units (10% of proposed) are designed to be wheelchair adaptable.

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.

This reserved matters application will enable the Council and Barratt Homes to continue to deliver the regeneration of the Dollis Valley Estate which will provide greatly improved standards of housing for residents. The regeneration scheme will provide a new area of mixed tenure housing and will make this part of the Borough a better place to live, leading to improved community cohesion in an area with a highly diverse population.

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 (B/00354/13) 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 the approved outline application for the Dollis Valley Estate.

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, including 63 affordable units that would have a good standard of accommodation including outlook, privacy and access to daylight.

The design of the development is considered appropriate for its location, which also provides for variety and legibility in Built Form. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider development.

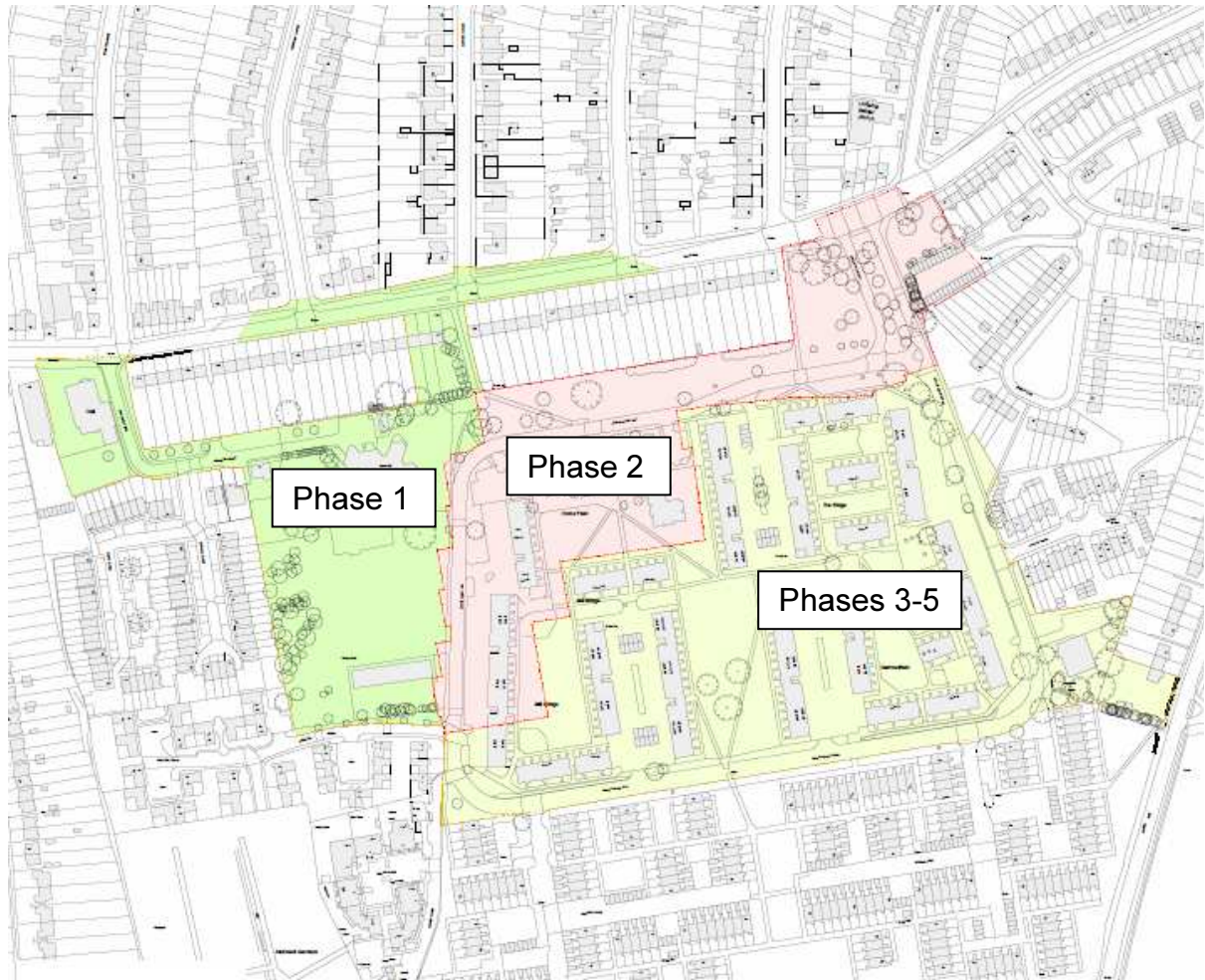
It is recommended that the application be **Approved** subject to the attached conditions.

It is also recommended that Conditions 6, 16, 23, 35, 37, 39, 40, 48, 49, 51, 53 and 89 are discharged insofar as the details relate to Phase 2 of the development only.

APPENDIX 1 – Masterplan Layout for Phase 2



APPENDIX 2 – Dollis Valley Estate Phasing Plan



SITE LOCATION PLAN: Phase 2, Dollis Valley Estate, Barnet, Herts, EN5

REFERENCE: B/02349/14



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LOCATION: Gateway House, 318-330 Regents Park Road, Finchley Church End, London, N3

REFERENCE: F/03933/13 **Received:** 03/09/2013
Accepted: 30/09/2013

WARD: Finchley Church End **Expiry:** 30/12/2013 **AGENDA ITEM 9**

APPLICANT: Maverick Estates Ltd.

PROPOSAL: Demolition of the existing building and redevelopment of the site to provide 77 residential flats (all use class C3), 522 square metres of office space (use class B1), 501 square metres of retail space (use class A1) and a library (use class D1) covering 960 square metres in a building ranging between five and eight storeys in height (with additional lower ground floor, basement and roof terraces), together with associated car parking (72 spaces), communal amenity space (including roof top terraces), access, landscaping, refuse and recycling facilities, cycle parking, plant and related works.

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) Library Delivery
The delivery of the library facility which forms part of this application on the following terms:
 - Either complete the construction to a 'shell' stage (but including internal stair cases, heating, ventilation and air conditioning or comfort cooling) and carry out the internal fitting out of the library facility to a standard where it is ready for occupation (a 'turnkey' facility) at cost, which shall not exceed a sum of **£945,000** (sum in relation to the internal fitting out only), to the developer to the reasonable satisfaction of the Council; or alternatively following the completion of the construction to a 'shell' stage (but including internal stair cases, heating, ventilation and air conditioning or comfort cooling) the Council can appoint contractors to undertake the internal fitting out works and the applicant shall pay the contractor's costs on provision of appropriate invoices itemising the works to which the payment relates and upon being reasonably satisfied that such works have been undertaken in a proper manner, up to a maximum sum of **£945,000** (sum in relation to the internal fitting out only).

- Unless it has otherwise previously been agreed in writing by the Local Planning Authority under an application for a non-material minor amendment, the library facility constructed shall have a total gross internal floorspace of not less than 960.4m² and this shall comprise minimum gross internal floorspace areas of 541.5m² on the ground floor of the building and 418.9m² on the lower ground floor of the building.
- Within 10 days of the practical completion of the construction of the library facility to a 'shell' standard (but including internal stair cases, heating, ventilation and air conditioning or comfort cooling) the developer shall grant a lease for the premises to the Council for a term of 125 years on the payment of a premium of £1 and at a rent not exceeding £100 per annum.
- The provision of a sum of **£250,000** by the developer to the Council for the purchase and implementation of library furnishings and furniture, media and information technology equipment and any other library equipment the Council considers as appropriate for the new library.
- The delivery of the library facility and the payment of the associated monies in accordance with a timetable that has been agreed in writing with the Council prior to the commencement of the development.

(d) Travel Plans

A requirement that the applicant shall enter into Travel Plans that seek to reduce reliance on the use of the private car, promote sustainable means of transport and include the appointment of an appropriately qualified Travel Plan Champion. The following Travel Plans of this nature shall be entered into:

- A Local Level Residential Travel Plan that is ATTtrBuTE and iTRACE compliant and that will have a lifespan of 5 years after first occupation of the final unit.
- A Local Level Travel Plan (staff and visitors) for the Non-Residential Uses proposed (Use Classes D1, B1 and A1) that is ATTtrBuTE and iTRACE compliant and that will have a lifespan of at least 5 years.

(e) Travel Plan Incentives

The Local Level Residential Travel Plan (required under item (d) above) shall include financial incentives to a total value of **£11,550** (equivalent to £150 per unit) such that upon the first occupation of each new residential unit, regardless of tenure, the occupier shall be given a voucher to a minimum value of £150 per dwelling. The voucher provided shall allow the occupier to purchase one of the following Travel Plan incentives:

- Subsidised membership of and credit for a Car Club.
- Credit on an Oyster Card travel pass.
- A bike voucher.

(f) Travel Plan Monitoring

A contribution of **£10,000** (index linked) towards the monitoring of the Travel Plans for the development.

- (g) Amendment to Local Traffic Order
A contribution of **£2,000** (index linked) to cover the costs of making an amendment the existing Traffic Management Order for the Church End Controlled Parking Zone.
- (h) Highway Works Plan
The prevention of the occupation of the proposed development until the alterations specified in a Highway Works Plan, which has previously been submitted to the Local Planning Authority and approved in writing, have been carried out in their entirety. The Highway Works Plan shall provide full details of the alterations proposed on Regents Park Road and Arcadia Avenue and any relevant adjacent land to facilitate the development. This shall include (but not be limited to) details of:
- Any proposed alterations to the design and layout of Regents Park Road and Arcadia Avenue and any adjacent land.
 - Any alterations to street furniture.
 - The stopping up of any land under Section 247 of the Town and Country Planning Act 1990.
 - Any works to be carried out under Section 278 of the Highways Act 1980.
 - The dedication of any land under Section 38 of the Highways Act 1980.
 - Any alterations to parking, loading and waiting restrictions and road markings.
- (i) Trees on Public Highway
A contribution of up to **£15,000** (index linked) towards the provision of up to 7 new trees on the public highway.
- (j) Enhancements to Adjoining Property
Repair of and enhancements to the external appearance of the south-western flank wall at the adjoining property, 332 Regents Park Road, in accordance with details that have previously been submitted to the Council and agreed in writing.
- (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. Should the applicant not deliver the 3 apprenticeships within the terms of this obligation a contribution of **£25,000** (index linked) shall be made towards the provision of apprenticeships and employment training within the borough.
- (l) Monitoring of the Section 106 Agreement
A contribution of **£3,849** (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 Assistant Director – Strategic Planning and Regeneration approve the planning application reference F/03933/13 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 Assistant Director - Strategic Planning and Regeneration:

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 full accordance with the following approved plans:

144_S_00 (Revision A); 144_PL_GA_LG (Revision F);
144_PL_GA_B1 (Revision F); 144_PL_GA_00 (Revision L);
144_PL_GA_01 (Revision F); 144_PL_GA_02 (Revision F);
144_PL_GA_03 (Revision F); 144_PL_GA_04 (Revision F);
144_PL_GA_05 (Revision F); 144_PL_GA_06 (Revision F);
144_PL_GA_07 (Revision F); 144_PL_GA_08 (Revision F);
144_PL_GA_RF (Revision F); 144_PL_GE_01 (Revision H);
144_PL_GE_02 (Revision E); 144_PL_GE_03 (Revision F);
144_PL_GE_04 (Revision F); 144_PL_GE_05 (Revision E);
144_PL_GE_06 (Revision C); 144_PL_GE_07 (Revision C);
144_PL_GS_01 (Revision D); 144_PL_GS_02 (Revision D);
144_PL_GS_03 (Revision D); and 144_PL_GS_04 (Revision D)

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 submitted 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 building at the site 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 and samples as so approved before the Development is first

occupied or brought into use.

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, DM01, DM05 and DM06 of the Barnet Local Plan and policies 1.1, 7.4, 7.5, 7.6, 7.7 and 7.8 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 and non-residential uses otherwise hereby approved are first occupied or brought into use.

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 the building hereby granted consent shall not be occupied or brought into use unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all the windows and other openings in the proposed building that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented. Before the building hereby approved is occupied or brought into use 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 the building hereby granted consent shall not 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 and panels to be fixed to the proposed building. Before the building hereby approved is 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 building hereby approved, other than those shown in the approved plans, shall not be undertaken without the prior receipt of a specific express 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 the following information shall be submitted to and approved in writing by the Local Planning Authority:
- i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
 - ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
 - iii. Plans showing satisfactory points of collection for refuse and recycling.

The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity 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. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, before the development commences (other than for Groundworks and Site Preparation Works) details setting out how the 77 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 replace that scheme) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the details as approved under this condition 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 and policy DM02 of the Barnet Local Plan.

10. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, before the development commences (other than for Groundworks and Site Preparation Works) details of the location within the development and specification of the 8 dwellings (Use Class C3) 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 shall include sufficient particulars to demonstrate how the 8 dwellings would 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 under this condition 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 and policy DM02 of the Barnet Local Plan.

11. Before the development hereby permitted is commenced (other than for Groundworks and Site Preparation Works) a scheme detailing the provisions to be made to achieve inclusive access for all members of the community into and within the library (Use Class D1), shop (Use Class A1) and office (Use Class B1) units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the scheme approved under this condition prior to the first occupation of the non-residential uses (Use Classes A1, B1 and D1) hereby approved.

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 and policy DM02 of the Barnet Local Plan.

NO TELECOMUNICATIONS 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 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, DM05 and DM06 Barnet Local Plan.

CONTAMINATED LAND

13. Part 1

Before development commences other than for investigative work:

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

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local

Planning Authority.

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

Part 2

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

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies Document (2012), CSNPPF of the Adopted Barnet Core Strategy (2012) and 5.21 of the London 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 birds and the implementation of the areas of green roof and soft landscaping. 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 is compliant with development plan policy and legislation on the protection of breeding birds shall be submitted 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 scheme of measures approved under this condition.

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.

SUSTAINABILITY

16. Prior to their first occupation the 77 residential dwellings (use class C3) in the development hereby permitted shall all be constructed to achieve not less than a standard of '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). None of the residential dwellings in the proposed development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a Code Level 4 has been achieved (using this methodology) for all the dwellings 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.

17. Prior to its first occupation the library (use class D1) within the development hereby permitted shall be constructed to achieve not less than a standard of 'Very Good' when assessed against a suitable and up to date (not prior to 2011) scheme under the Building Research Establishment Environmental Assessment Method (BREEAM). The library within the development shall not be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a standard of 'Very Good' has been achieved (under the relevant BREEAM methodology) for the library 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.

18. Prior to their first occupation the retail (use class A1) and office (use class D1) units within the development hereby permitted shall all be constructed to achieve not less than a standard of 'Very Good' when assessed against a suitable and up to date (not prior to 2011) scheme under the Building Research Establishment Environmental Assessment Method (BREEAM). No retail (use class A1) or office (use class D1) units within the development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a standard of 'Very Good' has been achieved (under the relevant BREEAM methodology) for the 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.

19. Prior to the commencement of the development (other than for Groundworks and Site Preparation Works) hereby approved an Energy Strategy detailing in full the measures that the scheme will incorporate to

comply with the objectives of development plan policies on climate change mitigation, reducing carbon dioxide emissions and the use of on-site renewable energy technologies shall have been submitted to and approved in writing by the Local Planning Authority. The Energy Strategy submitted under this condition shall include details:

- To demonstrate how the residential and non-residential elements of the development would achieve an improvement of not less than 25% in carbon dioxide emissions when compared to a building constructed to comply with the 2010 Building Regulations.
- Of the photovoltaic panels that would be implemented as part of the scheme and the carbon dioxide emission reductions that these features would achieve.

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

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.

WATER AND DRAINAGE

20. The development hereby permitted shall not commence until a Water Infrastructure and Drainage Strategy detailing in full all on and off site water infrastructure and 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. The information provided in the Water Infrastructure and Drainage Strategy submitted shall also include (but not be limited to) full plans, specifications and other relevant details (as appropriate) of the areas of green roof to be constructed as part of the development (which shall cover an area not less than 309m²) and any backflow protection and oil and petrol interceptors to be included in the infrastructure provided. No foul or surface water shall be discharged from the development hereby approved into the public sewer system until the water infrastructure, drainage works and Sustainable Urban Drainage System features identified in the approved Water Infrastructure and 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.

21. The residential dwellings (Use Class C3) and non-residential uses (Use Classes B1, A1 and D1) 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.

22. 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.

23. Before the residential dwellings (Use Class C3) hereby permitted are first occupied details of the water efficiency measures to be installed in them to ensure that they achieve 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 for the new dwellings shall be achieved. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the residential dwellings.

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.

PILING METHOD STATEMENT

24. 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 neighbouring properties and 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 neighbouring properties and 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

25. 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.

26. 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 of the development 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 policies 5.3 and 7.14 of the London Plan.

27. Prior to the commencement of the development hereby permitted (than for Groundworks and Site Preparation Works) a report detailing in full all Combined Heat and Power Systems to be implemented as part of the scheme, the anticipated air quality impacts arising from any Combined Heat and Power Systems proposed and any mitigation to be implemented in respect of air quality impacts arising from Combined Heat and Power Systems proposed. The development shall be implemented in full accordance with the details provided (both in terms of the proposed Combined Heat and Power Systems and any mitigation) in the report approved under this condition in its entirety before the first occupation of the development.

Reason:

To ensure that the proposed development does not have an unacceptable impact on air quality in accordance with policy DM04 of the Barnet Local Plan and policies 5.3 and 7.14 of the London Plan.

28. 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, the activities of uses neighbouring the site and any other relevant sources of noise on the future occupiers of the new dwellings in 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.

29. Prior to the commencement of the development (other than for Groundworks and Site Preparation Works) a Scheme of Sound Insulation

Measures shall be submitted to and approved in writing by the Local Planning Authority. The Scheme of Sound Insulation Measures submitted shall set out how the development would be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration. The sound insulation used in this respect shall ensure that the levels of noise generated from the Class A1, B1 and D1 uses hereby approved as measured within habitable rooms of the new dwellings in the development shall be no higher than 35dB (A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. The development shall be constructed in full accordance with the approved Scheme of Sound Insulation Measures prior to its first occupation.

Reason:

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

30. 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 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 development.

Reason:

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

31. 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 the occupiers of the proposed dwellings and neighbouring properties are protected from noise in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

32. The level of noise emitted from any 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.

33. The Use Class D1 (library), A1 (shop) and B1 (office) uses hereby approved shall not be open to customers or staff before 7am or after 11pm on any day.

Reason:

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

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO EXTEND

34. 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 development 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.

TRANSPORT

35. Before the development hereby permitted is occupied the 72 car parking spaces shown on plan numbers 144_PL_GA_LG (Revision F) and 144_PL_GA_B1 (Revision F) 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.

36. 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.

37. 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 and constructed 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. a method statement for the demolition of the existing building; and
- xi. details of a community liaison contact for the duration of all works associated with the development.

Reason:

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

38. Before the first occupation of any of the new dwellings (Use Class C3) hereby permitted a local level residential Travel Plan prepared in accordance with all relevant technical and good practice guidance, which is ATTrBuTE and iTRACE compliant and that 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 Travel Plan approved under this condition. 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 1990 (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.

39. Before the first occupation of the non-residential uses (Use Classes B1, D1 and A1) hereby permitted a local level Travel Plan (staff and visitors) prepared in accordance with all relevant technical and good practice guidance, which is ATTrBuTE and iTRACE compliant and that 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 Travel Plan approved under this condition. 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 1990 (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.

40. Before the first occupation of the development hereby approved a Cycle Parking Plan shall be submitted to the Local Planning Authority and approved in writing. The Cycle Parking Plan submitted shall identify suitable parking and storage facilities for not less than 106 bicycles within the development and shall set out how the cycle parking facilities proposed will be allocated between the different uses within the development. The development shall be implemented in full accordance with the approved Cycle Parking Plan prior to the first occupation of the development and be occupied in accordance with Cycle Parking Plan in perpetuity 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.

41. Before the development hereby permitted is occupied or brought into use not less than the following numbers of 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:

- 4 disabled standard parking spaces for the residential dwellings (Use Class C3) hereby approved.
- 2 disabled standard parking spaces for the library (Use Class D1) hereby approved.
- 1 disabled standard parking space for the office floorspace (Use Class B1) hereby approved.

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.

42. Before the development hereby permitted is occupied or brought into use 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. The details submitted under this condition shall include provision for not less than:
- 15 of the car parking spaces proposed to be provided with active Electric Vehicle Charging facilities.
 - 15 of the car parking spaces proposed to be provided with passive Electric Vehicle Charging facilities.

The development shall be implemented in full accordance with the approved details prior to the development being occupied or brought into use.

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.

43. Before the development hereby permitted is occupied or brought into use a full Delivery and Servicing Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be serviced and managed in accordance with the approved Servicing and Delivery Plan in perpetuity.

Reason:

In the interest of highway safety, the amenities of the area and the sustainable occupation of the development in accordance with policies CS9 and DM17 the Barnet Local Plan.

44. Before the development hereby permitted is occupied or brought into use full details of the traffic signals which control the ramped access to and from the basement car parking area shall be submitted to the Local Planning Authority and be approved in writing. The information submitted in respect of this condition shall include, but not be limited to, comprehensive details of the specification and operation of the identified equipment. The development shall be implemented in full accordance with the details as approved under this condition before the development is occupied or brought into use and be maintained as such permanently thereafter.

Reason:

To ensure the development does not compromise pedestrian and highway safety and the flow of traffic in accordance with policies CS9 and DM17 the Barnet Local Plan.

45. Before the development hereby permitted is occupied or brought into use a Maintenance Plan for the traffic signals which control the ramped access to and from the basement car parking area shall be submitted to the Local Planning Authority and approved in writing. The Maintenance Plan submitted shall include comprehensive details of how the traffic signals will be maintained in good working order so as not to prejudice highway safety and the flow of traffic in the area surrounding the site. The traffic signals shall be maintained in full accordance with the details approved under this condition in perpetuity.

Reason:

To ensure the development does not compromise pedestrian and highway safety and the flow of traffic in accordance with policies CS9 and DM17 the Barnet Local Plan.

NON-RESIDENTIAL USES PROPOSED

46. The 522m² of floorspace hereby approved for purposes falling within Use Class B1 shall only be occupied for uses falling within Use Class B1a Office and shall not be used for any other purpose, including any other purpose within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

To ensure the development is implemented in accordance with the permission sought and in the interests of the re-provision of employment generating floorspace in accordance with policy DM14 of the Barnet Local Plan.

47. The 960m² of floorspace hereby approved for purposes falling within Class D1 shall only be occupied as for library use and shall not be used for any other purpose, including any other purpose falling within Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises achieves the benefits advanced in the application and does not prejudice the amenities of future and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan.

SECURITY AND LIGHTING

48. Prior to the first occupation of the development 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 and be maintained as such thereafter.

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.

49. Notwithstanding the details shown in the plans submitted and otherwise hereby approved, prior to the first occupation of the development consented under this planning permission 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 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.

LIBRARY INTERNAL LAYOUT AND DESIGN

50. 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 plans detailing in full the internal design and layout of the library unit in the scheme, including the measures to be taken to deliver a facility which is accessible to all members of the community, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development.

Reason:

To ensure the library proposed has a suitable internal design and layout and provides an environment that is accessible to all members of the community, in accordance with policies CS5, DM01 and DM03 of the Barnet Local Plan and policies 7.1 and 7.2 of the London Plan.

LANDSCAPING

51. 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 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 development 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, DM02, DM05 and DM06 of the Barnet Local Plan and policies 1.1, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan.

52. Prior to the commencement of the development a detailed scheme of hard and soft landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The detailed scheme of landscaping submitted shall include but not be limited to the following:

- The position of any existing trees to be retained and removed.
- All new tree, hedge, shrub and green roof planting proposed, including details of species, plant sizes and planting densities.
- The means of planting, staking and tying of trees, including tree guards.
- A detailed landscape maintenance schedule for regular pruning, watering and the use of fertiliser.
- Existing land contours, such as earth mounding, any proposed alterations to these and the contouring of new landscaped areas.
- Areas of hard landscape works including samples of the proposed materials.
- Details of all techniques to be used to provide conditions appropriate for new plantings.
- The timing of planting.

Reason:

To ensure a satisfactory design and appearance of and contribution to biodiversity from the development in accordance with policies DM01, DM02, DM04, DM05, DM06 and DM16 of the Barnet Local Plan and policies 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 7.19 and 7.21 of the London Plan.

53. All work comprised in the approved scheme of hard and soft landscaping, submitted under condition 52, shall be carried out before the first occupation of any part of the building.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policies DM01, DM02, DM04, DM05, DM06 and DM16 of the Barnet Local Plan and policies 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 7.19 and 7.21 of the London Plan.

54. Any trees, hedges, shrubs or areas of green roof to be planted as part of the approved scheme of hard and soft landscaping (submitted under condition 52) which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees,

shrubs or other planting 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 policies DM01, DM02, DM04, DM05, DM06 and DM16 of the Barnet Local Plan and policies 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 7.19 and 7.21 of the London Plan.

55. 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.

56. No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent the site have been put in place in accordance with a Method Statement that has been previously submitted to and approved in writing by the Local Planning Authority (under condition 55 of this consent). 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.

57. Details submitted pursuant to Conditions 4 and 52 to 56 (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.

58. 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 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.

DETAILS OF ARCHITECTURAL FEATURES AND ROOF TERRACES

59. 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 external features and elements of the scheme have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding and detailing (annotated plans at a scale of not less than 1:20).
- Reconstituted stone and stone cladding systems to be used (annotated plans at a scale of not less than 1:20).
- Frameless glazing system to be used for the fourth floor of the north-eastern element of the building and the glazed walkway which connects the two main elements of the building between the first and fifth floors (annotated plans at a scale of not less than 1:20).
- All external windows, balconies, doors, privacy screens and balustrading (annotated plans at a scale of not less than 1:20).
- Canopy over the ground floor walkway through the building (annotated plans at a scale of not less than 1:20).
- Glazing system to be used for the external walls (ground and partial lower ground floors) of the proposed library (annotated plans at a scale of not less than 1:20)
- Glazing system to be used for the proposed shop unit (annotated plans at a scale of not less than 1:20).
- Metal cladding system to be used on the eighth floor roof top structures (annotated plans at a scale of not less than 1:20).
- Depth of window reveals (annotated plans at a scale of not less than 1:20).
- Rainwater goods (annotated plans at a scale of not less than 1:20).
- Any means to be used for enclosing the car parking areas (annotated plans at a scale of not less than 1:20).
- All means of enclosure proposed for the sites pedestrian and vehicular access points (annotated plans at a scale of not less than 1:20).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the development 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, DM01, DM05 and DM06 of the Barnet Local Plan and policies 1.1, 7.4, 7.5, 7.6, 7.7 and 7.8 of the London Plan.

60. 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 the design of the two areas of communal roof terrace proposed as part of the scheme, including (but not limited to) details

of the layout of these areas, the structures and enclosures to be erected within them, the means of enclosing these areas and the measures to be put in place to make these spaces accessible and usable by all members of the community, shall have been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details approved under this condition prior to the development being first occupied or brought into use.

Reason:

To ensure that the development protects the amenities of the occupiers of neighbouring properties, provides suitable amenities for the future occupiers of the proposed dwellings, 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, DM04, DM05 and DM06 of the Barnet Local Plan and policies 1.1, 7.1, 7.2, 7.4, 7.6, 7.7 and 7.8 of the London Plan.

WIND ENVIRONMENT MITIGATION

61. Before the development hereby permitted is occupied or brought into use a Scheme of Wind Mitigation Measures to be implemented as part of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved Scheme of Wind Mitigation Measures before the development is first occupied or brought into use.

Reason:

To ensure that the proposal delivers a suitable design approach and provides a suitable wind environment in accordance with policies DM01, DM05 and CS5 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 3** 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 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.

Since the adoption of the London Plan in July 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 a range of matters including affordable housing (to reflect changes to national policy) and make changes to cycle parking standards. The changes to the London Plan as adopted under the 'Revised Early Minor Alterations' have been used as the basis for the assessment of this application. In January 2013 the Mayor published Draft Further Alterations to the London Plan for consultation. The consultation on these changes was open for comment until 10th April 2014. Where relevant and appropriate account has been taken of the policies in this draft document.

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.

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 in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The overall conclusion is that while the proposed development represents a departure from certain development plan policies and guidance, in this instance there are other material planning considerations which outweigh the loss of office space the development would result in and any other identified harm or conflict with policy by the scheme. As such there are material planning considerations which justify a recommendation to grant planning permission on the basis of the framework of control contained in the proposed planning conditions and planning obligations. This is discussed in further detail in the relevant sections of this report. Officers have considered the development proposals very carefully against the relevant policy criteria and have concluded that that the development will either fulfil them to a satisfactory level, on the basis of the proposed mitigation measures and controls set out in the recommended planning conditions and planning (Section 106) obligations, or that there are material planning considerations which justify a recommendation to grant planning permission, despite conflict with specific aspects of development plan policy and planning guidance.

The London Plan

The London Plan (2011 and 2013) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing Thresholds); and 3.16 (Protection and Enhancement of Social Infrastructure)

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector); 4.10 (New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes); 7.18 (Protecting Local Open Space and Addressing Local Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

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

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

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

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Sustainable Design and Construction (April 2013)

Residential Design Guidance (April 2013)

Planning Obligations (April 2013)

Finchley Church End Town Centre Strategy (June 2012)
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)

Land for Industry and Transport (September 2012)

Play and Informal Recreation (September 2012)

Housing (November 2012)

Sustainable Design and Construction (April 2014)

Character and Context (June 2014)

Draft Town Centres (January 2013)

Draft Accessible London: Achieving an Inclusive Environment (April 2014)

Draft Social Infrastructure (May 2014)

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 by national government 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 and the document includes a 'presumption in favour of sustainable development'. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

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 confirmed their agreement to the obligations set out in Recommendation 1.

1.2 Key Relevant Planning History

A full summary of the key planning history of relevance to this application is set out in **Appendix 1** of the report.

Since the construction of the current building a number of minor planning and advertisement applications have been submitted in respect of the site. However, these have very little relevance to the current proposals and so they are not considered any further here.

Two previous planning submissions for the site are relevant to the assessment of the current application. The first of these is a proposal for the

erection of an additional storey of office accommodation (at a third floor level) on the northern element of the building (under application reference C00021AF/03). This application was granted consent in June 2003, but was not implemented. The second submission was more recent and comprised a prior notification application (under application reference F/00186/14) to convert parts of the building to a residential use. This application was found to not constitute permitted development (as the prior approval process was not applicable) in February 2014.

There are a number of historic planning decisions at properties in the surrounding area which have varying degrees of relevance to the consideration of the current proposal. These include an application to erect hoardings at a neighbouring site, 332 Regents Park Road, (under application F/02016/13) granted consent in 2013 and an application to redevelop the Winston House site on the north-west side of Regents Park Road (under application reference F/00497/11) which was granted consent in 2012. Some works associated with the Winston House site permission have commenced on the site, although much of the development approved under this application has not yet been implemented. A second application of some relevance to this proposal is a scheme to redevelop the Adastra House site, at 401-405 Nether Street (under application reference F/03751/11), granted consent in November 2012. This consent, which has not yet been implemented, followed the refusal and withdrawal of a number of previous applications at the site.

1.3 Public Consultations and Views Expressed

Public Consultation

To publicise this application letters and emails were sent to 786 addresses in October 2013. The application was also advertised on site and in the local press at that time. Through this consultation process the development proposed in the application has been advertised as a departure from the development plan in force in the area in which the land to which the application relates. This is because the application represents a departure from certain policies in the development plan.

Following revisions to the design of the scheme and the submission of revised and additional information further rounds of consultation (including letters, emails and site and press notices) were carried out in June and July 2014. 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 legislation and Barnet's own adopted policy on the consultation to be carried out for schemes of this nature.

Following the round of consultation carried out on the application in July 2014 a number of updated plans were submitted in respect of the scheme. These provided clarification on the proposal and made corrections to address inconsistencies in the drawings that had previously been submitted. As the changes were minor in nature officers did not consider that a formal re-consultation on these plans was necessary.

Number of Responses from Residents and Businesses

17 responses objecting to the proposal were received. 1 of the objectors has requested to speak at committee. 2 responses supporting the proposal were received. Should any comments on the application be received following the publication of the report these will be reported separately in an addendum.

Responses from Residents, Landowners and Businesses

The comments made in objection to the application are summarised under the headings below. Where appropriate further detail is provided in the main body of the committee report.

Highways, Parking and Transport:

- Proposal would add unacceptably to the existing traffic, congestion and access issues at this location and in the surrounding area.
- Quantity of parking proposed is inadequate and should be increased. Parking is already a significant issue in this area.
- Parking proposed for the library is inadequate.
- The absence of public on and off street parking in the area exacerbates the parking problems the scheme would cause.
- Surrounding road network is already difficult to navigate and is not suitable for the additional vehicles the development would generate.
- Proposal would exacerbate existing parking problems on the roads surrounding the site and cause a loss of parking for existing occupiers to the detriment of their amenity.
- Junctions in the area would be significantly adversely affected by the development.
- Proposal would be detrimental to highway and pedestrian safety.
- Development would impact adversely on the ability of emergency services to use the surrounding road network.
- Construction of the development would result in unacceptable traffic, highways and congestion impacts.
- Regents Park Road is already heavily trafficked and the provision of 72 car parking spaces is too high and would be dangerous. More cars would be coming on to Regents Park Road or crossing traffic to reach the parking spaces.
- It is questionable whether future residents of the development will continue to be prevented from obtaining parking permits for the surrounding Controlled Parking Zone.

Amenities of neighbouring residential occupiers:

- Development would cause a significant and unacceptable overlooking and loss of privacy at neighbouring properties.
- Proposal would lead to unacceptable levels of noise and disturbance, particularly from the roof terraces and balconies proposed, at neighbouring properties.
- Development would cause unacceptable losses of light at surrounding properties.
- Proposal would not protect the amenities of neighbouring occupiers.
- Proposal would have adverse environmental impacts and increase air pollution and odours (from barbecues) in the area.
- Development is sited too close to their property.
- Proposal would impact upon parking facilities to the detriment of

resident's amenities.

- The loss of the existing local shops at the site would impact adversely on their amenities (see also related points below).

Design and Character:

- Proposal is a massive overdevelopment of the site.
- The building has been allowed to fall into disrepair and is in need of renovation. This should not be an excuse to allow an unacceptable scheme which involves the demolition of the existing building and it would be better to retain the existing building.
- The building should be altered to make it more sympathetic with the surrounding context.
- The proposing of a residential block in this location is out of character with the area.
- Proposal raises safety security concerns and would leave them vulnerable.

Impacts on local businesses:

- Proposal would impact adversely on the existing local businesses at the site (and that this would be detrimental to people's amenities). This includes the kosher bakery, which is identified as very important for a large number of local Jewish residents.
- Proposal would result in their premises suffering a loss of light and amenity.
- Bringing the building forward towards Regents Park Road to align with neighbouring property (332 Regents Park Road) would preclude the freeholder of the neighbouring property from accessing and maintaining their boundary wall (side elevation).
- A license and planning consent (under application F/02016/13) were granted to erect and maintain a hoarding on the side elevation of the building at the adjacent site (332 Regents Park Road). If the current application is granted consent the development would infringe on the freeholders right to display the hoarding, detrimentally affecting the livelihood of the party granted the license and planning consent and removing an ongoing revenue stream for the freeholder.
- Measures should be taken to minimise the dust, noise and pollution impacts arising from the development.

Other objections raised:

- The inclusion of a new library is ridiculous given the proximity of the existing library.
- The new library may well become obsolete well within its lifetime and such a facility may be outdated.
- Would be concerned if the scheme included restaurants or catering units.
- Application is not in accordance with the provisions of the development plan in force in the area and is therefore contrary to planning policies.
- Developer is overloading the plan and they would suggest the scheme should comprise fewer larger flats with more visitor parking spaces.
- The works associated with implementing the development may affect the foundations and stability of their building, particularly when piling is carried out.

- There are already many empty shops in Finchley Central and it is not clear why more are needed.
- Their previous objections have not been addressed by the amendments to the scheme.
- Additional residents and vehicles in the borough arising from the development would impact adversely on local services, facilities, amenities and infrastructure, such as roads and health related facilities.
- Construction works the development would result in would have an unacceptable impact on their amenities (including noise, access disturbance and dust) for a prolonged period and these should be prevented from occurring at the evening and weekend.

Full responses to the material planning considerations raised in the objections received from residents and businesses are provided by Officers in subsequent sections of the committee report. In summary, subject to the controls and mitigation provided by the conditions and planning obligations recommended, the proposal is found to be acceptable in all relevant regards. In all cases either the proposal would be compliant with the objectives of the relevant development plan policies or, where it would not, there are important material planning considerations which are considered to justify a recommendation to grant planning permission, despite the conflict with development plan policy.

Comments from Local Associations and Societies

Finchley Society:

Have responded to confirm that in general they support the application subject to the following comments:

- In order to safeguard the future provision of the library the Council should not grant permission for the development unless the applicant enters into a legally binding agreement not to throw the library out at any time in the future. A lease of a fifty year period should be agreed or, if a lesser period, then provision should be made for the lease to be automatically renewed at the end of that period on no more onerous terms, whoever may be the owner at that time.
- In accordance with development plan policy the proposal should include provision for affordable housing.
- The number of parking spaces proposed for the library (2) is not sufficient for community use and the application should be amended to increase the number of spaces for the library.
- The Council should maintain its position that the new residents of the development will not be given parking permits.
- The type of cycle stands to be used should be clarified in any approval.
- Overall state that they support the proposals (further to the above comments), but are also particularly concerned over what will happen to the existing library. Consider that a full public consultation should be undertaken about its future as it is a vital community building and every effort should be made for it to remain so.

Dollis Park and District Residents Association:

Have responded to confirm that they are broadly supportive of the application, subject enforceable conditions which will ensure the delivery of the proposed library and, in so far as is possible, the long running security of library services

in the redeveloped building. They have also stated that they would wish to draw attention to the traffic implications of providing 72 car parking spaces at what is a complex junction.

Full responses to the comments received from local associations and societies are provided by Officers in the main body of the committee report. In summary, subject to the controls and mitigation provided by the conditions and planning obligations recommended, the proposal is found to be acceptable in all relevant regards. In all cases either the proposal would be compliant with the objectives of the relevant development plan policies or, where it would not, there are important material planning considerations which are considered to justify a recommendation to grant planning permission, despite the conflict with development plan policy.

Consultation Responses from Statutory Consultees and Other Bodies

Transport for London (TfL):

Have responded to the consultation and confirmed that they do not object to the application in principle. TfL have identified that Regents Park Road is part of the Strategic Road Network. They have also made the following specific comments:

- The submission of a framework travel plan as part of the application is welcomed. However, the plan submitted failed the ATTrBuTE assessment, as it did not identify how the plan would be secured. TfL is content for the plan to be secured, delivered and monitored through a Section 106 Agreement.
- TfL would have expected a framework construction logistic plan and a delivery and servicing plan to have been submitted with the application. However they are content for these to be secured through planning conditions.
- If suitable plans are secured, delivered and monitored as identified above TfL would have no objections to the application.

Full responses to the points raised by TfL are provided in the main body of the committee report. Section 3.10 of the report is particularly relevant in this respect.

Highways Agency:

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

Network Rail:

Have responded to the consultation and confirmed that they have no comments to make on the application.

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.

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.

Natural England:

Have responded to the consultation and have not raised any objections to the proposal. Natural England have identified that the application may provide opportunities for biodiversity and landscape enhancements at the site and that the authority should consider securing biodiversity enhancements. Conditions and planning obligations requiring enhancements at the site in terms of biodiversity and landscaping have been included in those recommended.

English Heritage Archaeology:

Have responded to the consultation and conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. Find that despite the application sites location within an Archaeological Priority Area the extent of modern disturbance means that it is unlikely that features of significant archaeological interest will survive. As such they consider that no further archaeological assessment or conditions are necessary.

Thames Water:

Have responded to the consultation and not raised any objections to the proposal. Thames Water has also specifically stated that with regard to sewage infrastructure capacity they would not have any objection 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 to minimise the potential for damage to subsurface sewerage infrastructure in the area. A condition on this matter has been included in those recommended. Thames Water have also requested that the scheme incorporate suitable protection to avoid the risk of backflows (due to the risk of surcharges during storm conditions) and petrol and oil interceptors in car parking areas. The water infrastructure and drainage strategy condition recommended would ensure the implementation of suitable features in these respects. In addition to these points Thames Water have made a number of comments in respect of sewer ownership, public sewers in the area and surface water drainage matters. Informatives on these matters have been included in those recommended.

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**Libraries Service:**

The Libraries Service response is set out in greater detail in the relevant sections of the report below. In summary the Libraries Service consider that the new library proposed would provide significantly better facilities than the current library in Finchley Church End. They have also confirmed specifically that they are very supportive of the proposal.

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 the conditions and planning obligations recommended, 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 matters, they raise no objection to the development and find the proposal to be acceptable.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**2.1 Site Description and Surroundings**

The application site comprises a broadly rectangular area of previously developed land, covering approximately 0.228 hectares in size, situated on the south-east side of Regents Park Road, close to the point where it joins Hendon Lane. The site slopes down significantly from north-west to south-east. Arcadia Avenue is situated along the south-west boundary of the land.

The site is located within Finchley Church End Town Centre and the buildings which surround it are occupied for a wide range of different uses. In terms of key designations, the application site falls within the Locally Significant Business Location of the Regents Park Road Employment Cluster, as designated in the adopted Development Management Policies document of the Barnet Local Plan. The site is also located partially within and partially outside the designated secondary shopping frontage of Finchley Church End Town Centre (the secondary shopping frontage ends at 322 Regents Park Road). In addition to this the site is within a Local Area of Special Archaeological Significance. The area directly to the north-west of the site (and at greater distances to the south-west of the site) falls within the Church End Conservation Area. However, the application site itself is not within the conservation area. King Edward Hall is a grade II listed building located to the north-west of the site within the Church End Conservation Area.

The application site contains one main building, which is eight storeys in height (eight above ground floors) at its Regents Park Road frontage. The area surrounding the building contains hardstanding which includes a number of car parking spaces. Further car parking spaces are provided in an undercroft area (beneath the main building at a ground floor level) and also in a basement level. Vehicular access for the site is provided from two points on Arcadia Avenue. Pedestrian access is currently possible from both Regents Park Road and Arcadia Avenue. The site has a Public Transport Accessibility Level (PTAL) of 5.

The Gateway House site contains areas with a mixture of different current and, where the space is presently vacant, last previous uses. These include offices, on the first to seventh floors of the building, and a dry cleaners,

patisserie (providing retail and off site catering services), beauty salon and estate agents on the ground floor of the building. In terms of consideration against the Use Class Order these would comprise B1(a), A1, A2 and *sui generis* uses. If it were to be taken as a whole the site would comprise a *sui generis* use. At present the office space (Use Class B1 (a)) and estate agents unit (Use Class A2) at the site are vacant. The existing uses at the site are discussed in further detail in subsequent sections of this report.

The area surrounding the application site varies significantly in its character. Along Regents Park Road (to the north-east and south-west of the site) buildings are occupied for commercial and mixed-use purposes. The properties adjacent the site in Arcadia Avenue (to the south and east of the site) are also occupied in this way. Lichfield Grove (located to the north-east of the site) predominantly contains two storey semi-detached buildings in a residential uses.

2.2 Description of the Proposed Development

Detailed planning permission is sought for the demolition of the existing building on the site and the redevelopment of the land comprising the erection of a new building to provide 77 new residential dwellings (all use class C3), 522m² of office floorspace (use class B1a), 501m² of shop floorspace (use class A1) and a library (use class D1) covering 960m² of floorspace (all figures relate to gross internal floorspace). Plans showing the ground floor layout and Regents Park Road (north-west) elevation of the proposed development have been provided at **Appendix 2** of this report.

The height of the proposed building varies significantly across the site. At its Regents Park Road frontage (north-western part of the site) the building would be up to eight above ground storeys in height, with an additional communal roof terrace above this. The development also includes two below ground levels at this point. These two floors would contain a part of the new library proposed, car parking and cycle storage facilities, plant and general storage areas. Due to the slope of the site the upper of these two basement levels becomes an above ground floor on the south-eastern part of the site.

The ground floor of the building contains the retail unit, an area of office space, part of the new library and locations for the storage of refuse and recycling. The first floor of the building would contain a further area of office space and residential dwellings. Above this floor the building is entirely residential in its use.

In terms of its overall form the building comprises two main elements, which are designed to be read as separate structures at the north-western and south-eastern parts of the site. These would be joined by glazed structures situated within the more central parts of the site. These structures would provide access between the two elements of the building and also form part of a number of the residential units proposed. Both elements of the proposed building step forward (extend further to the north-west) of the current building line fronting onto Regents Park Road in places.

The tallest element of the building would be located on the south-western part of the site (fronting onto Regents Park Road and Arcadia Avenue). This part of the building would be eight full above ground storeys tall, with an area of

roof terrace above this. As you move across the site from the north-west to the south-east a further floor of accommodation is revealed (this is part of the basement levels on the more north-western parts of the site) on this part of the building due to the slope of the land. In addition to providing an area of communal amenity space the roof terrace on this part of the building would contain two single storey structures which enclose plant and the stairs and lifts which would be used to access this level. This part of the proposed building is largely elliptical in terms of its plan form, with all but the north-eastern façade of the building being curved.

The north-eastern element of the building would also have a partially curved form along part of Regents Park Road. This part of the proposal would be up to five above ground storeys in height, with an area of communal roof terrace on top of this, and be at its tallest fronting on to Regents Park Road. The area of roof terrace on this part of the building would be accessed from the taller element of the proposal (to the south-west) by a glazed link structure. The fourth floor of this part of the building would be set in from its lower levels to the north-west (Regents Park Road frontage) and north-east (towards 332 Regents Park Road).

In terms of its detailed architectural design, both main elements of the building seek to use a distinctively contemporary, albeit different, approach. The final materials and finishes used would be controlled through the conditions recommended (should the application be granted consent). However, they would include the use of glass, stone, re-constituted stone and metal systems on the south-western element of the building. The north-eastern element of the building would predominately use a combination of brick and glass and metal systems.

The new library proposed would be located on the ground floor of the new building at the corner of Regents Park Road and Arcadia Avenue. It also includes part of a lower ground floor level beneath this. The main library access is located at the sites Regents Park Road frontage. A secondary access onto Arcadia Avenue is also proposed. The plans submitted with the application show indicatively how the library floorspace could be set out internally. However, the final design of the library space would be controlled through the use of a planning condition (should the application be granted consent).

The new retail floorspace proposed would comprise a single unit with a net internal area of 446m² located at a ground floor level on the north-eastern part of the site. The main access for this unit would be located at the sites Regents Park Road frontage. The new office space within the scheme would be provided in two units. A smaller unit (net internal area of 112m²) would be located at a ground floor level and accessible from Regents Park Road using the route created between the two new main elements of the building. The larger unit (net internal area of 284m²) would be located at a first floor level on the north-eastern part of the site. This would be accessed from a ground floor lobby area located at the Regents Park Road end of the route between the two main elements of the new building.

The mix of dwelling types proposed in the development is as follows:

- 44 x one bedroom two person flats (approximately 57% of the flats)
- 9 x two bedroom three person flats (approximately 12% of the flats)
- 16 x two bedroom four person flats (approximately 21% of the flats)
- 4 x three bedroom five person flats (approximately 5% of the flats)
- 4 x three bedroom six person flats (approximately 5% of the flats)

The new dwellings in the development are all proposed as market housing.

All of the dwellings proposed in the scheme would meet or exceed the minimum internal floor space standards for that type of residential unit (specified in Table 3.3 of the London Plan). The application is supported by a Design and Access Statement (as is required for an application of this scale) and also a separate Access Statement. These reports set out that the dwellings proposed have been designed to achieve the relevant Lifetime Homes Standards and that 8 of the new residential units would meet wheelchair accessible standards or be easily adaptable to achieve wheelchair accessible standards.

The two areas of roof top communal open space for the occupiers of the proposed dwellings would cover approximately 185m² (north-eastern element) and 619m² (south-western element). The areas of communal amenity space proposed would include hard landscaped elements, soft landscaped areas and contain features such as seating. The area of open space on the north-eastern element of the building would also be designed specifically to include play features. In addition to these communal spaces each new dwelling within the proposed development would have its own area of private amenity space in the form of a terrace or balcony. Beyond these areas the scheme would contain a number of zones of green roof to which access would not be provided (other than for maintenance purposes).

All of the dwellings in the development would achieve Code for Sustainable Homes Level 4. The non-residential uses sought (use classes B1, A1 and D1) would all achieve a rating of 'very good' using a Building Research Establishment Environmental Assessment Method (BREEAM).

Vehicular ingress and egress for the proposed development would be provided from a single location on the sites Arcadia Avenue frontage (south-western side of the site). This point provides access to a ramped route within the site down into the basement levels. Several points of pedestrian access would be provided along the length of the sites Regents Park Road and Arcadia Avenue frontages. This includes a (gated) route through the site from Regents Park Road, between the two elements of the building (which are separated at a ground floor level) and to Arcadia Avenue.

The development includes the provision of a total of 72 off street car parking spaces. 69 of these would be provided for the residential element of the proposal. 2 of the remaining car parking spaces would be provided for the new library and the final car parking space would be provided for the office use proposed. 7 of the car parking spaces created would be provided to a disabled parking space standard. The submission identifies that the development includes storage for 106 cycles.

In addition to the application drawings, application forms and certificates the submission made included the following documents:

- Design and Access Statement by 21st Architecture
- Design and Access Statement Addendum by 21st Architecture
- Planning Statement by Metropolis Planning and Design
- Transport Assessment by Odyssey Markides
- Framework Travel Plan by Odyssey Markides
- Noise Survey Report by Hilson Moran
- Air Quality Assessment by Hilson Moran
- Daylight and Sunlight Report by Brooke Vincent and Partners
- Overshadowing Analysis by Brooke Vincent and Partners
- Sustainability Statement by Metropolis Green
- Energy Strategy by Metropolis Green
- Flood Risk Assessment by Ambiental Technical Solutions
- Access Statement by 21st Architecture
- Statement of Community Involvement by Local Dialogue
- Employment Floorspace Analysis and Policy Compliance Report by Metropolis Planning and Design
- Wind Environment Study by BMT Fluid Mechanics
- Archaeological Assessment by CgMs Consulting
- Ecological Appraisal by ACD Ecology
- Phase 1 Environmental Study by RSK
- Structural Report by Jampel Davison and Bell
- Development Viability Appraisal by Quod and Pioneer Property Services

3. PLANNING CONSIDERATIONS

3.1 Principle of redeveloping the site

When assessing the acceptability of the principle of the development sought officers fully recognise that the application site falls within the Locally Significant Business Location of the Regents Park Road Employment Cluster, as designated in the adopted Development Management Policies document of the Barnet Local Plan. As a result of this designation a scheme of the nature proposed, which includes redeveloping a substantial part of the site to provide non B class uses, is a clear departure from adopted development plan policy (in particular policy DM14 but also by association policies CS8 and DM11). However, as subsequent sections of this report set out in further detail, officers find that there are important material planning considerations which justify a recommendation to grant planning permission for the proposal in this instance, despite its conflict with development plan policy.

Having fully acknowledged the schemes specific in principle conflict with development plan policy on protecting existing employment space, it is also recognised that for locations such as the application site, which comprises a high quality suburban priority town centres, the place shaping strategy policy in the Barnet Core Strategy (policy CS1) seeks broadly that new developments protect and enhance the character and quality of the area in

which they are located. As is set out in other sections of this report in greater detail the proposal is considered to fulfil this particular policy objective to a satisfactory degree.

The principle of the specific elements of the development proposed, in terms of the individual uses and town centre development principles, is considered in detail below.

Office uses

The application proposes to reduce the level of floorspace at the site falling within Use Class B1a (office) from 4319m² down to 522m².

Policy CS8 of the Barnet Core Strategy states that the Council will support businesses by safeguarding existing employment sites that meet the needs of modern businesses (in accordance with Policy DM14 New and Existing Employment Space); encourage development that improves the quality of existing employment provision; seek a range of unit sizes and types in new employment provision to support small and medium sized enterprises; and encourage new mixed use commercial floorspace in priority town centres (which includes Finchley Church End) where access to public transport is good.

Paragraph a: i. of Policy DM14 (in the Barnet Development Management Policies) identifies that proposals which result in a redevelopment of a Locally Significant Business Location, such as the application site, to a non B Class use will not be permitted. Paragraph a: iii. of the same policy states that office space in town centre locations (such as this site) should be retained more widely. Loss of office space will only be permitted in such areas where it can be demonstrated that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of active marketing has been undertaken. Where this can be demonstrated the proposal will be expected to provide appropriate mixed use re-development which delivers some re-provision of employment, residential and community use.

Policy DM14 identifies (at paragraph a: iv.) that proposals to redevelop existing employment space which reduce the levels of employment use and impact negatively on the local economy will be resisted and (at paragraph a: v.) that, where it is appropriate, loss of employment space will be expected to provide mitigation in the form of contributions to employment training.

Under policy DM11 (part c: i.) mixed use developments in town centres should meet the requirements set out in policy DM14 (identified above) on protecting employment floorspace unless otherwise indicated in the:

- a) Site Allocation DPD
- b) Town Centre Frameworks
- c) Areas identified as Locally Significant Business Locations (and other identified locally significant employment locations)

Appropriate mixed use redevelopment is also expected (under DM11 C: ii) to provide re-provision of employment use, residential and community use in town centres.

Policy DM14 states that proposals for new office and employment space should follow a sequential approach, which considers town centre sites before edge of centre sites, and provide on site servicing for the intended use.

As the proposal would result in a significant decrease in the level of floorspace on the site falling within a B use class the application is clearly contrary to paragraph a: i. of policy DM14 (set out above). Where other development plan policies seek protection in accordance with policy DM14 (including CS8 and DM11 of the Barnet Local Plan) the development can also be considered contrary to these policies. Having recognised this important point and given it a significant amount of weight it is appropriate to consider the other elements of the scheme. This includes the delivery of a new library in the way set out in the heads of terms towards the start of this report. The significant planning and public benefits that this aspect of the scheme would deliver are not repeated here in full, as they are set out in subsequent sections of this report. However, in summary the Libraries Service consider that this facility would enable the delivery of substantially improved library services in Finchley Church End, including modern accessible library facilities for all members of the community and an expanded range of educational activities for children and adults. The planning and public benefits that this would bring are considered, on balance, to provide a material planning consideration which outweighs the schemes conflict with development plan policy on the protection of existing employment (B Class uses) space in Locally Significant Business Locations and any harm caused in this respect.

The benefits delivered by the new library facility also weigh significantly in favour of the scheme when it is considered against the requirements of other elements of planning policy on the protection of office space, including the protection of such space in town centres (policy DM14 a: iii.), and employment space more widely (DM14 a: iv.). In terms of the requirements of these policies more specifically, officers recognise that the office space at the site has been completely vacant for a prolonged period (since the end of September 2011) and that substantial parts of the building have been vacant for longer (since 2009). The submission (in the Employment Floorspace Analysis and Policy Compliance report) explains that marketing of the site has taken place through suitable firms using a range of means, including online marketing through websites, by mail and also advertising placed directly on the site itself, over a continuous period substantially in excess of 12 months. Despite its comprehensiveness in many regards, officers do note that there are some limitations to the marketing carried out, for example the site does not appear to have been marketed for sale (only for rent). However, taken in the round the marketing is found to have been extensive and where there are some limitations it is considered that any conflict with the objectives of planning policy in this respect is outweighed by the benefits that the new library facility proposed would deliver.

Planning policies require that for the loss of office floorspace to be permitted in town centres specifically it must be shown that the site is no longer suitable and viable for existing and alternative business use in the short, medium and long term. The Employment Floorspace Analysis and Policy Compliance report submitted with the application identifies a substantial number of issues with the current building which adversely impact upon its suitability for employment use. These include factors such as non-compliance with the

requirements of current equalities legislation, low floor to ceiling heights (below the standard recommended by the British Council for Offices), the large number of structural columns within the office space areas (and the limiting effect this has on the way in which the space can be laid out), the inefficient heating systems and insulation in place and the general poor condition and quality of the office space. The report also advances that the cost of refurbishing the building are such (a figure of £2.5 million is identified) that they would exceed the financial return that could reasonably be expected to be received from an upgraded building in use as offices. Officers accept this finding as a principle.

In addition to these points the submission made advances that Gateway House currently offers the lowest quality of office floorspace in the Locally Significant Business Location of which the site forms a part. This is noted, however, it is not considered that this is a reasonable basis (in itself) on which to allow the loss of the existing office space. Such an approach could also potentially set a difficult precedent. The submission also proposes that weight should be placed on the current right to change use class B1a offices to a class C3 residential use, subject to certain conditions and the 'prior notification' process, and statements made in the Finchley Town Centre Strategy in respect of this site. Officers consider that even if a successful prior notification submission had been made for the site the weight which should be attributed to a scheme approved in this way would be very limited in the circumstances of this case. However, in the absence of such a submission no significant weight is placed by officers on the changes permitted under this legislation. Similarly officers do not find anything in the adopted Finchley Church End Town Centre Strategy which seeks to contradict development plan policy on protecting office floorspace in Locally Significant Business Locations or allow the significant loss of office floorspace proposed under this application.

Officers do accept that the area surrounding the application site contains a not insignificant level of office floorspace. This includes properties within the Locally Significant Business Location of which the site forms a part. Many of these premises currently contain vacant space. Officers find the existence of such space reduces concerns that businesses wishing to locate to the area would be prevented from doing so by the development proposed. More generally officers consider that the proposed development would not impact negatively on the local economy. The case for taking this view is considered to be supported by the sites circumstances and the length of time over which the office floorspace has been vacant (as set out above). It is also assisted by the employment generating (albeit at a lower intensity of employment than office use for much of it) nature of the non-residential uses proposed. Where proposals do result in the loss of office floorspace planning policies expect the re-provision of some employment floorspace, residential and community uses. The scheme proposed would deliver all of these elements.

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 assist in mitigating (albeit to a limited degree) the loss of employment generating floor space the development would result in.

It is fully recognised that the loss of the existing office floorspace at this site is contrary to development plan policies, in particular policy DM14 and the retention of B class uses in Locally Significant Business Locations. However, for the reasons set out in detail in previous and subsequent sections of this report, it is considered, on balance, that there are material planning considerations in this instance which justify a recommendation to grant planning permission for the development (despite the significant conflict with development plan policy). The proposal would deliver substantial planning and public benefits which outweigh the harm caused by the proposals conflict with development plan policy. Officers conclude, on balance, that the loss of office and employment floorspace proposed at the site has been justified and is acceptable in the specific circumstances of this development.

The new Class B1 space would be located within the boundary of Finchley Church End Town Centre. The application site has good access by public transport (PTAL of 5) and the proposal includes acceptable servicing arrangements. The B1 units proposed could accommodate different sizes of business, including small and medium sized enterprises, and would all be provided as office (Class B1a) floorspace (the conditions recommended require that this space is used solely for office purposes within use class B1) of a better quality than that currently found on the site. Officers conclude that the new office floorspace proposed is acceptable and compliant with the objectives of development plan policy on the provision of new employment space.

Library use

The application proposes the creation of a new library facility (which would fall within Use Class D1) at the site. This facility would be located on parts of the ground and lower ground floors of the new building and cover an area of 960m² in total.

Policy CS10 of the Barnet Core Strategy states broadly that the council will work with their partners to ensure that community facilities are provided for Barnet's communities. More specifically the council will support the enhancement and inclusive design of community facilities, ensuring their efficient use and the provision of multi-purposes community hubs that can provide a range of services to the community at a single accessible location. Developments that increase the demand for community facilities and services will be expected to make contributions to new and accessible facilities or improve existing facilities, particularly within town centres.

Policy DM13 (of the Barnet Development Management Policies) identifies that new community uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres. New community or educational uses should also ensure that there is no significant impact on the free flow of traffic and road safety and will be expected to protect the amenity of residential properties.

The new library would be situated in a location with good accessibility by public transport (the site has a PTAL of 5), walking and cycling within the defined town centre of Finchley Church End. As subsequent sections of this report explain in further detail, subject to the conditions recommended, the library would not have a significant impact on the free flow of traffic and road safety or be detrimental to the amenities of neighbouring residential properties. The proposal is therefore acceptable in these respects. An assessment of the proposed library (and other elements of the development) against the requirements of policies on development principles in town centres is carried out in other sections of this report.

Looking at its anticipated impacts more widely, the Barnet Libraries Service has confirmed that the new facility would enable them to provide a significantly improved library service in Finchley Church End. The current library has a substantial backlog of maintenance work and is not compliant with aspects of the Equalities Act, for example the first floor is not accessible to users with mobility issues as there is no lift available to them.

The proposed facility is larger than the existing one (the existing facility is approximately 597m²) and would provide a modern library with an accessible design, meeting spaces and activity rooms. The Libraries Service has identified that this would enable them to deliver an expanded range of educational activities, for both children and adults, and provide rooms for hire by the community. They have also identified that they consider the proposed library to be in a more prominent location that would be more visible to the local community than the existing library. As a consequence of these factors they anticipate increased usage of the library facilities in Finchley Church End as a result of the development proposed. In addition to these points officers note that the new facility would be designed to achieve a greater standard than the current library in terms of sustainable design and construction requirements. The new library would achieve a standard of 'Very Good' under the BREEAM system of evaluation on this matter.

The new library facility proposed is considered to be compliant with the objectives of development plan policies on new community uses (CS10 and DM13) and to deliver a very substantial planning and public benefit. Officers have placed significant weight on the benefits achieved by this element of the scheme when balancing the positive and negative impacts of this proposal and concluding that there are material planning considerations which justify a recommendation to grant planning permission, despite the proposals conflict with elements of development plan policy (as set out in detail in other sections of this report).

Given the importance of the new library to the recommendation made by officers on this application the planning obligations set out at the start of this report (under Recommendation 1) secure the delivery of the library in the way that is currently envisaged (should the scheme be implemented). This includes the construction of the library to 'shell' stage by the applicant and the internal fit out of the library at cost to the applicant that does not exceed £945,000 (in respect of the fit out); the granting of a lease on the new library to the council for a term of 125 years (on the payment of a premium of £1) at a rent not exceeding £100 per annum; and the provision of a sum of £250,000

by the applicant to the council for library furnishings and furniture, media and information technology equipment and any other library related equipment. Several of the conditions recommended would also ensure that in specific respects the library was delivered in a manner that was appropriate and met the objectives of planning policies, such as the provision of facilities that are accessible to all member of the community.

Although it is not a matter specifically for consideration under this planning application, Property Services (part of the Customer and Support Group) have advised that following the provision of a new library at Gateway House (should this application be approved) the Council would, in the first instance, examine whether or not there are any Council requirements for the existing library building in Church End. If no requirements are identified then the building would be declared surplus to requirements and likely be disposed of for best consideration.

High street uses and town centre development principles

In respect of the ground floor units fronting onto Regents Park Road, the proposed development would result in a small reduction in the total level of floorspace in use at the site for purposes falling within the 'A' use classes and *sui generis* uses (from 566m² down to 501m²). However, the level of floorspace in use for purposes falling specifically within use class A1 would increase from 386m² up to 501m² (assuming the lawful use of all of the floorspace in the existing ground floor units fronting onto Regents Park Road, other than the estate agents, is an A1 use). The new A1 floorspace proposed would all be located in the part of the site falling within the designated secondary shopping frontage of Finchley Town Centre (all of the site is located within the defined town centre boundary). The increase in A1 floorspace proposed in combination with its positioning on this part of the site is considered to be a positive aspect of the proposal. Shop (class A1) uses are important to maintaining the vitality and viability of town centres and the increase in this type of floorspace would reasonably be expected to benefit the vitality and viability of the designated secondary frontage in Finchley Church End Town Centre.

Where they are proposed in town centre locations development plan policies require new community uses, such as the proposed library, to maintain an active frontage. Within areas of designated primary and secondary shopping frontage community uses are also expected to demonstrate a similar weekday footfall to an A1 use in circumstances where they would replace an A use class. The part of the site on which the library has been proposed falls predominantly outside the designated secondary frontage and would only partially replace an 'A' class use. Having acknowledged this, as subsequent sections of this report set out in further detail, the design of the library frontage is considered to be such that it would create a suitably active frontage in this part of the town centre. It is also recognised that the design of the frontage proposed would be significantly more active than the current frontage on this part of the site. The scheme is therefore improving the present situation in this respect. It is also considered that the new library would have a positive impact in terms of the level of weekday footfall that it would generate on this part of the site compared to the current situation. Officers find no reason to conclude that the level of weekday footfall generated by the new library would be less than what would be expected from an A1 use in this location.

The proposal is considered to be compliant with the objectives of development plan policies on high street uses (those falling within the 'A' use classes) and new development in secondary shopping frontages in principle (including policy CS6 and parts a: and b: of policy DM11). Policies on mixed use development more widely (including parts c: i and c: ii of policy DM11) are addressed in previous sections of this report.

Residential uses

The delivery of new residential dwellings is broadly encouraged by all levels of planning policy. For example policy 3.3 of the London Plan states that 'The Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners'. However, officers do not consider that the delivery of new dwellings in the scheme proposed would be sufficient in its own right as a material planning consideration to overcome this proposals conflict with development plan policy on employment space. Instead it is the schemes other planning benefits (set out in previous section of this report) which officers find to be far more significant and place much greater weight on in concluding that the proposals conflicts with policy have been outweighed.

Notwithstanding the schemes clear conflict with development plan policy on the protection of existing employment space, because of its siting within a Locally Significant Business Location (as set out in detail in previous sections of this report), officers recognise that other Barnet Local Plan policies (for example policy CS6) do broadly support the principle of developments including residential uses as part of mixed use schemes in town centres such as Finchley Church End, subject to a specific scheme also meeting any other relevant particular elements of development plan policy. This is considered to support the principle that town centre locations can be appropriate places for new residential dwellings in the broadest sense (albeit in this instance there would need to be other material planning considerations which outweighed the schemes conflict with policies on employment space).

Having placed appropriate weight on the schemes significant conflict with development plan policy and found that the development proposed in this instance would deliver material planning and public benefits that outweigh the harm caused by the conflict (for the reasons explained in earlier sections of this report), it is recognised that it is the residential element of the scheme which is contributing very significantly to the financial viability and deliverability of the proposal. Without the residential element of the scheme the wider development, and the planning and public benefits it provides, would be unlikely to come forward.

Officers find that in the specific circumstances of this scheme the inclusion of residential development of the nature proposed is justified and acceptable in principle, subject to the dwellings proposed complying with other relevant policies (as assessed in subsequent sections of this report).

Conclusions on the principle of the uses proposed

While the scheme is in conflict with development plan policy on the protection of existing employment (B Class uses) space in Locally Significant Business Locations (in particular policy DM14) it is found that there are material

planning considerations that outweigh the harm caused by this conflict. In summary, the proposal would provide a very substantial planning and public benefit in the form of a new library facility in this priority town centre. This facility would enable the delivery of significantly improved library services in Finchley Church End (when compared to the current library in this area) including modern accessible library facilities for all members of the community and an expanded range of educational activities for children and adults.

When weighing the positive and negative impacts of the development and assessing the extent to which it would deliver the objectives of development plan policies, it is recognised that the existing employment floorspace at the site has limitations and is being partially re-provided (albeit with a significantly smaller quantum of floorspace) in the form of office space (Class B1) which is more suitable to meeting modern commercial requirements and the needs of small and medium enterprises than the existing space; the scheme would increase the level of floorspace at the site for purposes falling within Class A1 in an appropriate part of the town centre; and that the proposal would deliver new dwellings. However, it is not considered that these elements and aspects of the scheme would be sufficient in their own right, either individually or collectively, to overcome or outweigh this proposal's conflict with planning policy.

In light of the considerations and evaluations set out in this section and having carefully weighed the positive and negative aspects of the proposal, officers find, on balance, that the principle of re-developing the site to provide a mixed use scheme of the nature proposed is acceptable in this instance subject to the planning obligations and conditions recommended.

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.

The mix of dwelling types proposed in the development is as follows:

- 44 x one bedroom two person flats (approximately 57% of the flats)
- 9 x two bedroom three person flats (approximately 12% of the flats)
- 16 x two bedroom four person flats (approximately 21% of the flats)
- 4 x three bedroom five person flats (approximately 5% of the flats)
- 4 x three bedroom six person flats (approximately 5% of the flats)

The dwelling mix proposed is considered to include an appropriate range of dwelling sizes and types for this town centre location. The proposal would make a useful contribution to meeting the needs of the growing and diverse population of 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. The proposal does not include any affordable housing units. This matter is discussed in detail in section 3.8 of this report.

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) and development proposals which compromise this policy should be resisted. Barnet Local Plan policies also seek to optimise, rather than simply maximise, housing density to reflect local context, public transport accessibility and provision of social infrastructure.

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 covers an area which has a Public Transport Accessibility Level (PTAL) of 5. In terms of its 'setting' the site is considered to fall within an area of with predominantly 'urban' characteristics using the definitions identified in the London Plan. However, as subsequent sections of this report identify in further detail, parts of the area immediately surrounding the site also have suburban characteristics. This includes Lichfield Grove, which is dominated by two storey semi-detached buildings with pitched roofs that are mainly in a residential use.

Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 45 and 260 units per hectare or 200 to 700 habitable rooms per hectare (see table above). Using the approach in the London Plan the 77 dwellings proposed include 195 habitable rooms. As the site has an area of 0.228 hectares this equates to a density of approximately 338 units per hectare and 855 habitable rooms per hectare. The proposal therefore falls exceeds the density range identified in the London Plan.

In evaluating the significance of this it needs to be recognised that the supporting text in the London Plan states that:

“A rigorous appreciation of housing density is crucial to realising the optimum potential of sites, but it is only the start of planning housing development, not the end. It is not appropriate to apply Table 3.2 mechanistically.”

As the other sections in this report outline the application site is positioned within the town centre boundary, in a highly accessible location that has very close proximity to both Finchley Central Underground Station and a number of bus routes. It should also be recognised that the proposal is considered to be fully compliant with policies on good design, local context and character, providing acceptable amenities for future occupiers of the new development and protecting the amenities of neighbouring occupiers.

Taken in isolation from other matters density is considered to be a blunt tool for evaluating the acceptability of a scheme. It is considered that under the policy approach of 'optimising housing potential' it remains reasonable to find a proposal (and a residential density) acceptable where it exceeds the relevant density range, but the scheme is situated in a highly accessible town centre location (identified as a focus for enhancement and infill housing development) and is found to be acceptable in all design, amenity, local context, social infrastructure and other relevant regards. In circumstances such as this, where a proposal would comply with development plan policies on the matters identified above and not result in any demonstrable harm, it is not considered that it would be appropriate to refuse an application on the grounds of conflict with the London Plan density matrix alone. Taking account of the factors outlined above officers consider that the density of development proposed is acceptable in this instance. The scheme is not found to constitute 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' set out minimum gross internal floor areas for different types of dwelling. Policy DM02 of the Barnet Development Management Policies Document identifies that developments will be expected to demonstrate compliance with these standards. The relevant internal areas are set out below for the types of dwelling proposed in this application.

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

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

External amenity space provision

All of the flats proposed would have access to their own private amenity space in the form of a balcony or terrace (some dwellings would have more than one feature of this nature). In each case this amenity space 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 size 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 353m² of usable external amenity space, in addition to the private balcony and terrace amenity space proposed (which collectively, cover approximately 863m² 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 two communal roof top amenity areas within the application site. These two spaces would cover an area of approximately 799m² in total and include areas of vegetation, hard landscaping, seating and play features (the precise details of which are to be agreed under the conditions recommended). The design, quality and size of these two areas are considered to be such that they would provide sufficient external amenity space to meet the requirements of Barnet guidance for the flats proposed. The proposal is therefore considered to be acceptable in this regard.

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 56m² of play space. The proposed scheme includes an area of communal amenity space that

would be designed specifically to include play features (the area of communal space on the fifth floor of the northern element of the scheme). This would cover an area of approximately 185m² in size and the conditions recommended include controls to ensure that the space 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.

Dwelling layout and outlook

Officers find that generally the proposed dwellings are reasonably proportioned, with rooms that are not excessively deep or narrow. It is also accepted that the design approach proposed makes adequate efforts to maximise the number of dual aspect dwellings within the constraints of this site. The scheme does include single aspect north facing dwellings. However, these units are designed in such a way that they have adequate daylight conditions (as set out in later sections of this report) and include other design features to counterbalance the impacts of the dwellings being single aspect on the amenities of their future occupiers. This includes each single aspect north facing dwelling having a larger area of private amenity space than is required under planning guidance. The design put forward is considered to provide adequate amenities for the future occupiers of the single aspect north facing dwellings proposed. For these reasons the inclusion of single aspect north facing dwellings in the scheme is found to be acceptable in this instance. Considered in the round all the dwellings proposed are found to have an adequate plan form and layout.

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 and orientation of windows in the proposed buildings. It is considered that each of the dwellings proposed in this instance has an acceptable outlook.

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 Brooke Vincent and Partners. The assessment includes an evaluation of the daylight received in the proposed dwellings based on the methodologies found in the latest guidance (published in 2011) from the Building Research Establishment (BRE) using a measure known as Average Daylight Factor. The evaluation found that all of the habitable rooms assessed would meet the relevant standard in terms of the Average Daylight Factor score achieved. Officers accept these findings and consider the proposal to be acceptable in respect of the daylight conditions provided for future occupiers of the proposed dwellings.

The report finds that the sunlight availability for future occupiers of the proposed dwellings would vary widely. BRE guidance acknowledges that for larger developments, especially those with site constraints (such as this site), it may not be possible to have every living room facing within 90° of south. Officers find that the proposed dwellings are all reasonably proportioned and have an adequate plan form and layout with regard to receiving sunlight. It is

considered that reasonable efforts have been made to minimise the number of dwellings whose living rooms face solely north, north-east or north-west and the scheme is found to be acceptable in terms of the sunlight conditions for the occupiers of the proposed dwellings.

It is recognised that the scheme does include north facing single aspect dwellings. However, these units concerned all receive levels of daylight which accord with the relevant BRE guidance and benefit from other features that counterbalance the impacts of this on the amenities of their future occupiers. This includes each single aspect north facing dwelling having a larger area of private amenity space than would be required under planning guidance. In this way the design proposed is considered to provide adequate amenities for the future occupiers of the single aspect north facing dwellings proposed. The inclusion of single aspect north facing dwellings in the scheme is therefore considered to be acceptable in this instance.

Privacy and overlooking

The distance between directly facing clear glazed windows to habitable rooms in the proposed dwellings would not be less than 21m in the significant majority of cases. The only exceptions to this are in circumstances where officers consider that any overlooking issues can be adequately addressed through the use of obscured glazing or privacy screens. As such the conditions recommended include requirements that the scheme is not occupied until suitable obscured glazing and privacy screens are implemented at the site (in accordance with details that have previously been submitted to and approved by the Local Planning Authority).

Similarly the distance from a clear glazed habitable room window to a directly facing private external amenity area (balcony or terrace) within the development would not be less than 10.5m in the majority of cases. As with the window to window distance the only exceptions to this are in circumstances where officers consider that suitable privacy screening or obscured glazing can be provided to prevent unacceptable levels of overlooking and loss of privacy occurring (and conditions have been recommended to ensure that these are delivered).

For the reasons set out above the proposal is considered to 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.

Noise and air quality

Conditions have been recommended which require the development to be constructed and managed in such a way that it would include suitable measures to provide future occupiers of the proposed dwellings with an acceptable noise and air quality environment, as far as is practicable, in a way that takes account of the environment and uses surrounding the application site. Examples of such measures include the location of the two communal

amenity spaces proposed on the roof of the two main elements of the building and the design of these areas to include a glass balustrade at a height which would reduce the impacts of noise from the surrounding environment on these spaces, the installation of appropriate extraction and ventilation equipment and the use of adequate sound proofing when the building is constructed. Subject to the conditions recommended the proposal is considered to be acceptable in respect of the noise and air quality environment that it would provide for the occupiers of the dwellings proposed. The Council's Environmental Health Service has not raised any objection to the scheme, subject to the imposition of the conditions recommended.

Conclusions on the amenities of future occupiers

For the reasons set out above the development, as controlled by the conditions recommended, is found to be compliant with development plan policy as it relates to the provision of suitable amenities for the future occupiers of new dwellings. Officers consider that the submission has taken account of the environment and uses surrounding the site in an appropriate manner and find that the design approach put forward provides the future occupiers of the new dwellings with adequate amenities. The application is therefore found to be acceptable in this respect.

3.5 Design, appearance, character and heritage asset matters:

The National Planning Policy Framework (published in 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. Policy DM06 of the Barnet Local Plan identifies that all heritage assets (including listed buildings, conservation areas, locally listed buildings and local areas of special archaeological significance) will be protected in line with their significance, this includes impacts on the setting of heritage assets. The policy also identifies that all development will be expected to have regard to the local historic context.

Policies CS8 and DM05 of the Local Plan identify suitable locations (in principle) for tall buildings within the borough and set out that proposal for tall buildings will need to demonstrate:

- An active street frontage where appropriate.
- Successful integration into the existing urban fabric.
- A regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline.

- Not cause harm to heritage assets and their setting.
- That the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.

Proposals for redevelopment of existing tall buildings will be required to make a positive contribution to the townscape.

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. Policy 7.7 of the London Plan sets out specific principles for tall and large buildings.

The buildings and spaces proposed in the scheme are considered to respond adequately to their context and have an acceptable relationship with the neighbouring buildings, streets, spaces and heritage assets (including their settings). This includes the Church End Conservation Area and the Grade II listed building, King Edward Hall, located to the north-west of the site (within the Conservation Area). It also includes properties in Lichfield Grove, Regents Park Road and Arcadia Avenue more widely. In addition to this development is found to be of a suitable design quality in its own right and to make a positive contribution to the townscape in this area. This has been achieved in a number of ways.

In broad terms the layout proposed results in the more southern and western parts of the site (along the sites Arcadia Avenue frontage and the corner of Arcadia Avenue's junction with Regents Park Road) having the tallest parts of the development on them. Such an approach positions the largest scale parts of the development furthest from the neighbouring buildings to the north and east (in Regents Park Road and Lichfield Grove) and this is considered to be an appropriate response to the sites constraints in principle.

The application site falls within a town centre that the Barnet Core Strategy identifies as an appropriate location for tall buildings (defined in Barnet as a building over 8 storeys or 26m above ground level). The principle of allowing a new tall building on this site is also supported by the scale of the existing structure on the land. The proposal would increase the scale and size of building on the site from the current situation, however, for the reasons set out below the design put forward is considered to respond appropriately to the sites constraints and achieve an acceptable design solution that accords with the objectives of the relevant policies on design and character matters, including those for tall buildings. It is also noted that at its tallest point the proposed development would not be any greater in height than the maximum height of the existing structure (the telecommunications masts on the roof of the existing building) on the site.

Towards the corner of Arcadia Avenue and Regents Park Road the south-western element of the proposed building comprises eight above ground storeys with a roof terrace level above this. The scheme also includes lower ground floor (containing predominantly a floor of the library, parking and storage) and basement (main for parking and storage) levels. The upper of these floors becomes a partially above ground level due to the slope of the site moving south-eastward along Arcadia Avenue (away from Regents Park Road).

Further northward (from the corner of Regents Park Road and Arcadia Avenue) along the sites Regents Park Road frontage the north-eastern part of the scheme steps down to a maximum of five storeys in height, with a roof terrace level above this, towards the neighbouring three storey properties (the closest of which is 332 Regents Park Road). Moving away from Regents Park Road (south-east adjacent Lichfield Grove) the scheme drops down to become a ground floor level building. As with other parts of the development this element includes lower ground floor and basement levels, with the upper of these becoming partially revealed moving south-eastwards (away from Regents Park Road) across the site due to the slope of the land.

The approach proposed is considered to deliver an acceptable design response that would adequately reduce the size, scale, bulk and mass of building proposed towards neighbouring buildings and spaces in Regents Park Road, Lichfield Grove and Arcadia Avenue. The design integrates the scheme appropriately into the existing fabric of the environment and creates a scheme that has an acceptable relationship with both the parts of the surrounding area that are of a more suburban residential character (to the east in Lichfield Gove) and those which are characterised by a more town centre character. It is not considered that the development would adversely impact adversely on key views, viewing corridors or the skyline and the scheme is found to have a positive impact on the townscape in this area. The impacts of the proposal on the amenities of neighbouring occupiers (both residential and non-residential) are assessed separately in sections 3.6 and 3.7 of this report.

The approach to the ground floor of the proposed building is considered to create a better designed street frontage than the existing situation at the site. The design put forward would also be expected to create a suitable level of activity for a town centre location such as this. This is achieved through the positioning of the non-residential uses within the building, the careful siting of access points and the use of extensive glazed areas on across the ground floor.

In terms of its detailed architecture and design the proposed building seeks to use a distinctively contemporary approach. The final materials implemented would be controlled through the conditions recommended (should the application be granted consent). However, on the north-eastern element of the proposed building (adjoining 332 Regents Park Road) they would include the use of brick, glazing and cladding systems. The fourth floor (fifth above ground level fronting Regents Park Road) of this part of the building would be set back from Regents Park Road, constructed of a frameless glazing system and have a glass balustrade above this (for the roof top amenity area). The

materials used on the south-western element of the building would include the use of reconstituted stone, sandstone, glazing, glass balustrading and cladding systems. The walkways joining the two main elements of the building would be predominantly glazed structures. For both main parts of the building design features, such as windows and balconies, are used to introduce variety into the elevations. Officers consider this to be a suitable approach to the detailed design and find that the development would respond successfully to the character of the wider area in this regard. Conditions have been recommended to ensure that the detailed design of the building is implemented in an appropriate way.

The submission includes an assessment of the impact of the proposed scheme on the wind environment within the proposed development and in the immediately adjacent surrounding area. In respect of the surrounding area this report finds that that proposed development would not be expected to have any significant impact on pedestrian level wind conditions, which are likely to remain suitable in terms of pedestrian comfort and safety for existing pedestrian uses. The report identifies that there are parts of the site itself where the use of wind mitigation schemes would be expected to create wind conditions suitable for the pedestrian activities proposed throughout the site over the whole year (in other areas these are not needed to create suitable wind conditions). These would be expected to take the form of features such as soft landscaping, screens and canopies. While the submission drawings identify features of this nature in many instances conditions have been recommended to ensure that appropriate wind mitigation features are implemented as part of the proposed development. Subject to these controls the application is found to be acceptable in this respect.

Landscaping matters are addressed specifically in section 3.9 of this report. In summary, subject to the controls recommended (conditions and planning obligations) the scheme is found to provide a suitable setting for the proposed building. The setting proposed assists the development in achieving an acceptable relationship with the surrounding properties and is also of sufficient quality in its own right. The proposal is therefore found to be adequate in this respect.

Officers recognise that comments have been received to the effect that it would be preferable to retain and refurbish the existing building, rather than demolish it and build an entirely new structure. However, it is not considered that a refusal of planning permission on this basis would be justifiable in this instance. It is also noted that the Local Planning Authority would not be able to prevent the demolition of the existing building in principle (it is neither listed nor in a conservation area).

Subject to the conditions recommended the proposal is found to be acceptable and compliant with development plan policies as they relate to design, appearance, character and heritage asset matters.

3.6 Impacts on amenities of neighbouring and surrounding residential occupiers:

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring residential 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, such as residential dwellings, 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 residential 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 residential occupiers and users in a variety of ways. These include loss of light, increased noise, disturbance and air pollution, overlooking and loss of privacy and impacts arising from the construction of the development (the concerns are summarised in full in previous sections of this report). The concerns raised in respect of the transport (including parking) impacts of the development are assessed and responded to in section 3.10 of this report. Concerns raised in relation to the loss of the existing businesses at the site, including the kosher bakery, are addressed in section 3.7 of this report.

Overlooking and loss of privacy

The development proposed would not include clear glazed windows (in either the residential or non-residential elements) which directly face existing habitable room windows in neighbouring residential buildings that are set apart a distance of less than 21m. Distances from directly facing clear glazed windows in the development proposed (residential or non-residential) to a neighbouring properties private garden would not be less than 10.5m.

It is recognised that a small number of the amenity areas and windows proposed in the development could result in a degree of overlooking of neighbouring residential properties if no mitigation were provided. However, officers find that this potential issue can be adequately addressed through the use of obscured glazing and privacy screens in appropriate locations within the application site. Given the importance of this issue conditions have been recommended which require the obscured glazing and privacy screens to be implemented as part of the development prior to its occupation in full accordance with details that have previously been approved by the Local Planning Authority (and maintained as such thereafter). With such conditions the development would comply with the specific privacy distances set out in the Barnet Residential Design Guidance SPD. This issue is therefore considered to be fully addressed by the controls recommended.

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

Subject to the controls in place under the conditions recommended officers conclude 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 residential properties and would comply with development plan policy and planning guidance in these regards.

Daylight, sunlight and overshadowing

The application is accompanied by assessments (prepared by Brooks Vincent and Partners Chartered Surveyors) of the proposals impact on the daylight and sunlight conditions at 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*'.

These assessments conclude that the recommendations relating to daylight, sunlight and overshadowing at neighbouring residential properties in the BRE guidance would be met. Officers accept the findings of the assessments submitted and conclude that the application is acceptable in terms of its impact on daylight, sunlight and overshadowing at neighbouring residential 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 have an acceptable visual impact and not result in any significant loss of outlook at neighbouring properties, including dwellings in Litchfield Grove and Regents Park Road. The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

In coming to these conclusions on outlook and visual impact account has been taken of the substantial building which exists on the application site at present and the impact this structure currently has on neighbouring properties. As previous sections of this report explain in further detail, the proposal would substantially change the design, bulk and mass of the development on the site when compared to the current situation. However, the new building provides a design response that achieves a suitable relationship with neighbouring properties and spaces in terms of its visual impact and impact on outlook. Officers consider that the significant stepping down of the proposed building towards the eastern part of the site (adjacent to properties in Litchfield Grove) is a key element in achieving an acceptable scheme in this respect.

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 such 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. The conditions recommended are considered sufficient to ensure that any extraction and ventilation plant used would be designed and located so as to not result in unacceptable levels of

noise and disturbance to neighbouring occupiers.

Given the scale, location and nature of the uses proposed it is also considered that the non-residential element of the development (use class B1 office, use class A1 shops and a library under use class D1) would not be likely to result in levels of noise and disturbance to such an extent that they would harm the amenities of the occupiers of neighbouring properties. However, to ensure that the part of the development proposed falling within use classes D1 (library) and A1 (shops) does not result in unacceptable levels of noise and disturbance at neighbouring residential properties conditions controlling their hours of occupation have been included in those recommended. Subject to these controls the proposal is found to be acceptable in this regard.

Conditions have been recommended to ensure that steps are taken during the construction of the development to minimise the levels of noise and disturbance to neighbouring occupiers at that time and also 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 an Air Quality Assessment which has been prepared by Hilson Moran. This report concludes that the operational phase of the proposal would have negligible impacts on Nitrogen Dioxide levels (this is also the case for finer particulate matter). Officers in the Council's Environmental Health Service have carefully assessed the proposal 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 with the conditions recommended. 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 found to be compliant with the relevant development plan policies as they relate to the protection of the amenities of neighbouring and surrounding residential occupiers and users. Officers consider that the design approach proposed would not result in unacceptable

impacts on the amenities of neighbouring and surrounding residential occupiers and users and find the application to be adequate in this respect.

3.7 Impacts on local businesses:

Development plan policies seek generally to promote quality environments and protect the amenity of neighbouring occupiers and users, including businesses and other non-residential uses, through requiring a high standard of design in new development which is based on an understanding of the local characteristics. Development plan policies broadly seek to support businesses and environments which are suitable for all scales of enterprise. More specifically the Barnet Local Plan identifies that businesses will be supported through the safeguarding of existing employment sites that meet the needs of modern business and encouraging development that improves the quality of existing employment provision. Local Plan policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

A number of objections have been raised in respect of the schemes impacts on local businesses within and surrounding the site. The points made are summarised in section 1.3 of this report and considered in further detail below. Where appropriate the issues raised are also explored in other relevant parts of this report. In summary, subject to the controls in place under the conditions and planning obligations recommended, the development is considered to be acceptable and compliant with the objectives of all relevant planning policies in relation to impacts on businesses within and surrounding the site.

Comments made in respect of local businesses include a concern that the proposal would adversely impact upon on the existing businesses at the application site itself. This includes the kosher bakery, which it is understood is very important for a large number of local Jewish residents. It also includes broader comments that the loss of the existing businesses at the site would be detrimental to people's amenities (including residents).

While these concerns are fully acknowledged, officers note that none of the existing businesses at the site have actually objected to the scheme themselves. The scheme proposed does include new shop (use class A1) floorspace which could provide accommodation for certain of the existing business occupiers of the site. This would include use as a bakery (as this falls within use class A1). The surrounding Church End town centre also contains currently vacant units which existing businesses may be able to relocate to if they wished to stay in the area. In the circumstances of this case it is not considered that a refusal of planning permission on the grounds of the schemes impacts on the existing businesses at the site and the resultant impacts on people's amenities would be justified. Officers considered recommending a planning condition requiring a business relocation strategy to be put in place of existing occupiers of the site. However, in the absence of any concerns being raised by the actual businesses on the site themselves this was not felt to be necessary in this instance. The principle of the uses proposed for the site is considered separately in previous sections of this report.

The occupier of an office building neighbouring the site (in Litchfield Grove) has objected to the scheme on the grounds that it would result in their premises suffering a loss of light and therefore amenity. While this comment is fully acknowledged officers note that it is unusual for a planning application to test a proposals impact on light at a neighbouring office building. However, following the receipt of this objection the applicants light consultant (Brooke Vincent and Partners) carried out a test of the proposals impact on daylight at the office building concerned. Using guidance on office lighting from the British Council of Offices (which refers to British Standard 8206-2:2008) as a starting point this found that the proposed development would not be expected to significantly adversely affect the daylight received at the office building concerned. It also found that the office building would be expected to continue to receive daylight above the levels identified in the British Council of Offices guidance (which relates to new and refurbished offices that older existing offices may find it hard to match in this respect). Officers accept these finds and conclude that the scheme would not have a significant adverse impact on light or the amenities of the neighbouring office building concerned. The development is found to be acceptable and compliant with objectives of development plan policies in this respect.

Objections have been raised by a neighbouring business that bringing the building at the application site forward, towards Regents Park Road, as proposed would preclude the freeholder of the neighbouring property (332 Regents Park Road) from accessing and maintaining their boundary wall (side elevation). While this concern is noted it is not considered that it would be a justifiable ground on which to refuse a planning application in the circumstances of this proposal. An objection has also been made on the grounds that a license and planning consent (under application F/02016/13) were granted to erect and maintain a hoarding on the side elevation of the building at the adjacent site (332 Regents Park Road) and if the current application is granted consent the development would infringe the freeholders right to display the hoarding, detrimentally affecting the livelihood of the party granted the license and planning consent and removing an ongoing revenue stream for the freeholder.

While these concerns are acknowledged, having carefully evaluated the planning considerations raised by this matter officers find that the planning benefits of the scheme (as set out in the relevant sections of this report) significantly outweigh any negative impacts (in terms of material planning considerations). In this respect the proposal is not found to be in conflict with development plan policies and it is not considered that this impact would constitute a reasonable basis on which to refuse the current application planning permission.

3.8 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 affordable family housing provision

Affordable housing negotiations are required to 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. London Plan policies also make 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 exceptional accept the provision of off site affordable housing or a commuted payment instead of such provision.

The application does not propose that any affordable housing is delivered as part of the development. To explain this position the applicant has submitted a confidential report, the preparation of which was led by QUOD and Pioneer Property Services (with the assistance of other consultancies), which evaluates financial viability of the proposed development making a contribution to affordable housing provision. The Council then commissioned BNP Paribas Real Estate to independently review this report and examine its findings.

Taking into account the full costs of bringing the development forward, including the delivery of the library, the other planning obligations associated with the application and the Mayoral CIL payments the scheme would be liable for (as set out in greater detail elsewhere in this report), and the value that the applicant would be likely to generate from the scheme BNP Paribas conclude that it is not financially viable for the development to make a contribution to affordable housing provision in the borough. In this instance the delivery of the library has a particularly significant negative impact on the financial viability of the scheme and is a key factor in the development being found unable to make a contribution to affordable housing provision.

In accordance with Barnet Local Plan and London Plan policies the financial viability of the development, including the individual circumstances of the site and other scheme requirements, need to be taken into account when considering the level of affordable housing provision that is appropriate. In this case the circumstances of the site and scheme requirements that need to be considered include the cost of delivering the planning obligations associated with the application, including the delivery of the library, the Mayoral CIL payments the scheme would be liable for and the other planning benefits that

this mixed use proposal would achieve. Taking account of these very particular factors, in this instance officers find the absence of a contribution to affordable housing provision to be acceptable and compliant with the objectives of planning policies.

3.9 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 application site does not contain any existing trees. However, the area surrounding the application site does contain trees. As such the conditions recommended includes requirements that appropriate measures are taken to protect the trees adjacent the site during the construction process associated with the development. Officers take the view that, subject to the conditions recommended, appropriate consideration has been give to the protection of existing trees in the development of the scheme.

The submission envisages the planting of up to 7 trees in the new public realm formed around the site as part of the proposal (partially within and partially outside the application site boundary along Regents Park Road and Arcadia Avenue). The final number, location and species of the trees planted in this zone would need to be the subject of detailed investigations. As such a sum of up £15,000 would be secured through the planning obligations recommended for the carrying out of the investigations associated with the proposed tree planting and the actual planting and ongoing maintenance of up to 7 new trees.

More generally the design proposed for the site is considered to include an adequate approach to hard and soft landscaping that would provide an appropriate setting for the new building and deliver suitable areas of green roof (covering not less than the 309m² identified in the submission). 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 two roof top terraces proposed as part of the scheme will form an important part of the amenities provided for future occupiers of the development and have a significant effect on the appearance and impact of the proposed building. Therefore the conditions recommended would specifically control the final landscaping (and wider design) of these two elements of the scheme. 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 scheme is acceptable and compliant with development plan policy in respect of tree, green roof and landscaping matters.

3.10 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

Using the standards set out in the Barnet Local Plan the residential element of the development generates a maximum car parking provision of between 33 to 93.5 car parking spaces. The Barnet Development Management Policies Document recommends that flexibility is applied when assessing residential parking provision. More specifically paragraph 18.8.2 states that:

“18.8.2 Our approach to parking provision accepts the need for restraint, but intends to apply it with sensitivity to local circumstances. While all non-residential development should comply with the parking standards set out in the London Plan in deciding on residential parking requirements, we will continue to apply the standards set out in the adopted Unitary Development

Plan 2006. This provides flexibility to consider the accessibility of individual locations, based on:

- The level of public transport accessibility (PTAL);
- Parking stress including the level of on-street parking control;
- The population density and parking ownership of surrounding areas;
- The location (i.e. is it in a town centre);
- Ease of access by cycling and walking; and
- Other relevant planning or highways considerations, such as to whether the proposal is a conversion of an existing use.”

The proposed parking provision of 69 spaces is within the range that planning policies would expect to be provided for the residential element of the scheme. Given the sites circumstances, including its location in an area that has a Public Transport Accessibility Level of 5 in Finchley Church End Town Centre (and the amenities it offers), the parking provision proposed for the residential element of the scheme is found to be acceptable in this instance. Based on the circumstances of the site and the nature of the scheme the level of parking proposed is found to strike the appropriate balance between the need to minimise the impact of parking associated with the development on the surrounding area and the requirement to not undermine the use of more sustainable modes of transport (walking, cycling and public transport).

While the residential parking provision proposed is within the appropriate range, in the absence of any further controls the proposal could result in overspill parking and increased demand for on-street parking spaces in the surrounding area. In light of these circumstances it is considered necessary to prevent the occupiers of the new dwellings from purchasing parking permits within the Church End 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.

Barnet Local Plan policies (in the Development Management Policies Document) identify (at paragraph 18.8.2) that ‘all non-residential development should comply with the parking standards set out in the London Plan’. The parking standards at Table 6.2 of the London Plan recommend a provision of up to 1 car parking space per 100 to 600m² of Class B1 (office) space proposed. The London Plan does not identify specific standards for uses within Class D1 (such as the proposed library). Instead parking provision for such uses is to be assessed individually. For retail uses in a town centre location with a PTAL of 5 (such as the Class A1 unit proposed) the London Plan recommends a provision of up to 1 car parking space per 50 to 75m².

The scheme proposes to provide 1 car parking space for the 522m² of Class B1 office space in the scheme. Taking into consideration the circumstances of the site, including its location within walking distance of Finchley Central Underground Station and several bus routes and proximity to the amenities provided by Church End Town Centre (the site is within the town centre), and the scale and nature of the class B1 office use proposed, officers find this to be an acceptable level of parking.

The application proposes 2 car parking spaces for the library use (class D1) sought. Taking into account the scale of the library proposed (960m²), the circumstances of the site, including its town centre location in an area with a PTAL of 5, and the availability pay and display parking nearby in the Church End Controlled Parking Zone this level of parking is considered to be acceptable by officers.

While the scheme does not provide any on site parking for the Class A1 shop use proposed this is considered to be acceptable in this instance by officers. The shop unit is small in size (covering 501m²) and located in part of the town centre with a PTAL of 5. People making journeys by car to the unit would also have access to the pay and display car parking available in the Church End Controlled Parking Zone.

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. Conditions and planning obligations requiring the provision of appropriate Travel Plans have been recommended. These will assist in encouraging travel by non-car modes of transport. Subject to the controls in place under the conditions and obligations recommended the provision of a total of 72 car parking spaces for the development proposed is considered to be acceptable and compliant with the objectives of development plan policy.

Development Plan policies require that proposals provide 10% of the car parking spaces in a scheme to a disabled parking space standard. The application proposes to provide 7 of the 72 spaces proposed to a disabled parking space standard. This includes the two spaces proposed for the new library and the one space proposed for the office floorspace. This is considered to be an acceptable approach that is compliant with the objectives of development plan policies.

Development Plan policies require that schemes provide 1 in 5 parking spaces (both active and passive) with electric vehicle charging points (EVCP). The conditions recommended require that not less than 15 (approximately 20% of the total) of the car parking spaces proposed for the scheme are provided with active EVCP and that a further 15 (approximately 20% of the total) of the parking spaces proposed for the development would have passive EVCP provision. Subject to this control the scheme is found to be acceptable compliant with planning policy in this regard.

The submission proposes dedicated facilities for the parking of 106 cycles. 94 of these would be provided in the lower ground floor area of the building. The remaining 12 would be provided in the form of a Sheffield Stands at a ground floor level adjacent the footway in Arcadia Avenue. This quantum of provision is considered to be acceptable and policy compliant in principle. A condition has been recommended to ensure that the cycle parking facilities identified are implemented prior to occupation and allocated in a suitable manner between the various different uses on the site.

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 and compliant with development plan policies in respect of parking matters.

Access and site layout

Vehicular access for the site would be provided from a single point on Arcadia Avenue under the proposal. The vehicular access point leads to a (two way) ramped route on the eastern part of the site which links to the lower ground floor level. Vehicular access to the basement level beneath this (lower ground floor level) is provided by a one way vehicular ramp which would be controlled by traffic signals. Officers consider that the submission has adequately demonstrated that the proposed vehicular access arrangements are suitable and able to operate safely.

The conditions recommended include a requirement for the submission of the details of the maintenance arrangements to be put in place in respect of the one way traffic signals for the basement level. This is needed to minimise any adverse impacts on the public highway that may arise from any possible failures in this system. A condition has also been recommended to ensure that the vehicular ramps proposed for the lower ground floor and basement levels are implemented with a suitable gradient.

Several points of pedestrian access would be provided along the length of the sites Regents Park Road and Arcadia Avenue frontages. This includes a (gated) route through the site from Regents Park Road, between the two main elements of the building (which are separated at a ground floor level) to Arcadia Avenue. Officers conclude that the proposal is acceptable and compliant with development plan policies in terms of the pedestrian environment created, subject to the conditions and planning obligations recommended.

In order to provide suitable access, parking and servicing arrangements for the development and to achieve an appropriate setting for the proposal the application seeks to make a number of alterations to the public realm within and surrounding the site. This includes areas on Regents Park Road, Arcadia Avenue and land adjoining both these roads. The works concerned are likely to involve changes to the design and layout of the roads, alterations to street furniture, the installing of new hard surfacing, the planting of up to 7 new trees and changes to parking, loading and waiting restrictions and road markings. It is probable that these would be carried out under both planning and highways (principally the Highways Act 1980) related legislation and include both the stopping up of land (under Section 247 of the Town and Country Planning Act 1990) and the dedication of land (under Section 38 of the Highways Act 1980). Given its importance to the operation and appearance of the scheme and the nature of the works involved a planning obligation has been recommended which would ensure that the necessary changes to the public realm are provided in an appropriate manner prior to the development being occupied.

In terms of specific elements these works would include relocating a length of existing pay by phone parking bays on Regents Park Road to Arcadia Avenue and replacing this with a single yellow line waiting restrictions, to allow

deliveries to take place on Regents Park Road (fronting the site). While the proposed delivery arrangement on the public highway would not be exclusive for this development, it is anticipated that the shop unit (Use Class A1) proposed would generate approximately 5 delivery trips per day (the library, office, and residential uses proposed are not expected to generate significant delivery trips). The works would also involve converting land adjacent an existing lay-by in Arcadia Avenue into a new pedestrian footway, to improve pedestrian access around the site. At present part of the footway on the north-east side of Arcadia Avenue has been converted into a lay-by and is being used to provide parking bays.

A condition has been included in those recommended to ensure that appropriate refuse and recycling facilities are delivered within the development and that a suitable strategy for the collection of refuse and recycling from the site is in operation at the point that the development is brought into use. Subject to such controls the proposal is found to be acceptable in this respect.

Subject to the controls in place through the conditions and planning obligation recommended Highway Officers conclude that the layout and access arrangements proposed for the development would not be detrimental to highway or pedestrian safety and are satisfactory in all other relevant regards. The proposal is found to be acceptable and compliant with the objectives of development plan policies in this respect, subject to the conditions and planning obligations recommended.

Vehicular trip generation

To establish the vehicular trip generation associated with the existing and proposed uses on the site the TRAVL Database was used. This is an accepted approach to establishing the trip generation.

Using this method the uses in the existing building on the site would be expected to generate a total of 57 vehicular trips in the AM Peak and 44 vehicular trips in the PM Peak. The estimated total peak hour vehicular trips associated with the uses in the existing building are summarised in the table below:

Total Existing Vehicular Trip Generation:

Trips	Arrivals	Departures	2-way
AM (8.00 to 9.00 hours)	35	22	57
PM (17.00 to 18.00 hours)	13	31	44

The total combined expected vehicular trip generation in the AM and PM Peak hours for the residential, library, office and shop uses in the proposed development are set out in the table below:

Total Predicted Vehicular Trip Generation by the Proposed Uses:

Trips	Arrivals	Departures	2-way
AM (8.00 to 9.00 hours)	11	12	23
PM (17.00 to 18.00 hours)	8	8	16

The anticipated net change in vehicular trip generation at the site in the AM and PM Peak hours following the implementation of the development is summarised in the following table:

Net Change in Vehicular Trip Generation:

Trips	Arrivals	Departures	2-way
AM (8.00 to 9.00 hours)	-24	-10	-34
PM (17.00 to 18.00 hours)	-5	-23	-28

The assessment carried out indicates that there will be a net reduction in trip generation during the AM and PM Peak hours as a result of the proposed development. Vehicle movements outside of peak hours are also not expected to have a detrimental impact on the public highway network. It is therefore concluded that the scheme can be managed within the existing network capacity. Officers consider that the proposed development is unlikely to have any significant detrimental impact on the highway network and the proposal is considered to be acceptable and compliant with the objectives of policies in this respect.

Transport related management plans

A Framework Travel Plan has been included in the documentation submitted with the application. However, conditions and obligations are recommended to ensure that an acceptable and policy compliant local level Residential Travel Plan is provided for the residential element of the development prior to its occupation. The Residential Travel Plan provided will be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives for the first occupier of each residential unit. The Travel Plan incentives would comprise a voucher to a minimum value of £150 per dwelling to encourage the use of more sustainable modes of transport (this requirement is included in the obligations recommended). The voucher provided would allow the occupier concerned to purchase one of the following Travel Plan incentives up to a limit of £150:

- Subsidised membership of and credit for a Car Club.
- Credit on an Oyster Card travel pass.
- A bike voucher.

As the non-residential uses proposed exceed the relevant criteria a local level Staff and Visitors Travel Plan is required in conjunction with the development. Conditions and obligations are therefore recommended to ensure that an acceptable and policy compliant Staff and Visitors Travel Plan is provided prior to the occupation of this element of the scheme.

In order to ensure that the objectives of the Travel Plans are being met a monitoring contribution of £10,000 is included in 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. A condition has also been recommended to ensure that an appropriate Servicing and Delivery Plan is

provided for the non-residential uses proposed. This will minimise the impacts of the servicing and delivery activities associated with these uses.

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 scheme is found 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.

3.11 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 proposal has been influenced by the desire to make it accessible for all members of the community. The submission sets out that the proposed dwellings would all meet the relevant Lifetime Homes standards and that level or suitably sloping access will be provided within the site (Planning Statement). At least 10% of the dwellings proposed (8 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements (Design and Access Statement Addendum) and 10% (7 in total) of the parking spaces proposed would be provided to a disabled parking space standard (shown in application drawings).

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 10% of the parking spaces proposed are provided to a disabled parking space standard. The conditions recommended would also ensure that other specific elements of the scheme were implemented in a way that was inclusive and took reasonable steps to make them accessible and usable for all. These include the internal design of the new library, the office and retail development proposed and the two areas of roof terrace provided for the future occupiers of the dwellings in the scheme.

Subject to the controls in place under the conditions recommended officers conclude that the design and layout of the proposal is such that it is acceptable and compliant with development plan policy in terms of creating a development that is accessible, useable, permeable and inclusive for all members of the community.

3.12 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. Thames Water have sought the use of petrol and oil interceptors in parking areas within the site, to reduce the risk of pollution arising from vehicles. The conditions recommended would ensure appropriate infrastructure is implemented in this respect.

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

3.13 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. However, a condition has been recommended by officers which would require that the scheme implemented includes suitable detailed design features (that have previously been approved by the Local Planning Authority) in respect of creating a safe and secure environment that minimises the opportunities for crime and fear of crime. Subject to this control officers consider that the proposal has gone as far as it reasonably could be expected to in terms of providing a safe and secure development for future occupiers and users of the site and neighbouring properties.

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 deemed to be acceptable in respect of providing a safe and secure development that has an environment which reduces opportunities for crime and the fear of crime.

3.14 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding (Flood Zone 1). 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. This would include details of the areas of green roof to be 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.

To address the objectives of development plan policy on water efficiency conditions have been recommended to ensure that water efficiency measures seeking to achieve a usage of not more than 105 litres per head per day are implemented as part of the residential element of the proposal. Other conditions have been recommended to ensure that the non-residential parts of the development include suitable water efficiency measures, such as low flow taps and dual flush toilets, and minimises water usage. Subject to these conditions the development is found to be acceptable in this respect. Both businesses potentially supplying water to the development (Affinity Water Company and Thames Water) have been consulted on the application and neither has raised any objections to the development in relation to water supply matters.

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

3.15 Energy, climate change 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 and non-domestic developments submitted before October 2013 (which is the case in this instance) should 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 new 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 Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

Where proposals include the construction of new homes this element of the scheme is 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 newly constructed homes in developments of the nature proposed commit to a Code Level 4 or above against the Code for Sustainable Homes.

Where proposals include a non-residential element schemes are expected to achieve a standard of 'Very Good' under the relevant Building Research Establishment Environmental Assessment Method (BREEAM).

Carbon dioxide emissions

The application is accompanied by an Energy Strategy prepared by Metropolis Green. This confirms that both the residential and non-residential elements of the proposal would achieve the 25% reduction in carbon dioxide emissions (when compared to a building constructed to comply with the 2010 Building Regulations) needed to comply with London Plan policy 5.2. The total anticipated carbon reduction is predicted to reach 38.8%, with an improvement of the Dwelling Emission Rate over the Target Emission Rate of 53.6% and an improvement of the Building Emission Rates over the Target Emission Rate of 26.2% for the development. This is found to have been achieved in a manner which is consistent with the energy hierarchy.

The improvements identified in the Energy Strategy are considered to be adequate for the scheme to comply with the requirements of policy on the reduction of carbon dioxide emissions. A condition has been recommended to ensure that the development achieves the level of carbon dioxide reductions required by development plan policies as a minimum.

The Energy Strategy states that the use of on site renewable energy generation technologies is proposed as part of the development and that the technology used would comprise Photovoltaic Panels. However, it is also identified that these would only achieve a 1.1% reduction in carbon dioxide emission and not the 20% reduction sought under London Plan policy 5.3. It is accepted that the introduction of further potentially viable on-site renewable technologies would limit the use of features, such as green roofs and areas of roof top amenity space for future residents, which have been proposed as part of this scheme and will be positive sustainability features in their own right. Given the sustainability benefits arising from the design approach proposed and the levels of carbon dioxide reductions the scheme is achieving (relative to 2010 Building Regulations compliant scheme) the limited use of on site renewable technologies in the proposal is found to be acceptable in this particular instance.

Other aspects of sustainable design and construction

A Sustainability Statement, prepared by Metropolis Green, 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 construction of the new dwellings to achieve the Lifetime Homes Standard and the installation of facilities for cyclists.

The submission includes a Code for Sustainable Homes pre-assessment for the residential element of the scheme. This makes it clear that the proposal could meet Code for Sustainable Homes Level 4. The submission also includes BREEAM pre-assessments for the non-residential elements of the scheme (library, office and retail uses). These assessments identify that the non-residential uses could achieve a BREEAM level of 'Very Good'. It is

considered that the details provided in the submission are acceptable in this regard and that this aspect of 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 (residential), BREEAM 'Very Good' (non-residential uses) 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 that are 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 proposes the planting of new trees, the inclusion of areas of green roof covering 309m² in total and the use of other roof top planting. Conditions and planning obligations have been recommended to ensure that suitable landscaping and the green roofs are delivered at the implementation stage of the development (landscaping is addressed in greater detail previous sections of this report). Subject to these controls the proposal is found to be acceptable in this regard.

3.16 Biodiversity matters

The application is accompanied by an Ecological Appraisal prepared by ACD Ecology. This evaluates the ecological value of the site and assesses the ecological impacts of the scheme, including identifying possible ecological enhancements that could be incorporated into the development.

The Ecological Appraisal recommends that measures should be taken in respect of the protection of breeding birds during the construction process. A condition has been included in those recommended which requires a scheme of measures (that have previously been agreed with the Local Planning Authority) to be in place that ensures the implementation of the proposal is compliant with policies and legislation on the protection of breeding birds. Subject to the imposition of this condition the proposal is found to be acceptable in this regard. The Ecological Appraisal identifies that the site has negligible potential to support roosting bats and that that it is not anticipated that this development would have any impacts on designated nature conservation sites. Officers accept these findings.

The Ecological Appraisal identifies a number of biodiversity enhancements that the scheme could deliver. These include the installation of areas of green roof and roof top planting, the incorporation of bird boxes and the use of planting in the soft landscaped areas that promotes biodiversity objectives. Officers find these to be suitable biodiversity enhancements for a proposal of this nature in principle and a condition has been recommended to ensure that appropriate biodiversity enhancements are delivered as part of the scheme.

Natural England has responded to the consultation on the application and has not raised any objections to the proposal. Natural England have recommended that the Council secure biodiversity enhancements for the site if it is minded to grant consent for the proposal. As noted above conditions securing appropriate biodiversity enhancements have been included in those recommended.

The tree and wider landscaping matters are addressed more fully in earlier sections of this report. However, the conditions and obligations recommended are considered sufficient to ensure that these aspects of the scheme make appropriate contributions to biodiversity protection and enhancement.

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 development plan policy on biodiversity and nature conservation matters.

3.17 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. Officers consider that the planning obligations and conditions recommended would provide adequate mitigation for the impacts of the development and ensure that if the scheme is implemented it delivers the infrastructure (particularly the library) needed to overcome the proposals conflict with specific aspects of development plan policy.

Delivery of the Library

Given the new libraries importance to the recommendation made by officers on this application the planning obligations recommended secure the delivery of the library in the way that is currently envisaged. This is set out in full under the Recommendation 1 heading, towards the start of this report, but it includes the construction of the library to 'shell' stage by the applicant and the internal fit out of the library at cost to the applicant that does not exceed £945,000 (in respect of the fit out); the granting of a lease on the new library to the council for a term of 125 years (on the payment of a premium of £1) at a rent not exceeding £100 per annum; and the provision of a sum of £250,000 by the applicant to the council for library furnishings and furniture, media and information technology equipment and any other library related equipment.

Travel Plan and Travel Plan Monitoring

In accordance with policy DM17 of the Local Plan the applicant is required to enter into Travel Plans for the residential and non-residential elements of the development which seek to reduce reliance on the use of the private car and promotes sustainable means of transport.

The Residential Travel Plan provided would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives for the first occupier of each residential unit. These incentives are discussed in further detail in section 3.10 of this report, but they would comprise a voucher to a minimum value of £150 per dwelling to encourage the use of more sustainable modes of transport.

A contribution of £10,000 is required towards the monitoring of the Travel Plans for the development. This contribution is to enable the Local Planning

Authority to continue to monitor 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.

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 being issued with permits for the Church End Controlled Parking Zone which covers the area surrounding the application site. A contribution of £2,000 to cover the administrative costs of making this amendment to the Traffic Management Order is also sought.

Highway Works Plan and New Trees on the Public Highway

In order to provide suitable access, parking and servicing arrangements for the development and to achieve an appropriate setting for the proposal the application seeks to make a number of alterations to the public realm within and surrounding the site. This includes areas on Regents Park Road, Arcadia Avenue and land adjoining both these roads. The works concerned are likely to involve changes to the design and layout of the roads, alterations to street furniture, the installing of new hard surfacing, the planting of up to 7 new trees and changes to parking, loading and waiting restrictions and road markings. It is probable that these would be carried out under both planning and highways (principally the Highways Act 1980) related legislation and include both the stopping up of land (under Section 247 of the Town and Country Planning Act 1990) and the dedication of land (under Section 38 of the Highways Act 1980). Given its importance to the operation and appearance of the scheme and the nature of the works involved a planning obligation has been recommended which would ensure that the necessary changes to the public realm are provided in an appropriate manner prior to the development being occupied. In respect of the new trees to be planted specifically a sum of up to £15,000 is required.

Enhancements to Adjoining Property

The application proposes (in the Planning Statement) to make repairs and aesthetic improvements to the external appearance of the south-western flank wall at the adjoining property, 332 Regents Park Road, as part of its enhancement of this part of Church End. A planning obligation has therefore been recommended to ensure that these works are delivered and implemented in a suitable manner.

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 assist in mitigating the loss of employment generating floor space the development would result in. In the event that the applicant was not able to

fulfil its obligations in this respect a contribution of £25,000 towards the provision of apprenticeships and employment training within the borough would be payable to the Council.

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 £3,849 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.

3.18 Barnet Community Infrastructure Levy

The proposed development is liable for charge under the Barnet Community Infrastructure Levy (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 the scheme would finally be liable for under the Barnet CIL at the time planning applications are determined. For example it is possible that only the additional floorspace generated by the development would be potentially liable for charge under the Barnet CIL. Taking account of this factor the development might be expected to generate a Barnet CIL charge of **£353,695**. It is noted that the applicant has stated that they intend to apply for 'exceptional circumstances relief' in respect of the Barnet CIL. Any request for such relief would be assessed by the Council upon the submission of the appropriate application.

3.19 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 Mayoral CIL is calculated it is only possible to estimate the contribution which the scheme would finally be liable for under the Mayoral CIL at the time applications are determined. For example it is possible that only the additional floorspace generated by the development would be potentially liable for charge under Mayoral CIL. Taking account of this factor the development might be expected to generate a Mayoral CIL charge of **£114,292**.

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.

In broad terms the proposed development would produce facilities (library, residential, office and retail uses) for the whole community, including the whole spectrum of people who share a “protected characteristic” and those who do not. The conditions recommended for the application would ensure that in several regards the development proposed would exceed the minimum requirements of legislation, such as Part M of the Building Regulations, which relate to schemes meeting the needs of people who have protected characteristics. Examples of this include all the proposed residential units being constructed to meet the relevant Lifetime Homes standards and not less than 10% of the residential units proposed being constructed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The conditions would also ensure that the retail and office elements of the scheme are designed in a manner which takes appropriate account of the needs of disabled users and that disabled standard parking spaces are included for both the residential and non-residential uses proposed.

With the conditions recommended both the residential and non-residential elements of the proposal are found to accord with development plan policies as they relate to the relevant equalities and diversity matters. This includes the development achieving 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. It is also recognised that the design of the building to which the application relates is such that it would be an improvement when compared to the existing building on the site, in terms of achieving equality and diversity objectives specifically. The proposal would therefore have a positive effect in terms of equalities and diversity matters in this respect.

In terms of the new library specifically, the facilities, services and activities in this part of the scheme would potentially be for the benefit of all members of the local community, whether or not they share protected characteristics. As with other libraries in the borough it is envisaged that some activities carried out at the new facility would seek to positively encourage persons with protected characteristics to participate in activities and to positively engage with them in meeting their particular needs. However, importantly, the new library would be better placed to deliver this than the existing library in Finchley Church End. For example it would contain a lift to enable users with

mobility difficulties to access both floors of the facility. The development would therefore be expected to have a positive effect in terms of equalities and diversity matters in this regard.

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 its Equality Scheme and support the council in meeting its statutory equality responsibilities.

5. COMMENTS ON GROUNDS OF OBJECTIONS

Comments have been made identifying concerns that the works associated with implementing the development may affect the foundations and stability of neighbouring buildings, particularly when piling is carried out. While these concerns are noted it is not considered that a refusal of planning permission on this basis would be justified. The conditions recommended include a requirement that any impact piling to take place at the site as part of implementing the development is carried out in accordance with a method statement, detailing the measures that will be taken to minimise the risk of damage to neighbouring properties, that has previously been submitted to the local planning authority and agreed in writing. This is considered to be as far as the planning system can reasonably seek to manage this issue in the circumstances of this case. The other objections raised are all considered in the appraisal and analysis set out in the relevant parts of the report.

6. CONCLUSION

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 planning considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

For the reasons set out in detail in the previous sections of this report Officers conclude that the proposed development generally and taken overall accords with the relevant development plan policies and planning guidance, except as they relate to the protection of office (Use Class B1) floorspace in a Locally Significant Business Location. In respect of the protection of the existing office floorspace in this Locally Significant Business Location, it is considered that the proposed development would provide substantial planning benefits, specifically a new library facility, and that, on balance, these are sufficient to outweigh the schemes conflict with development plan policy and any harm caused in this respect. As such it is considered that there are material planning considerations which justify the recommendation to grant planning permission in this instance. 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 PLANNING HISTORY FOR THE APPLICATION

Gateway House, 318-330 Regents Park Road

F/00186/14 'Change of use from B1 office (first to seventh floors) to C3 residential (54 units) with 54 parking spaces, 59 cycle spaces and refuse store at ground and basement level.' NOT PERMITTED DEVELOPMENT AND THE PRIOR APPROVAL PROCESS IS NOT APPLICABLE (2014).

C00021AF/03 'Extension at third floor level to provide additional B1 office space.' APPROVED SUBJECT TO CONDITIONS (2003).

332 Regents Park Road

F/02016/13 'Installation of non-illuminated hoarding to side elevation.' APPROVED SUBJECT TO CONDITIONS (2013).

Winston House 2 Dollis Park, 4 Dollis Park and 349-363 Regents Park Road

F/00497/11 'Extension and refurbishment of Winston House, 2 Dollis Park comprising:

- Change of use of fourth floor from offices (B1) to hotel use (C1) and two storey extension at roof level to provide 119 bedroom hotel;
- Retention of 11 residential flats on first and second floors;
- Conversion of residential studio flat (C3) to office (B1);
- Remodelling and landscaping of car park;
- Partial remodelling of façade, including raising of parapet level.

Extension and refurbishment of 4 Dollis Park comprising:

- Change of use of B1 (Offices), B8 (Storage & Distribution) and D2 (Gymnasium) to create 27 no self-contained residential units.
- Creation of two new levels of car parking to serve residential/ office/ new hotel use of both Winston House and 4 Dollis Park.

Front extension to 349-363 Regents Park Road, and rear extension to 349 Regents Park Road. Change of use of 351-353 Regents Park Road from A2 (Financial & Professional Services) use to A1 (Retail) with internal and external alterations including new shopfronts.' APPROVED SUBJECT TO CONDITIONS (2012).

Adastra House, 401-405 Nether Street

F/03751/11 'Demolition of the existing building and redevelopment of site to provide a mixed used scheme over two basement levels, ground floor, 5 upper floors and roof terrace to provide 126sqm of office (use class B1) space on the ground floor, 34 residential units (use class C3) above, basement car parking for 35 cars and associated amenity space, refuse storage, cycle parking and landscaping and works.' APPROVED SUBJECT TO CONDITIONS (2012).

F/03458/10 'Demolition of the existing building and redevelopment of the site

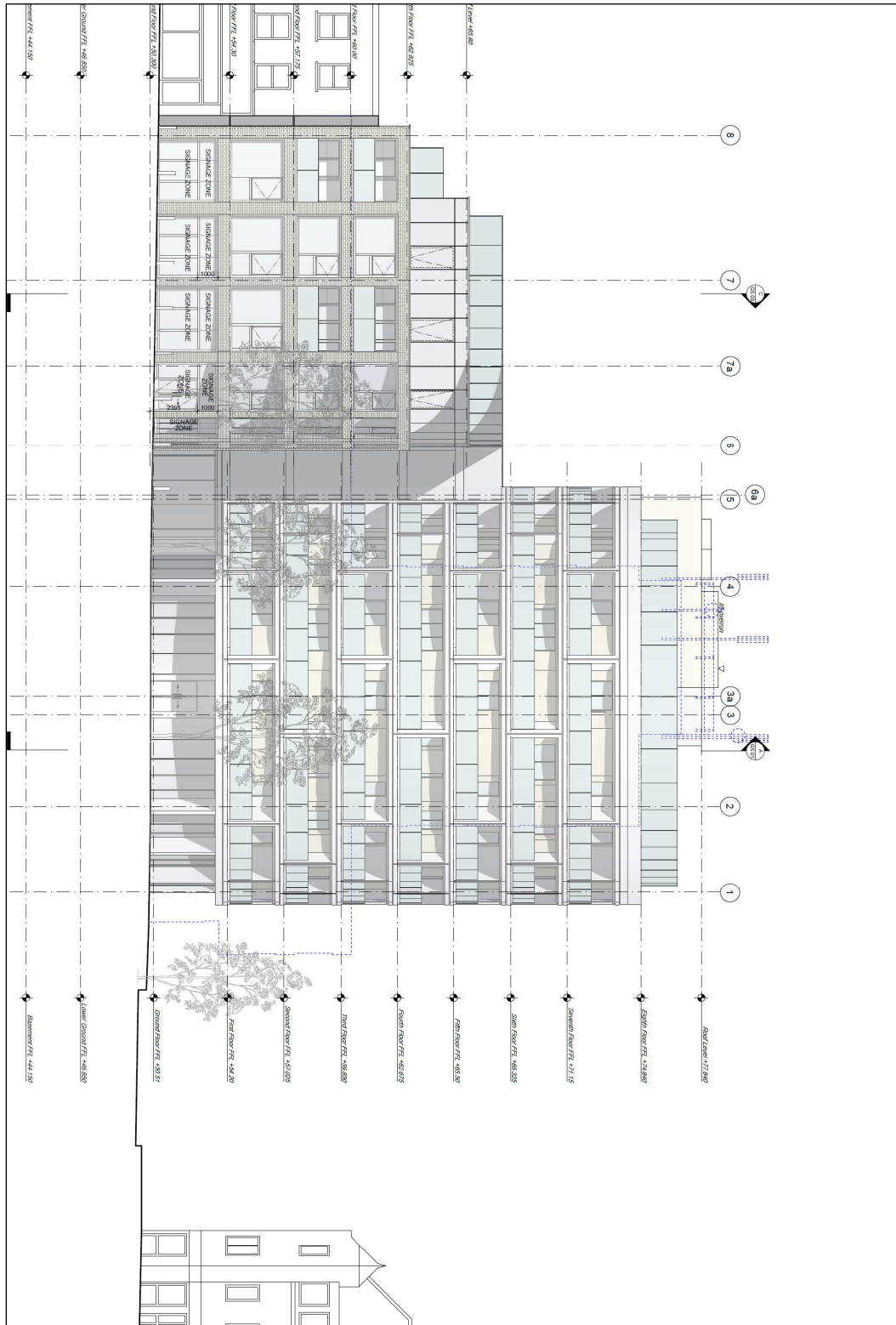
to provide a mixed use scheme over a basement level, ground floor and nine upper floors creating 220m² of ground floor office (use class B1) space and 42 residential units (use class C3) above, parking for 27 cars and associated refuse storage, cycle parking, landscaping and works.' WITHDRAWN (2010).

F/00647/08 'Demolition of existing buildings and erection of a ten storey building comprising residential accommodation (56 units) and ground floor class A1, A2, A3 and/or B1 unit (shop/financial and professional services/cafe and restaurants/business). Associated parking and vehicular access.' REFUSED (2008). APPEAL DISMISSED (2009).

F/00506/08 'Demolition of existing buildings and erection of a ten storey building comprising privately managed student accommodation and ground floor class A1, A2 and/or B1 unit (shop/financial and professional services/business). Associated parking and vehicular access.' REFUSED (2008). APPEAL DISMISSED (2009).

C01535AQ/03 'Demolition of existing building and erection of nine-storey building comprising B1 office use at ground floor level and 24no. residential units on the upper floors plus basement and sub-basement parking for 37no. cars (outline).' APPROVED SUBJECT TO CONDITIONS (2003).

Proposed Regents Park Road (north-west) Elevation:



APPENDIX 3: 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 and the applicant engaged with this prior to the submission of this application. The Local Planning Authority has negotiated with the applicant where necessary during the application process to ensure that the proposed development acceptable. While the proposal is a departure from certain relevant development plan policies there are important material planning considerations in this instance which justify the decision to grant planning permission.
2. 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, the stripping out of buildings, 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.
3. The gradient for the proposed ramps leading to the underground parking areas should have a gradient not steeper than 1:10 or in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks.
4. The applicant is advised that roads in the vicinity of the development suffer from high parking pressure. Therefore the occupants of the new development will be prohibited from purchasing parking permits in the existing Church End Controlled Parking Zone (CPZ). This is to ensure that there is no detrimental impact on the public highway resulting from the increased demand for parking permits from the new occupants of the development.
5. The applicant is advised that an application under Section 184 of the Highways Act (1980) must be submitted for a new heavy duty vehicular access. The 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 development on this site, will be borne by the applicant. To receive a copy of the Guidelines for Developers and an application form please

contact the Traffic and Development Team, Regional Enterprise, North London Business Park, Building 4, Oakleigh Road South, London N11 1NP.

6. Any highway approval as part of the planning process for the alteration or removal of the existing crossovers or provision of new crossovers will be subject to a detailed survey by the Regional Enterprise Crossover Team and the application that will be needed for the crossovers under the Highways Act 1980. This work would be carried out at the applicant's expense. Please note that the reinstatement of redundant crossovers, any relocation of street furniture, lighting columns or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's contractor for Highway Works. An estimate for this work can be obtained from the Traffic and Development Team, Regional Enterprise, North London Business Park, Building 4, Oakleigh Road South, London N11 1NP.
7. In a case where a highway tree is present in the vicinity of a proposed access road or a crossover for the development the final approval for any works to this tree would be subject to the detailed assessment carried out by the Regional Enterprise Crossover Team as part of a crossover application. The outcome of this assessment cannot be prejudged at this stage.
8. The applicant is advised that construction of a vehicular access or crossover may involve alterations to existing on-street parking bays. Alterations to on-street parking bays or waiting restrictions will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process and any related costs for such alterations will be borne by the applicant.
9. Refuse and recycling collection points should be located within 10 metres of the Public Highway. Otherwise unobstructed access needs to be provided to the refuse vehicle on the day of the collection and the development access would need to be designed and constructed to allow refuse vehicles to access the site. Alternatively the refuse and recycling will need to be brought to the edge of public highways on collection days. Any issues regarding refuse and recycling collection should be referred to the Cleansing Department.
10. 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.
11. The applicant is advised that Regents Park Road 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 Traffic and Development Team (Regional Enterprise, Building 4, North London Business Park, Oakleigh Road South, London N11 1NP) should be consulted in this respect.

12. Due to the presence of National Grid apparatus in the vicinity of 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.
13. 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 (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) and National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - 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;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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.

Clear site maps should be included in reports showing the previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on the site and to illustrate the proposed remediation strategy. All raw data should be provided in a form that can be easily audited and assessed. Details as to reasoning, how conclusions were arrived at and an explanation for any decisions made should form part of any report.

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

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

The Council's Sustainable Design and Construction Supplementary Planning Document 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 30dB(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(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 – Guidance on 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) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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.

15. 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 so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality related report the report submitted should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

16. 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.

17. 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
18. 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.
19. 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 **£114,292** 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 been assessed at this time as liable for a **£353,695** 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.

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: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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.

The following paragraphs provide examples of how you may potentially apply for relief or exemption from CIL:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. **Residential Annexes or Extension**

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. **Self Build**

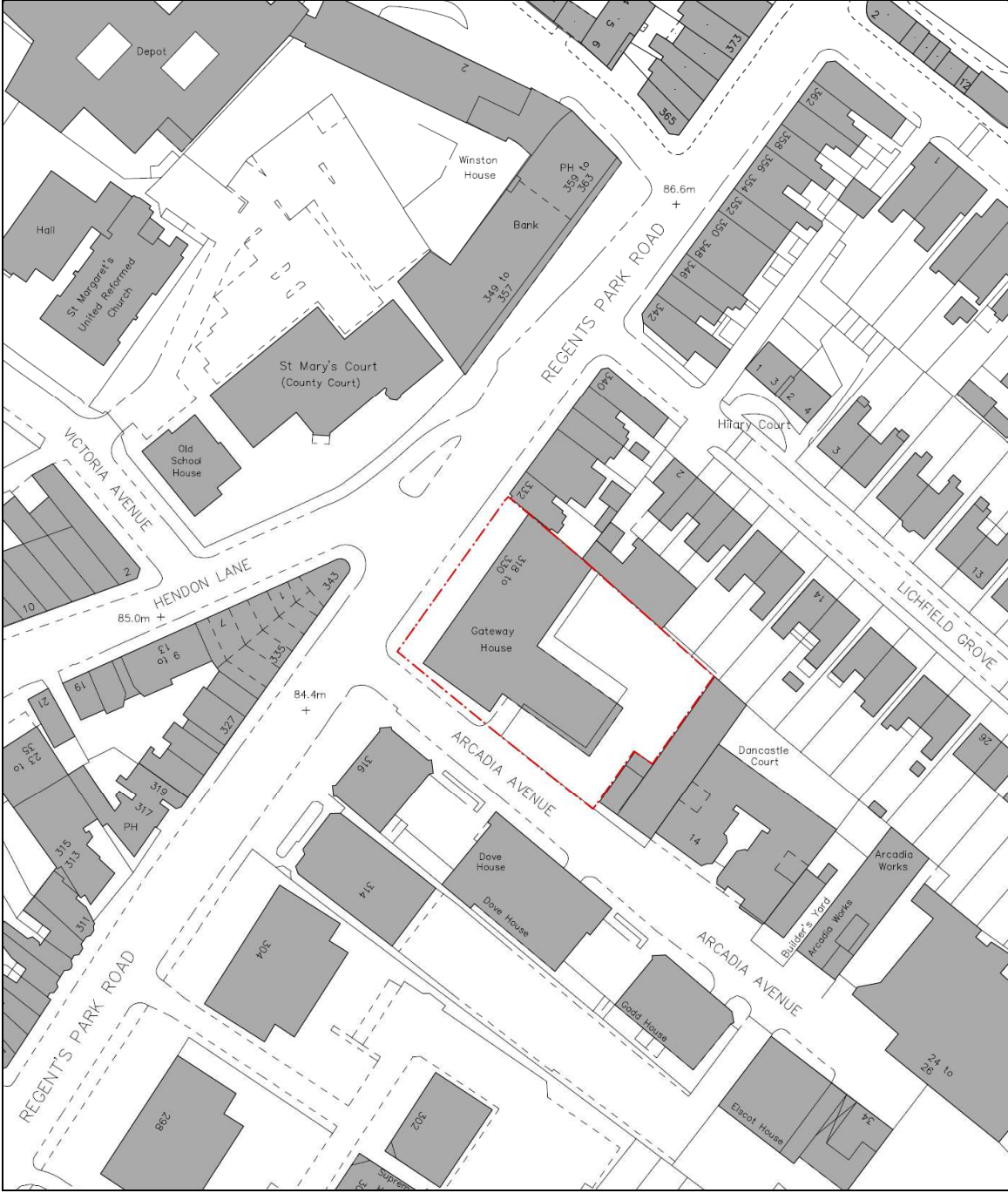
Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief

APPENDIX 4: SITE LOCATION PLAN

Gateway House, 318-330 Regents Park Road, London, Finchley Church End



LOCATION: Land at Tarling Road, London, N2 8LB

REFERENCE: F/03195/14

Received: 11 June 2014

Accepted: 11 June 2014

WARD(S): East Finchley

Expiry: 06 August 2014 **AGENDA ITEM 10**

Final Revisions:

APPLICANT: Barnet Homes

PROPOSAL: Erection of 3 no. two storey terraced houses and a three storey building containing 6 no. flats, car parking and associated works. (AMENDED DESCRIPTION)

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, LBB-SMP (0)200, LBB-SMP(0)010, LBB-SMP(0)9250, LBB-SMP(0)101, LBB(0)050, LBB-SMP(0)102, LBB-SMP(0) 100, Geosphere Investigative Report, Arboricultural Implications Assessment.

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 development hereby permitted is occupied, car parking spaces, shown on Drawing No. LBB-SMP (0) 100 shall be provided and marked out within the site. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason:

To ensure that adequate and 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 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.

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. 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 houses hereby permitted is occupied the proposed window(s) in the rear elevation of the houses facing 40-44 Tarling Road 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. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken

-Insertion of new windows or doors in the rear elevation of the new houses

Reason:

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

10. 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 development commences other than for investigative work:

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

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

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

Part 2

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

Reason

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

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

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

13. 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).

14. 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.

15. 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.

16. 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.

17. 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, F of Part 1 to Schedule 2 of that Order shall be carried out within the area of Land at Tarling Road N2 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).

18. The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy 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).

19. The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of 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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

20. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

21. A scheme for acoustic fencing to the amenity area for the flats shall be submitted in writing and approved by the Local Planning Authority prior to development. This scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason:

To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their home(s) in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

22. Before the development hereby permitted commences details of the location within the development and specification of the unit 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 unit 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.

23. No development shall take place until a 'Demolition & Construction Method Statement and Traffic Management Plan' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

24. Before the permitted development is commenced a revised drawing showing the exact location of the existing Advance Direction Signs in the context of the scheme proposing retention of the signs in its current location or relocation of the signs in agreement with Highways shall be submitted to the Planning Authority for approval.

Reason:

In the interest of highway and pedestrian 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.

25. Prior to occupation the approved development shall make provision for cycle parking in accordance with the submitted detail with the planning application. Such spaces shall be permanently retained thereafter.

Reason:

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

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

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

The 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.

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 £xxxx 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 £xxxx 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.

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 at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel

that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

4. 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.

- 5 Any highway approval as part of the planning process for the alteration to the existing crossovers or new crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for crossover under Highways Act 1980. Removal or relocation of any existing street furniture or alteration to road markings or Controlled Parking Bays would be subject to public consultations and would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be

subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) 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 Development and Regulatory Service, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Any details submitted in respect of the Demolition and 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 and precautions to minimise damage to trees on or adjacent to the site.

Any works to either remove or relocate the existing Advance Direction Signs and signal control boxes and any related highway works will be carried out under Section 278 of the Highways Act 1980.

- 6 The applicant is advised that any proposals to relocate traffic signs should be discussed with TfL.

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 5.2, 5.3, 6.1, 7.4, 7.6 are particularly 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.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM04, DM08, DM10, DM17

Supplementary Planning Documents and Guidance

The Council adopted a Supplementary Planning Document (SPD) "Sustainable Design and Construction", following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

The Council has adopted the following 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:

Site Address:	Vale Farm, Sites A and B
Application Number:	C01784Z
Application Type:	Full Application
Decision:	Approve
Decision Date:	05/02/1979
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Provision of a 3.6m. (12 ft.) fence around play space and formation of pedestrian access from High Road to Tarling Road and from High Road to Brownswell Road.

Case Officer:

No.41 Tarling Road

F/03794/14 Single storey rear extension with a proposed depth of 4 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres. - Under Consideration.

Consultations and Views Expressed:

Neighbours Consulted: 170 Replies: 5 and joint letter with 48 signatories.

Neighbours Wishing To Speak 1

Five objections were received and a joint letter with 48 signatories.

The objections raised may be summarised as follows:

- Resident current has a prior approval application in process
- Proposals would not meet the development standards, specifically 21m distance
- Loss of privacy and overlooking
- Noise and disturbance/Smell
- Loss of light/ Overshadowing
- Loss of green space
- Overcrowding
- Lack of play facilities in the area
- Loss of trees
- Residents have wanted something to be done with the playground for many years, there is Japanese Knotweed.
- Increased traffic
- Car parking spaces too small
- No allowance for parking for visitors/tradesman
- Flood risk
- Relocation fo recycling point

Internal /Other Consultations:

Transport for London - No objection, TfL satisfied the above development would not result in an unacceptable impact on the Transport for London road Network (TLRN) or the Strategic Road Network (SRN).

- Traffic & Development - No objection, comments included within main report.
- Environmental Health - No objection, comments included within main report.
- Green Spaces (inc Allotments) - No comments received at the time of writing the report.

Date of Site Notice: 26 June 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is formed by two plots of and fronting the High Road, East Finchley, either side of Tarling Road. The southernmost plot was formerly a playground, the northern plot a grassed area. The sites total an area of 0.17 hectares.

Proposal:

The proposals are for the erection of 3 no. two storey terraced houses and a three storey building containing 6 no. flats, car parking and associated works.

The proposals have been amended following discussions with officers.

Planning Considerations:

The proposals form part of the Barnet Homes Affordable Homes Scheme which involves a number of schemes for new affordable housing around the borough. The proposals would provide 100% affordable housing and would add additional dwelling units to housing stock available within the borough.

The item has been referred to Planning Committee given that the applicant is Barnet Homes.

The proposals have been amended following discussions with the case officer.

The main issues are considered to be:

- Whether the principle of development is acceptable.
- Whether the proposals would harm the character and appearance of the streetscene and general locality
- Whether the proposals would harm neighbouring and future amenity
- Whether the proposals would harm highway and pedestrian safety

Whether the principle of development is acceptable.

The proposals are for the development of new affordable housing units on land former used as a playground and a grassed area.

A number of residents have raised the issue of the loss of open space and play area associated with the proposed development.

Open spaces other than designated Green Belt and Metropolitan Open Land (MOL) protected by Council Policy are defined as follows:

- public open space (as defined by the Public Open Space Hierarchy in the London Plan and cross referenced in paragraph 16.3.2 of the adopted Development Management Plan Policies);
- outdoor sports (including playing fields, sports pitches and golf courses); and
- allotments and cemeteries.

It is therefore considered that the proposal is in accordance with the requirements of the NPPF and Policy DM15 of the adopted Local Plan.

Whilst it is possible that residents may have used the grassed area as an informal recreational area, it does not benefit from any designation and refusal of the proposals on the loss of this area could not be justified. The playground has been disused for a considerable period of time, and is not identified within current provision for play areas within the borough.

The site is located within 400km of a local park and is not within an area of deficiency.

It is therefore considered that the proposals would not result in the loss of open space or play areas. Play space would be required for the scheme in compliance of the London Plan.

The proposals would comply with density standards in the Mayor's London plan. The site is located in an urban area and is located in an area of PTAL rating 1a. The London Plan advises that development should be at 150-250 habitable rooms/hectare. The proposals appear to be at 188 habitable rooms/hectare. The development is considered to be at an appropriate density for the site.

It should also be noted that the proposals would provide 3 bedroom affordable homes. Policy DM08 states that for social rented housing homes with 3 bedrooms are the highest priority, and the demand for such housing should be given significant weight.

Whether the proposals would harm the character and appearance of the streetscene and general locality

The character of the area consists of terraces of houses on Tarling Road to the west, four storey blocks of flats to the north-west, and two storey houses to the south on Sylvester Road. There are a number of larger buildings on High Road and a two storey terrace immediately to the south.

The southern plot of land would be developed as a terrace of three two-storey houses.

Furthermore, the building line of the terrace of properties has been sited so that it would align with that at the properties on High Road to the south. The proposed terrace would replicate a number of design features, particularly the front gables from these buildings.

It is considered that the proposed terrace of three houses would be considerably designed, and respect the size of neighbouring buildings. This would have an acceptable impact on the character and appearance of the streetscene and general locality.

The block of flats to the northern site would be three storeys in height. The applicant has taken into account concerns so that the massing of the building would be comparable to similar buildings on this corner of the High Road and so that it appears of acceptable scale relating to neighbouring buildings. The building would be set back in line with the front wall of the proposed houses to the south. The building would have a flat roof with a mono-pitched element to the west where neighbouring buildings are four storeys in height.

The proposed materials feature red multi brick, and slate grey concrete tiles. These are considered to be in keeping with local aesthetics.

Whilst there are no trees subject to a tree preservation order on site, there are large numbers of trees to the north adjacent to the North Circular Road. The scheme would be sited adequate distance from these trees that it should not cause harm to them. An Arboricultural Impact Assessment accompanies the planning application.

It is considered that the proposed development would sit comfortably within the appearance and character of the streetscene and general locality.

Whether the proposals would harm neighbouring and future amenity

Overlooking

It is noted that the proposals would result in a distance of between 18.2m and 18.9m between the rear of the houses on the southern plot and buildings to the rear on Tarling Road. This would not technically comply with the 21m standard within the Council's Supplementary Planning Document on Residential Design Guidance.

All windows on the rear elevation for these houses would be obscure glazed to reduce possible overlooking.

The supplementary Planning Document on Sustainable Design and Construction states that 'Privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.'

It is noted that the resident at no.41 has applied for prior approval for a rear extension. It is therefore possible that they would be able to construct a 4m deep rear extension. Objections have been received that this would further reduce the distance between properties. The 21m guideline is generally applied to buildings above ground floor level. The distance of 14.9m would only be at ground level, and allowing for the fact that the levels decrease between no.40-44 and the High Road, the first floor windows approximately of the development align with the ground floor of no.40-44. It should be considered that an outbuilding of 2.5m height could be constructed at any point in the rear gardens of no.40-44 under permitted development. It is therefore suggested that no materially harmful overlooking would not result.

It is considered that, possibilities for overlooking have been minimised by siting windows sensitively and by obscure glazing windows on the rear elevation at the closest points of the development.

It is not considered that the proposals would result in the material overlooking of neighbouring residential occupiers.

The northern block would be sited approximately 22m from the nearest residential properties to the west. It is not considered that the development would have a harmful impact on the visual or residential amenities of the occupiers of the block at 15-38 Tarling Road.

Loss of Light/Outlook & Visual Impact

The neighbouring property at no.345 High Road appears to have a clear glazed window on the side facing the site. Consideration needs to be given to the impact of the proposals on this window, particularly as it appears to serve a habitable room.

However, given the distance of the southern block of houses from the window and its relatively low height it is not considered that there would be harmful impact on the occupiers of no.345.

The proposed southern terrace of buildings would be located at a lower level than the houses to the rear at 40-44 Tarling Road. It is not considered that the proposed buildings would appear overbearing or visually dominating as perceived from the rear gardens or windows of these properties.

The proposals comprise:

- 1 x 1 bed 2 person flat of 51.8 sq m
- 1 x 2 bed 3 person wheelchair flat 79.4m
- 2 x 2 bed 4 person flats 74.7 sq m
- 2 x 3 bedroom 5 person flats 92.8 sq m
- 3 x 3 bedroom 5 person houses 92.8 sq m.

The development would comply with London Plan minimum space standards.

The amount of amenity space as proposed for the houses would comply with amenity space standards in the Supplementary Planning Document on Sustainable Design and Construction. The amenity space for the flats (Approx 180 square metres) would comply with the standards in the SPD on Sustainable Design and Construction (on the basis of 15 habitable rooms) 90 square metres would be required.

Play space needs to be provided in accordance with the Mayors London Plan. Based on the Mayor's Supplementary Planning Guidance 132 sq meters of play space needs to be provided for a scheme of 6 flats and 3 houses and this area needs to be provided. Details of the playspace area would be secured by condition.

The proposed dwellings would provide adequate outlook and light for future occupants. It is noted that the houses would be single aspect however it is considered that this arrangement would be acceptable for future occupants given that the rooms would be lit by windows to the rear.

The scheme would need to comply with Lifetime Homes Standards and Level 3 of the Code for Sustainable Homes.

Refuse stores would be incorporated within an internal storage section for the flats and within front enclosures for the houses.

Impact on Trees

Whilst there are not any trees subject to tree preservation on site, the proposals are in reasonably close proximity to trees on site and on the neighbouring site to the north.

The amenity areas are located within root protection areas of some of trees to the north of the site. Subject to conditions it is not considered that the proposals would harm trees of special amenity value.

Highways Issues

The site is located on High Road N2 at its junction with the Westbound Slip road to

A406 West Bound.

The site is part of Tarling Road affordable housing estate managed by Barnet Homes.

The proposal is to erect 3x3bedroom terraced houses and 6 No Flats comprising 1x1bedroom unit, 3x2bedroom units and 2x3bedroom units. Parking spaces are proposed for the new development.

A range of 8 to 13 parking spaces would need to be provided to meet the parking standards as set out in the Barnet Local Plan Development Management Plan Approved in September 2012.

There are possible 55 parking spaces for the existing 50 units on the estate. The reconfiguration of the parking will allow for additional 4 parking spaces which will provide a total of 59 parking spaces. This will then allow 1 parking per unit. It also proposed that the parking court will be resurfaced as part of the public realm improvement.

Parking provision is in accordance with the parking standards as set out in the Barnet Local Plan Development Management Plan Approved in September 2012.

The existing vehicular access from Tarling Road will be retained. The emergency access will be retained from High Road.

Refuse collection is proposed from High Road for houses and from Tarling Road for the flats. The refuse store will be located at ground level and will be within 10m of the highway.

18 cycle parking spaces are proposed for the new development.

The PTAL Score for the site is calculated by using Transport for London model and has a rating of 2 which is considered as a low accessibility level; however, the site is within a walking distance of local amenities and town centre.

The site is served by bus route 263 which operated on High Road N2 with bus stop close to the site.

The drawings and the other information submitted for the above application does not clearly indicate the location of the existing Advance Directional Signs and the signal control boxes on site which will either need to be relocated or remain in the existing location.

The applicant is advised that these signs would need to be shown on the submitted drawing as it is part of the material consideration for the approval of the planning application.

There have been ongoing discussions with the Highway Authority to investigate the relocation of the two existing Advance Direction Signs located on the site fronting the High Road. The signs would need to be within certain distance of the junction as the signs are statutory signs and are required under the Traffic Regulations Signs and General Directions 2002.

The proposed solution is for the sign and the signal control boxes remain in its existing location and either delineate the proposed pedestrian path with railings or some form of protection so that the pedestrians could not walk into them or relocate the pedestrian path and the refuse store further east from its proposed location.

Any works if required for removing, redesigning and relocating the highway signs and signal control boxes and any other highway related works will need to be carried out under Section 278 of the Highways Act 1980.

The application is recommend for approval on highway grounds.

Section 106 Issues

The proposed scheme would be liable to provide towards Barnet and Mayoral Community Infrastructure Levy, but given that it would be for affordable housing it would potentially be eligible for relief.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally Addressed in main report.

- Resident current has a prior approval application in process - *This is noted. However at this stage there is no guarantee that it will be approved.*
- Noise and disturbance/Smell - *It is not considered that the development would result in harmful impacts due to the proximity of residents, noise impact or odours associated with the development.*
- Lack of play facilities in the area - *This is noted however the playground on site has been disused for a considerable period of time.*
- Loss of trees - *The trees that are being removed are of low quality and do not warrant refusal of the planning application*
- Residents have wanted something to be done with the playground for many years, there is Japanese Knotweed. - *The presence of Japanese Knotweed is noted but this is not reason to withhold permission.*
- Car parking spaces too small - *The car parking spaces are of adequate size.*
- No allowance for parking for visitors/tradesman
- Flood risk - *The site is not located within an area of flood risk.*
- Relocation fo recycling point - *There is no relocation of existing recycling points proposed.*
- Impact on Human Rights - *The rights of residents, specifically to enjoy their property and private and family life. It is not considered that the proposals would breach the Human Rights Act 1998 in this regard.*

4. EQUALITIES AND DIVERSITY ISSUES

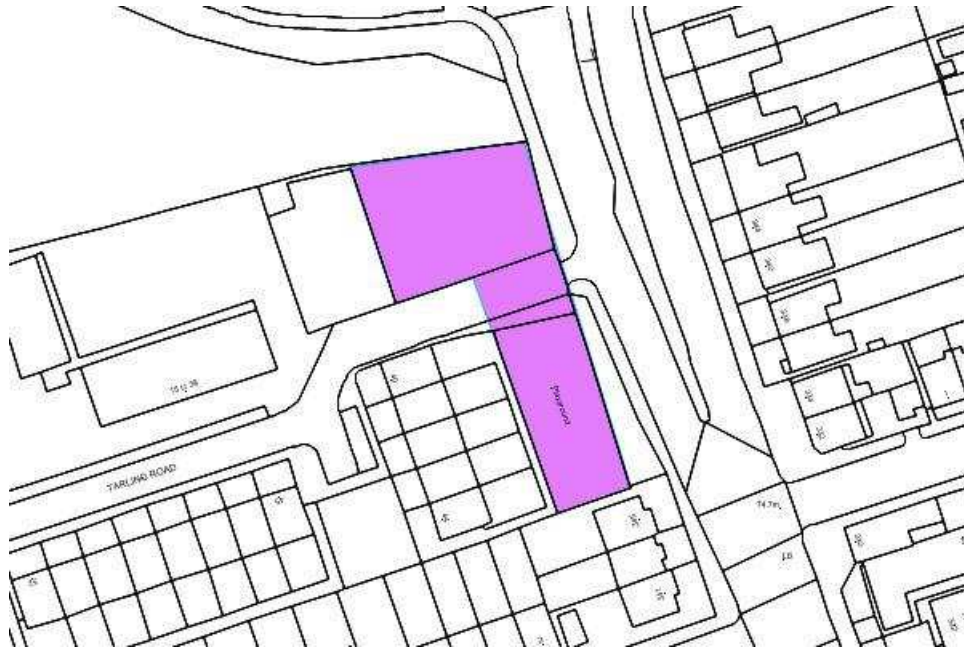
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Taking the above matters into consideration the application is recommended for **APPROVAL.**

SITE LOCATION PLAN: Land at Tarling Road, London, N2 8LB

REFERENCE: F/03195/14



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LOCATION: 237A Golders Green Road (Also known as 2A Highfield Avenue),
London, NW11 9ES

REFERENCE: F/01133/14

Received: 28 February 2014

Accepted: 14 May 2014

WARD(S): Golders Green

Expiry: 09 July 2014

AGENDA ITEM 11

Final Revisions:

APPLICANT: BS Initiative

PROPOSAL: Conversion of the existing residential use on the upper floors into 5 no. self-contained flats to regularise works undertaken on site. Re-design of existing flats and lowering of parapet to single storey element; alterations to roof. (AMENDED DESCRIPTION)

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 13257 171 Rev A, 13257 174 Rev A, 13257 101 Rev A, 13257 104 Rev A, 13257 100 Rev A, 13257 1001 Rev A, 13257 175 Rev A, 13257 172 Rev A, Design and Access Statement, 13257 106 Rev A, 3257 105 Rev A, 3257 103 Rev A, 3257 102 Rev A.

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. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason:

To safeguard the visual amenities of the building and surrounding area 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).

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.

2. 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.

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.

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.

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 at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

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.

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.

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

Supplementary Planning Documents and Guidance

Relevant Planning History:

Planning applications picked up in spatial search

Site Address: 237 Golders Green Road, London, NW11 9ES
Application Number: 01972/09
Application Type: Full Application
Decision: Refuse
Decision Date: 04/08/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **First floor side and rear extension.**
Case Officer: Neetal Rajput

Site Address: 237 Golders Green Road, London, NW11 9ES
Application Number: 02916/09
Application Type: Full Application
Decision: Refuse
Decision Date: 05/01/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of first floor side and rear extension, second floor rear extension with associated pitch roof above providing additional room in roof space for previously approved self contained residential unit.**
Case Officer: Neetal Rajput

Site Address: 237 Golders Green Road London NW119ES
Application Number: C03565Q/06
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 23/05/2006
Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground, first, second and third floor rear extension and ground floor side extension. Use of ground and first floors as retail shops (Class A1) with ancillary basement storage and office space (Class B1). Use of upper floors as residential (Class C3) to provide six self contained units.**

Case Officer: Fabien Gaudin

Site Address: 237 Golders Green Road London NW119ES
Application Number: C03565H/04
Application Type: Full Application
Decision: Refuse
Decision Date: 11/08/2004
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of two-storey side extension and first, second and third floor rear extensions with associated alterations to roof. Use of ground/upper ground floors as retail shops (Class A1) and office space (Class B1). Use of upper floors as residential (Class C3) to provide a total of seven self-contained units.**

Case Officer: Karina Conway

Site Address: 237 Golders Green Road London NW119ES
Application Number: C03565K/04
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 23/12/2004
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground, first, second and third floor side and rear extensions. Use of ground and first floors as retail shops (Class A1) and office space (Class B1). Use of upper floors as residential (Class C3) to provide four one bed self contained units.**

Case Officer: Karina Conway

Site Address: 237 Golders Green Road London NW11 9ES
Application Number: C03565L/05
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 25/11/2005
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground, first, second and third floor rear extension and ground floor side extension. Use of ground and first floors as retail shops (Class A1) and office space (Class B1). Use of upper floors as residential (Class C3) to provide six self contained units.**

Case Officer: Karina Conway

Site Address: 237 Golders Green Road, London, NW11 9ES
Application Number: 01178/11
Application Type: Retention/ Contin. Use
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of 2no residential units at second and third floor levels (units 5 and 9) including rooflights at all sides.**

Case Officer: Neetal Rajput

Site Address: 237 Golders Green Road, London, NW11 9ES
Application Number: F/02076/11
Application Type: Full Application
Decision: Withdrawn
Decision Date: 15/07/2011

Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of 2no residential units at second and third floor levels (units 5 and 9) including rooflights at all sides.**
Case Officer: Neetal Rajput

Site Address: 237 Golders Green Road, London, NW11 9ES
Application Number: F/03523/11
Application Type: Full Application
Decision: Refuse
Decision Date: 20/10/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of 2no residential units at second and third floor levels (units 5 and 9) including rooflights at all sides.**
Case Officer: Neetal Rajput

Site Address: Zohar Court, 2A Highfield Avenue, London, NW11 9ET
Application Number: F/04159/12
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/02/2013
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use of ground floor and basement from A1(shop) to D1 (Dental Practice).**
Case Officer: David Campbell

Site Address: 237 GOLDERS GREEN ROAD, LONDON, NW11 9ES
Application Number: F/00276/08
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 20/06/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Upper ground floor side and rear extension, first and second floor part rear extension. Creation of new pitch roof at rear with rooms in roof space to become 1no.self contained unit**
Case Officer: Alissa Fawcett

Site Address: 237 GOLDERS GREEN ROAD, LONDON, NW11 9ES
Application Number: F/02928/08
Application Type: Full Application
Decision: Refuse
Decision Date: 06/04/2009
Appeal Decision: Dismissed
Appeal Decision Date: 06/04/2009
Proposal: **Proposed first and second floor side and rear extension, third floor rear extension with associated pitch roof above providing additional room in roof space for previously approved self contained residential unit.**
Case Officer: Fabien Gaudin

Enforcement Notices picked up in spatial search

Reference Name	Description
	Enforcement Notice served under part iii of Town and Country Planning Act 1971, (carried out without the grant of planning permission required).

Consultations and Views Expressed:

Neighbours Consulted:	120	Replies:	6
Neighbours Wishing To Speak	4		

The objections raised may be summarised as follows:

- Reduction in number of housing units is unacceptable.
- Removing parapet wall will cause a safety hazard
- There is no problem with existing roof.
- Proposals will increase parking problems in the area
- Loss of privacy
- Overcrowding

Internal /Other Consultations:

N/A

Date of Site Notice: 29 May 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is sited on the corner of Highfield Avenue and Golders Green Road. The site has an existing four storey building with roof level and commercial units at ground floor level. The site is located close to Golders Green town centre.

An existing rear and side extension has been constructed containing 9 self-contained flats which are unauthorised.

Proposal:

The proposals are for conversion of the existing residential use on the upper floors into 5 no. self-contained flats to regularise works undertaken on site, and the re-design of existing flats and lowering of parapet to single storey element; alterations to roof.

Planning Considerations:

The main issues are considered to be:

- Whether the proposals would have an acceptable impact on the character and appearance of the streetscene and general locality.
- Whether the proposals would provide an acceptable level of amenity for neighbouring and future occupiers
- Whether the proposals would have an acceptable impact on highway and pedestrian safety.

Background

This item is presented to the Planning Committee given that the Council has an interest on the land in question. A number of the units have been let under the 'direct let' scheme. Under this process basic checks are made and accommodation needs to comply with housing acts however checks are not made against planning permission.

Barnet Homes have advised that 'A number of Barnet Homes applicants were tenanted at Zohar Court under the direct let scheme. It is unclear whether the landlord approached us himself or the applicants sourced the properties and approached us for deposits/landlord incentives. The applicants would have signed Assured shorthold tenancies for a minimum of a year as with most private lets which come our way via the direct let scheme. Our role would have been as facilitating agents. Barnet Homes would not have any managerial role in managing the tenancy but would in all likelihood have informed the landlord of the need to install Health and Safety features such as smoke alarms, fire doors etc. However due to the private nature of the ownership, would not have been able to enforce all of this. Barnet Homes would not have had cause to check into the planning permission status of the building. I believe the limit in that respect would have been to check ownership of at least the building as a whole.'

Therefore, whilst it is regrettable that Barnet Homes applicants have been tenanted within the development, for such development they do not consider it necessary to check the planning status of developments.

Whether the proposals would have an acceptable impact on the character and appearance of the streetscene and general locality.

The existing development on site is unauthorised.

However, planning permission was granted under reference F/00276/08 for a development of a similar nature on site with smaller roof bulk and with the parapets to the side of the property omitted. This only related to a single additional unit in the roof. Permission was also granted under reference C03565L/05 for a scheme for six flats. The currently proposed scheme is an amalgamation of these two schemes.

The roof appearance was identified within both the 2013 appeal against the extant enforcement notice and the 2009 appeal against refusal of planning permission as being detrimental to the character and appearance of the area. However, it the above planning applications that have been approved should also be given weight, though they have now lapsed. The proposals would reduce the size of the roof at fourth storey, so that there is more of a set back from the edge of the roof and it is considered that the proposals to be retained would not materially harm the character and appearance of the area.

The proposals would also involve the removal of the parapet walls at first floor which also add to the bulk perceptible from the streetscene.

It is considered that the proposed regularisation works would result in a development that would have an acceptable impact on the character and appearance of the streetscene and general locality.

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

In terms of the environment for future occupiers, the roof units would be converted from two units (unauthorised) to a single unit. This would now have dual aspect. The third floor would be converted from four units (unauthorised) to two units. The second floor converted from three flats (unauthorised) to two.

Second Floor - 50 and 51 sq m.

Third Floor - 50 and 51 sq m.

Fourth floor - 56 sq m

The units as proposed would comply with the internal space standards in the Mayors London Plan. No external amenity would be provided however given the nature and location of the development on a shopping parade this is considered acceptable.

The existing development is subject to an enforcement notice however there was no objection to the impact on neighbouring amenity.

The proposed regularisation works would not harm the visual or residential amenities of neighbouring occupiers.

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

The proposals would retain 5 one bedroom units.

No issue was raised with the impact of the existing development on highway and pedestrian safety. The site does not provide any parking. The site is located within an area of PTAL rating of 4 which is of moderate accessibility. Taking the site location which is close to Brent Cross underground station into account, it is not considered that the proposals would result in a harmful impact on highway and pedestrian safety.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is noted that a number of residents have commented upon the reduction in the number of flats given the known demand in the area for residential accommodation. However, the existing units are unauthorised and the loss of the units should not be given weight in any consideration.

There is an existing enforcement notice on the site. This requires that '*(1) demolition of ground and first floor side and rear extension, second and third floor part rear extension and fourth floor new pitch roof with roof lights and dormer at rear and filling in of basement level to restore original ground level; and (2) the permanent removal from the property of all constituent materials resulting from the works in (1) above.*'

Therefore the existing residential units will be removed in any case. Whilst it is regrettable that the units have been occupied and that the proposals will result in the loss of residential units, these are unauthorised and there should be no presumption that they would remain.

4. EQUALITIES AND DIVERSITY ISSUES

Under section 149 of the equalities act 2010, the Council has a duty to ensure that it behaves as follows:

- (1) A public authority must, in the exercise of its functions, have due 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.
- (2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).
- (3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic:
- (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- (c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- (4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- (5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) Tackle prejudice
- (b) Promote understanding
- (6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.
- (7) The relevant protected characteristics are:
- age;
 - disability;
 - gender reassignment;
 - pregnancy and maternity;
 - race;
 - religion or belief;
 - sex;
 - sexual orientation.
- (8) A reference to conduct that is prohibited by or under this Act includes a reference to:
- (a) a breach of an equality clause or rule;
- (b) a breach of a non-discrimination rule.
- (9) schedule 18 (exceptions) has effect.”

The likely equalities impacts of the development are as follows:

The proposals would result in a reduction in the number of flats on site from 9 to 5. It is noted that some of these residents are housed through Barnet Homes Direct Let scheme. As a result of the implementation of the works, a number of residents would lose their homes.

It is acknowledged that the implementation of the proposals would result in the loss of housing for residents and residents are encouraged to contact Barnet Homes for help in finding new accommodation.

The loss of unauthorised housing is not a reason to withhold planning permission given that the housing would have to be removed in order to comply with the enforcement notice in any event however the equalities impacts of the development need to be considered. No residents have objected on the grounds that they would be disproportionately affected as a result of any protected characteristic they may have. There is no reason to believe that residents would be affected disproportionately as a result of such characteristics, as it is understood that this would be taken into account as part of the re-housing procedure.

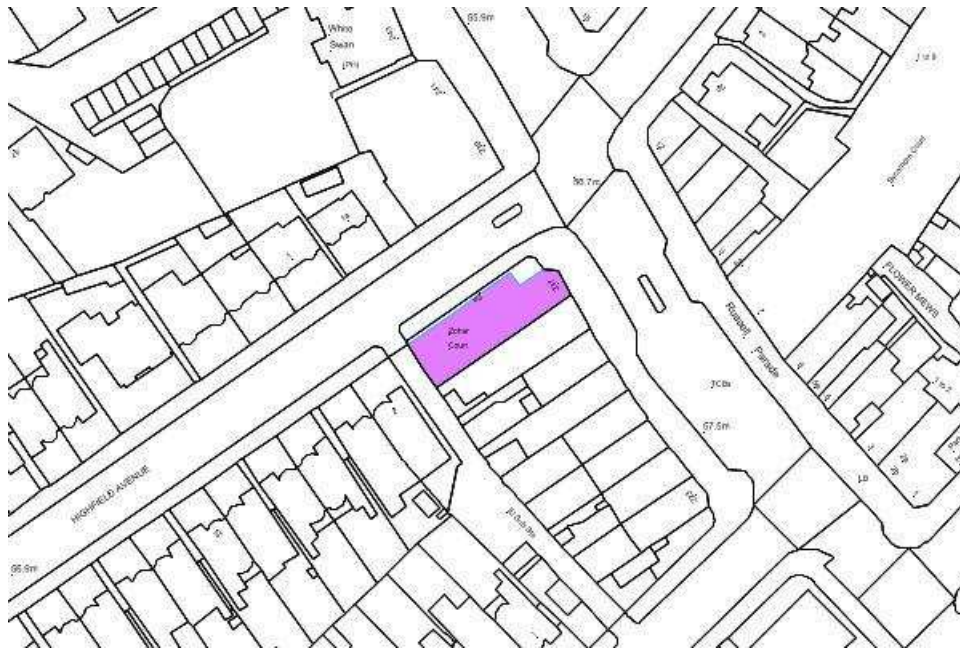
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: 237A Golders Green Road (Also known as 2A Highfield Avenue), London, NW11 9ES

REFERENCE: F/01133/14



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masterplan, would be similar in scale and layout, would retain the key community uses and would not compromise the overall delivery of the regeneration. The approach of 'dropping in' the College application into the wider masterplan would not compromise the ability to implement the remainder of the outline planning consent. Furthermore, the remaining phases of the Grahame Park scheme, known as Stage B, are likely to be revised following a review of scheme viability.

Summary of Assessment of Application

In summary, the proposed mix of uses proposed would accord with the site specific guidance set out in the Colindale Area Action Plan (CAAP), as well as more general Barnet Local Plan policies governing the provision of such uses. The scheme would also contribute to the vitality of the area, which the CAAP also requires, as well as providing a positive contribution towards the wider regeneration of Colindale.

The design and layout of the development would relate well to the remainder of Phase 1B and the scale of the building would comply with the parameters set by the outline consent. The development relates acceptably to neighbouring properties, is in keeping with the character of this part of the Grahame Park development and does not cause any unacceptable harm to the amenities of the neighbouring properties.

More generally the application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new building would meet BREEAM 'Excellent' and there are requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

The scheme provides an appropriate level of car parking on site, with the emphasis on parking restraint in this accessible location. A contribution has been secured to ensure that parking controls can be implemented on surrounding roads should overspill parking occur. Alongside this, Travel Plans will encourage users of the site to use more sustainable modes of transport and further mitigation will be secured by condition to control details of construction, delivery and servicing and car parking management.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, having regard to the urban character of the Phase 1B. The setting for the building proposed would be provided by the Southern Square, but the proposal also includes the planting of new trees at the rear of the building. The development would result in the limited removal of the existing trees from the site. However, none of these are protected by a preservation order and it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of 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, including transport impacts.

All relevant policies contained within the development 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.

RECOMMENDATION APPROVE 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) Travel Plan
The applicant shall enter into a strategic level Travel Plan for the College and a local level travel plan for the library/CIL that seek to reduce reliance on the use of the private car and to ensure the sustainability of the development.
- (d) Travel Plan Monitoring Contributions
Payment of financial contributions totaling **£15,000** to the Council towards its costs in promoting more sustainable modes of transport and monitoring the Travel Plan that will be submitted for the development.
- (e) Controlled Parking Zone Contribution
A contribution of **£100,000** towards the provision of a Controlled Parking Zone in the vicinity of the site.

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 H/00320/14 under delegated powers 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 DEVELOPMENT

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

P001 Rev B
P100 Rev B
P105 Rev A
P200 Rev G
P201 Rev L
P210 Rev M
P211 Rev M
P260 Rev E
P261 Rev E
P262 Rev C
P263 Rev C
P264 Rev A
P265 Rev A
P266 Rev A
P270 Rev E
P271 Rev D
P275 Rev D
P276 Rev C
P920 Rev A
Design and Access Statement

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 (except for enabling works) unless and until details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas 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 as so approved before the dwellings approved are occupied.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

4. Notwithstanding the detail on the approved plans, before the development hereby permitted is commenced, details of the height, materials and type of boundary treatments to be erected as part of the development (including manufacturers' details of the vehicle access gates) shall be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason:

To ensure the highest standards of design in the interests of the character and visual amenities of the site and wider area and in the interests of highway safety in accordance with policies CS5, DM01 and DM17 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

SITE LEVELS

5. Notwithstanding the details submitted in the drawings 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 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.

SUSTAINABILITY

6. The development hereby permitted shall all be constructed to achieve not less than BREEAM 'Excellent' (or the equivalent standard in such measure of sustainability for building design which may replace that scheme). The building shall not be occupied until formal certification has been issued confirming that not less than BREEAM 'Excellent' has been achieved and this certification has been submitted to and approved by 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.

7. Prior to the commencement of development hereby approved (except for enabling works) a strategy setting out how the development will connect to a future Energy Centre/District Heating System to be provided within the Grahame Park Estate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved.

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policies 5.2 and 5.6.

CONTAMINATED LAND

8. The site shall be remediated as part of the development hereby permitted, in accordance with the details approved in relation to Condition 32 under approval of details reference H/00891/12, dated 2nd August 2012, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

BIODIVERSITY

9. Prior to the commencement of the development (except for enabling 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 bat 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 represent 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.

10. 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 is compliant with development plan policy and legislation on the protection of breeding birds, common toads and

reptiles shall be submitted 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 scheme of measures approved under this condition.

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

11. The development hereby permitted shall not commence (except for enabling works) until a drainage strategy detailing all on and off site drainage works to be carried out in respect of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. No foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works referred to in the strategy have been completed 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.

12. 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.

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO EXTEND

13. 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.

LANDSCAPING

14 Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of the development or any site works (except for enabling works) a detailed scheme of hard and soft landscaping and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
- existing site contours and any proposed alterations to these such as earth mounding;
- details of all proposed hard landscape works including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

Reason:

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

15. All work comprised in the approved scheme of hard and soft landscaping 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.

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

Reason:

To ensure a satisfactory appearance to the development and 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.

17. 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 erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed and no material or soil shall be stored within any of the protected areas during the works associated with this development.

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.

18. 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 approved details.

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.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

19. 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.

20. The uses hereby permitted shall not operate (including deliveries and use of plant and machinery) outside of 07.00 to 23.00 hours Monday to Friday, 08.00 to 22.30 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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.

21. All external doors to the Environmental Technology Workshops shall be closed whilst associated plant and machinery is in operation.

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 development, details of the extract equipment and trunking to be installed to serve the Environmental Technology Workshops shall be submitted and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the details and shall thereafter be retained.

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.

23. The level of noise emitted from the plant and machinery hereby approved (and any other plant that may be installed on any building within the development) 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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

TRANSPORT

24. Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with the approved plans. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason:

To ensure that adequate and 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.

25. 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.

26. Prior to the commencement of the development hereby approved a Demolition and 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. The Demolition and 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 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.

27. Before development hereby permitted is first occupied, a full Delivery and Servicing Management Plan shall be submitted to and agreed by the Local Planning Authority. The delivery plan should include details of size, number, times and frequency of delivery vehicles and swept paths for vehicles entering and using the site in association with the permitted use.

Reason:

In the interest 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.

28. 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 active electric vehicle charging facilities and 20% to be provided with passive facilities. 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.

LIGHTING

29. 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 and thereafter be maintained as such.

Reason:

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

30. Prior to the first occupation of the development hereby approved, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties close to the development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the occupiers of neighbouring dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to the first occupation of the development.

Reason:

To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 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 2** of this report. These include (as the first informative) a summary of the relevant development plan policies taken into account in making this decision.

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 (published July 2011) and the development plan documents in the Barnet Local Plan (adopted September 2012). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other documents, including supplementary planning guidance and national planning guidance, are also material to the determination of the 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 in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, 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 considered to comply with the requirements of the development plan.

The London Plan

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). On 11th October 2013, the Mayor published Revised Early Minor Alterations to the London Plan (REMA). From this date, the REMA are operative as formal alterations to the London Plan and accordingly form part of the development plan for Greater London. Subsequently, on 15th January 2014, the Mayor published Draft Further Alterations to the London Plan (FALP) for 12 week period of public consultation. An Examination in Public (EiP) of the FALP will commence on 1st September 2014.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas) and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.16 (Protection and Enhancement of Social Infrastructure); and 3.18 (Education Facilities)

London's Economy:

4.1 (Developing London's Economy); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.4A (Electricity and Gas Supply); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.3 (Assessing Effects of Development on Transport Capacity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity) and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Lifetime Neighbourhoods); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.19 (Biodiversity and Access to Nature); and 7.21

(Trees and Woodlands)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

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

CS1 (Barnet’s Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

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

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet’s character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM13 (Community and education uses)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Planning Obligations (April 2013)

Sustainable Design and Construction (April 2013)

Residential Design Guidance (April 2013)

Colindale Area Action Plan (March 2010)

Strategic Supplementary Planning Documents and Guidance:

Draft SPG on Accessible London (April 2014)

Sustainable Design and Construction (April 2014)

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.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of regulation 122 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 2.

1.2 Key Relevant Planning History

The planning history for the site comprises applications relating to the Grahame Park Estate Regeneration scheme, the relevant history is set out below:

W01731JS/04 – Granted 17/01/2007

Redevelopment of site involving the demolition of 1314 existing residential units and construction of 2977 new residential units providing a total of 3440 units on the estate, provision of approximately 9074sqm replacement retail (Class A1), office (Class A2) food and drink (Class A3) and social and community (Class D1) uses and associated public and private open space, car parking and access arrangements. (OUTLINE)

This is the original outline permission for the redevelopment of the Grahame Park Estate. This consent was subsequently amended under a S.73 to vary the approved phasing under reference **W01731LB/07** and an extension to the time limit for implementing the planning permission was approved on 16th February 2011 under planning reference **H/04448/10**. A further S.73 application was approved on the 21st February 2012 to alter the block layout in Phase 1B, where this site is located (reference **H/00309/11**).

H/00308/11 – Granted 21/02/2012

Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sqm (GEA) of non-residential floorspace including a library (Use Class D1),

community centre (Use Class D1), supermarket (Use Class A1) and ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of planning permission reference H/04448/10 dated 16/02/11 for the extension to the time limit for implementing outline planning permission reference W01731LB/07 dated 09/04/08 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 11) and phasing plans (condition 47) required to form part of the reserved matters, and details of the construction methods statement in order to discharge condition 49.

This is the detailed reserved matters consent for Phase 1B of the development, where Plot A8 is located. This gives permission for a seven storey building comprising 57 flats, a 750sqm public library, 945sqm centre for independent living and 279sqm of retail floorspace to be built on A8. This has subsequently been the subject of a S.96A non-material amendment application to create sub-phases to enable the Lanacre Avenue shift to be delivered prior to Blocks A1, A8, B1 and B6 (reference **H/02522/13**, granted 14/08/2013).

1.3 Public Consultations and Views Expressed

Public Consultation

A total of 1,482 local properties and other bodies were consulted on the application by letter and email in April 2013. The application was also advertised on site and in the local press at that time.

The section below provides a summary of the comments received on the application. Responses are provided in the relevant section of the report.

Number of Responses from Residents

5 responses to consultation were received, **all in objection**. None of the objectors have requested to speak at committee. No responses supporting the proposal were received.

Comments from Residents

The comments made by residents are summarised below:

- The increase in scale from 3 to 5 storeys is not acceptable, 5 storeys is too high and would unacceptably impact on neighbours – loss of privacy, overlooking.

Officer response: The proposal does not seek to increase the number of storeys of the building from that already approved. The impact of the scale of the proposal is also addressed in appraisal sections 3.2 and 3.3.

- The site is not suitable for use as a college, which should be located within its own grounds.

Officer response: This is addressed in detail in appraisal section 3.1.

- The college will generate extra traffic around the area.

Officer response: This is addressed in detail in appraisal section 3.5.

- The proposed car parking provision is inadequate and would result in overspill to surrounding roads.

Officer response: This is addressed in detail in appraisal section 3.5.

- The college will result in a high level of noise and disturbance and comings and goings, including concern over student's use of the

surrounding area.

Officer response: This is addressed in detail in appraisal section 3.3.

- Concern over reduction in library size.

Officer response: Library Services have confirmed that the accommodation will adequately serve their needs.

Consultation Responses from Statutory Consultees and Other Bodies

Transport for London: Request confirmation that the scheme would not impact on bus stop arrangement for new Lanacre Avenue. Parking levels should be justified. Vehicular trip distribution exercise should be undertaken. The parking spaces adjacent to Cherry Close would hinder pedestrian movement. Supports implementation of local parking controls. A stage 1 road safety audit should be undertaken for the vehicle access. A Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) should be required by condition. Travel Plan should be secured through S.106. Contributions towards local wayfinding should be secured.

Officer Response: It is confirmed that the scheme layout would not impact on the siting of bus stops. The proposed parking provision is considered appropriate to meet the operational needs of the development. As the development comprises the relocation of the College, the proposals are not expected to result in a change in vehicle trip distribution on the TfL road network. The parking space arrangement fronting Cherry Close is the same as the consented Phase 1B reserved matters scheme, as is the vehicle access, so a stage 1 road safety audit is not required (although one would be carried out as part of the detailed highways design). Conditions are recommended to secure a DSP and CLP, whilst travel planning would be secured through the S.106. Signage for wayfinding would be secured through contributions already agreed as part of the Grahame Park scheme, along with other schemes in Colindale.

Natural England: No objection.

Environmental Health: No objection, but recommend that surface water run-off is controlled.

Thames Water: Condition requested requiring details of a drainage strategy to be submitted and approved.

English Heritage: The proposal would not have an adverse impact on archaeology.

Neighbouring Authority (Brent): No objection.

Internal Consultation responses

Traffic and Development Team: The proposed parking provision is appropriate, provided that a contribution is secured towards the provision of a CPZ on surrounding streets. Vehicle access is as per previous approval and therefore acceptable. Travel Plans and associated monitoring contributions should also be secured. Conditions should be imposed requiring car parking management plan, construction management plan, delivery and servicing plan.

Environmental Health Service: Conditions recommended to require noise attenuation measures to be provided in relation to plant to be installed as part of the development. Condition recommended requiring details of extract equipment for environmental technology workshops. Contaminated land issues should be dealt with in line with details approved under to existing permission.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site comprises Plot A8 of the Grahame Park Estate Regeneration scheme, a 0.37ha parcel of land that will be formed following the relocation of Lanacre Avenue as part of Phase 1B of the redevelopment. The site has detailed planning consent under reserved matters application H/00308/11 for a library of 750sqm, a centre for independent living (CIL) of 945sqm, 279sqm of retail and 57 flats in a building of up to 7 storeys.

The site is generally flat, but there is a steep levels drop in the western part of the site due to the siting of a pedestrian underpass. The site will be made available to the college as a serviced plot as part of the redevelopment of this part of the estate. Two storey residential properties on Cherry Close back onto the western boundary of the site. Other blocks in Grahame Park Estate surround plot A8, with A9 and the new Southern Square to the south, A1 to the east and B1 to the north. Colindale Underground Station is some 350m to the south west of the site.

The site falls within the Colindale Opportunity Area, as defined in the London Plan. The Colindale Area Action Plan (2010) (CAAP) sets out the spatial strategy for growth in this area and seeks to deliver, amongst other things, 10,000 new homes and 500-1000 new jobs, along with high quality infrastructure and public realm. Policy 4.1(j) supports the relocation of the College to a new purpose built building close to Colindale Station, which was originally going to be delivered as part of the redevelopment of the former Colindale Hospital site.

2.2 Description of the Proposed Development

Detailed planning permission is sought by Barnet and Southgate College for what would effectively be an amendment to the approved development on A8 to provide a 5,536sqm college, 500sqm public library and 500sqm centre for independent living (all Use Class D1) in a building of up to 5 storeys in height. It is also proposed to carry out a range of associated works. A plan showing the layout of the site as proposed is provided in **Appendix 1** of this report.

The proposed college accommodation would be a consolidation of the Barnet and Southgate College's existing campus on Grahame Park Way. The existing College campus site is identified in the CAAP for residential development and a plot for a new primary school. The disposal and redevelopment of the existing College site will fund the relocation and construction of the new College on A8. At present, the College has some 16,800sqm of floorspace, but this is a significant overprovision of dated accommodation and they are looking to downscale and make more efficient

use of classrooms. Some 2,860 students attend courses at the Grahame Park campus (approximately 920 full time equivalent) and on average this results in a daytime maximum of around 480 students. In addition, there are currently 255 members of staff (approximately 145 full time equivalent). The campus offers a range of vocational and short skills training courses in subjects such as business and accounting, computing, construction and engineering, English speaking, health education and social care.

The library would offer the same services as the current facility, including book lending, IT facilities and children's reading clubs. The Barnet Centre for Independent Living (BCIL) is a centre for people with disabilities to provide information, advice, peer mentoring, disability awareness training and advocacy. It will provide support and advice for people with disabilities in respect of a range of matters, including life skills, computer skills, employment and health advice.

A8 is located to the north of the new Southern Square, which is to be created at the southern end of Lanacre Avenue, at the junction with Grahame Park Way. Lanacre Avenue is to be moved approximately 35m to the east in order to create the development block, so the proposed building would be sited to the west of the re-sited Lanacre Avenue, backing onto the rear boundaries of the Arran Court properties to the west. The building would occupy a similar position on the plot as the consented building, but would have a larger footprint.

The Southern Square and Lanacre Avenue elevations would be comprised of two main built forms – buff brick framed elements with double height glazing up to 4 storeys in height and a 5 storey metal clad element that would project over a double height curtain wall glazed section at ground and first floors, supported on columns. To the rear, two storey elements would project up to 6 and 16.5 metres of the boundary with the Arran Court properties.

The main entrances to the three uses occupying the building would be from the Southern Square. The public library would occupy the ground floor of part of the building with the centre for independent living located above on the first floor. The College would occupy the rest of the building, with a reception leading from the main entrance and double height environmental technology workshops also on the ground floor. There would also be salon space on the ground floor, including a commercial salon with access from Lanacre Avenue. On the upper floors there would be additional environmental technology workshops and general teaching space, along with communal student space and administrative offices.

Vehicle access would be from the extended Cherry Close, to the north, the same as the reserved matters approval for the block. 22 car parking spaces are proposed, along with 2 minibus spaces. Refuse storage would be located in the rear yard, where there would be access to all of the uses occupying the building. Cycle storage would be located in a secure enclosure adjacent to the building to the west, comprising 80 spaces.

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

In addition to the application drawings the documents accompanying the submission include the following:

- Planning Statement
- Design and Access Statement
- Transport Statement
- Tree Condition Survey
- Flood Risk Assessment
- Energy Strategy and BREEAM Pre-Assessment
- Noise Impact Assessment

3. PLANNING CONSIDERATIONS

3.1 Principle of the uses proposed and delivery of CAAP objectives

The site lies within the Colindale and Burnt Oak Opportunity Area, as set out in policy 2.13 of the London Plan. This policy requires development proposals to support strategic policy directions for these areas, optimise residential output, provide necessary infrastructure, promote sustainable transport and support the regeneration of the wider area.

The Colindale Area Action Plan (CAAP) provides site specific guidance for development sites in the area, as well as more general guidance on the Council's expectations of schemes coming forward in Colindale. CAAP Policy 4.1(j) supports the relocation of Barnet and Southgate College (the College) to a new purpose built building close to Colindale Underground Station. It was originally envisaged that the new campus would be provided as part of the former Colindale Hospital development and a plot was set aside for this as part of the masterplan for this scheme, which is being built out by Fairview. However, owing to delays in the College's disposal of their Grahame Park Way site, this plot is no longer available.

Plot A8 is within 350m of Colindale Underground Station, so is considered to be a sustainable location. It would be adjacent to the new southern square, which will have retail and community uses located around it. The new College would therefore be well located in a new neighbourhood of mixed use activity, close to public transport links, which is considered to be the optimum location now the original plot next to the station is unavailable. The College would also provide a place making function in this part of Grahame Park, contributing to the vibrancy of this early phase of the regeneration. Active frontages would be provided to the Southern Square and Lanacre Avenue, which is supported. Any impacts on neighbouring residents or the local highway network is considered in more detail in the below sections, but in principle the proposed College relocation to Plot A8 is considered acceptable. Comments from local residents that the College should be sited on a larger plot within its own campus environment are noted, but given the nature of development coming forward in Colindale, it would be expected that all land uses would be sited on smaller plots. The proposed College would be smaller than the existing campus, but the building would make more efficient use of land and this is in line with the objectives of the CAAP, as well as Barnet Local Plan policies generally.

The revised proposals for A8 would retain the library and centre for independent living (CIL), which are considered to be important elements of

the Grahame Park regeneration scheme. It is noted that each of these uses would have a reduced floorspace, but library services and the CIL have confirmed that the accommodation would meet their needs.

The proposals would result in the displacement of 279sqm of retail uses and 57 private market sale flats from the plot. These could however be provided further along in the delivery of the Grahame Park masterplan, as they would still fall within the ambit of the outline consent. There would therefore be no unacceptable impact on the provision of affordable housing, the delivery of the wider regeneration of the scheme on the Grahame Park Estate or any other policy requirement associated with A8.

Barnet Local Plan policy CS8 encourages the provision of new and improved facilities, whilst policy DM13 states that 'new community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres'. As discussed, the proposed college building would be located in a highly accessible location and in a much more sustainable location than the existing campus. Whilst the site does not currently fall within a town centre, it is envisaged that the developments coming forward across Grahame Park, the Peel Centre and to the west of Colindale Underground Station will form a new neighbourhood centre for Colindale. The College would therefore be well placed within this new neighbourhood.

In summary, the proposed mix of uses proposed would accord with the site specific guidance set out in the CAAP, as well as more general Barnet Local Plan policies governing the provision of such uses. The scheme would also contribute to the vitality of the area, which the CAAP also requires, as well as providing a positive contribution towards the wider regeneration of Colindale, as discussed in more detail in the following appraisal sections.

3.2 Design and character matters:

The National Planning Policy Framework 2012 (NPPF) 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 CAAP also includes more specific policies relating to the quality of the built environment, which seek to ensure that new development in Colindale is genuinely sustainable, by creating places with a distinct identity where people want to be. The policy explanation to CAAP policy 5.1 (Urban Design in Colindale) states that *'development will respond positively to the character and opportunities of the site and provide high quality contemporary urban design and architecture in Colindale. Taller buildings will only be supported closer to the public transport interchange and on important sites and corners which aid legibility and will be required to meet stricter tests on environmental impact and design. Buildings on the Colindale Hospital site, British Library and Peel Centre West sites fronting Colindale Avenue should be around six storeys high to reflect the importance of the route but must respect and be sensitive to existing buildings, particularly historic listed buildings.'*

Layout

This application essentially proposes an amendment to Phase 1B of the Grahame Park regeneration scheme, to 'drop in' the new college building in place of the existing consent for A8. The proposal does not therefore significantly alter the layout of the overall development, as it proposes a building in a similar position to the existing consent, albeit with larger footprint and different massing.

Building height and scale

The proposed building would have two main public facing elements. The south eastern corner of the block would comprise an angled 5 storey anodized aluminium clad structure. This would incorporate curtain wall glazing at ground and first floors, with the upper floors projecting over and supported on concrete columns to form a colonnade. The northern and eastern ends of the building, fronting Lanacre Avenue and the Southern Square respectively, would comprise double storey brick frame structures with recessed glazing.

The submitted drawings and accompanying analysis in the Design and Access Statement demonstrate that the proposed design would have a similar scale and massing to the approved scheme for A8, and would be within the parameters of the original outline consent. The building would in fact generally be lower in scale, particularly in the northern and south-eastern ends. The angled design of the south-western corner element and the colonnade over curtain wall glazing reflects the existing approval and creates a large active frontage to the public realm. The double height brick frame features will serve to reduce the apparent scale of the building further.

Relationship with public realm and the rest of Phase 1B

The main entrances to the three uses occupying the building would be from

the Southern Square, so an appropriate relationship to this space would be maintained, as would the double storey curtain wall glazing allowing the public views into the building. In addition, there would be a separate entrance along Lanacre Avenue, which would serve the College's commercial hair and beauty salon. The coffee bar proposed in the College's ground floor reception would also be open to salon customers and library users, in addition to College students. This additional commercial activity is supported, as it would add vibrancy to this part of Grahame Park and would increase the range of services provided to local residents.

Along the northern portion of the building fronting Lanacre Avenue, the double height glazed sections between the brick framed elements would allow public views into the College's environmental technology workshops. These spaces would be used for a range of construction training activities, including timberwork and brickwork. This would provide a further length of active frontage along Lanacre Avenue and would further complement on street activity.

It is noted that the north elevation of the proposal (fronting the extended Cherry Close) would have a predominantly blank frontage, with the exception of small windows to the environmental technology workshops. This is principally due to the siting of the main fire escape stairs on this elevation, which is the optimum location for this given the floor layout. It would be expected that this elevation would be more restrained than the main public elevations. In addition, it is necessary to minimise glazing to the environmental technology workshops in order to reduce noise emissions to neighbouring properties. The stairwell structure would replicate the brick frame elements of the building and would incorporate glazing where possible and overall this is considered to be acceptable.

The proposed ground surfacing materials pay due regard to the approved paving for the Southern Square and Lanacre Avenue, with the approved footway and square paving carried over into the application site. The immediate setting around the building would be finished in granite setts and this is considered to be appropriate.

Materials and detailing

As discussed, the two main elements of the building would incorporate two main material types; a buff multi brick and anodized aluminium cladding panels.

The buff multi brick would complement the rest of phase 1B, which is currently being constructed of buff brick. The strong brick frame elements of the building, which incorporate chamfered brickwork insets, would ensure that the proposal sits comfortably alongside the other blocks in this phase, whilst the extensive glazing proposed within the frames reflects the different nature of the uses carried on in the building. A bay study drawing has been submitted showing reveal between the frame and the glazing to be 450mm. This would give an appropriate amount of relief in the elevation and is considered acceptable. The library and CIL entrance would be defined by a chamfered coloured panel around the frame of the doorway to aid legibility.

The anodized aluminium cladding is shown in two light tones (off-white and light grey) and would be installed in a random pattern, to reflect the positioning of windows on this part of the building. The cladding shown on the submitted documents would have hidden fixings to ensure a crisp appearance. The window reveals would be 250mm, with powder coated aluminium window frames, and this is considered to be acceptable. Projecting out from the building would be anodised aluminium expanded mesh panels (blue and silver). These would add articulation to the elevation and would also help with solar shading. The ventilation units adjacent to the windows would be coloured to match the mesh panels. The exposed concrete support posts would have a contemporary appearance and there would be a blue feature soffit underneath the building colonnade overhang to match the overall colour scheme for the building.

The rooftop plant areas would be screened to the sides by louvred panels and the tops of these areas would be covered with mesh panelling, which would ensure that the plant equipment would not be visible when viewed from the upper floor units in Block A1. This is supported and the plant enclosures would be adequately set back from the building edges so as not be overly apparent in the street scene.

The rear elevation of the building would be more restrained than the front elevation, but would incorporate similar brick frame reveals, as well as a planted wall at 2nd and 3rd floor level. The proposed cladding treatments will be more understated than the front elevation, which is considered to be appropriate.

Overall, it is considered that the range of high quality contemporary materials would be appropriate for this building. The design approach adopted would reflect the other blocks in phase 1B, whilst ensuring a distinct appearance for this multi-use building. Officers are therefore satisfied that the approach to materials and detailing will result in a high quality appearance for the completed development.

Car parking

As discussed, the proposed building would have a larger footprint than the consented development due to the nature of the uses that would occupy it. This has resulted in a reduction in the number of parking spaces overall to 22, plus 2 minibus spaces. The amount of planting in this rear courtyard has been maximised and the proposal would ensure adequate streetside greenery along the extended Cherry Close. The rear garden access to the Arran Court properties would be maintained by way of a footpath to the rear of the parking court and this is supported.

Bin and cycle storage

Refuse storage would be provided to the rear of the building out of public view. The proposed cycle storage enclosure would be located between the building and Arran Court. This would be a similar location to the existing approval, albeit that this would be a larger structure. However, this would be a small lean-to structure that would not be overly visible in the street scene. Space is allocated for planting to soften the visual impact from Arran Court and this is considered to be acceptable.

Conclusion

In summary, the proposal is considered to relate well to the remainder of Phase 1B in terms of layout, scale and design. The building itself would have a distinct appearance to reflect its uses, whilst ensuring that it would fit in with the other buildings framing the Southern Square. The standard of detailing committed to in the submitted drawings would ensure a high quality appearance and conditions are recommended to ensure that samples of external materials are submitted to and approved in writing prior to development taking place. Therefore, subject to the conditions recommended the proposal would satisfy London Plan and Barnet Local Plan policies insofar as they relate to layout, visual impact and design.

3.3 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 Residential Design Guidance Supplementary Planning Document provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users. This includes stating that there should be minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

Overlooking and loss of privacy

The closest neighbouring residential properties are located to the rear (west) of the site, comprising two storey housing with rear gardens in Arran Court, which back onto the site. The extant permission for the site permits residential windows and balconies facing towards the Arran Court properties, in compliance with SPD recommended privacy distances of 21m between habitable rooms and 10.5m to gardens. The current proposal would result in the upper floor rear windows being slightly closer to the Arran Court properties due to the increased depth of the building, but SPD recommended distances would still be comfortably complied with. Furthermore, it would be less likely for the College to be occupied in the evenings and at weekends, when occupiers of Arran Court would be most likely to be using their gardens. It is therefore considered that the level of overlooking likely to be experienced by neighbouring occupiers would be less than the extant consent and this would therefore be acceptable.

Daylight and sunlight

A Daylight and Sunlight Report has been submitted in support of the application. This report considers two scenarios, the impact on existing neighbouring properties under the current circumstances (Scenario 1) and the impact on neighbouring properties and the rest of Phase 1B if this is built out as consented in conjunction with this proposal, as a comparison to the consented scheme (Scenario 2).

Under Scenario 1, the report concludes that there would be no undue impact to the daylight and sunlight levels of the majority of surrounding properties. The results show that one window within a neighbouring property at Albatross would not achieve the BRE recommended daylight levels. However, it is noted that this is because the daylight levels to this window are already very low, so it is not expected that the impact of the development would be noticeable.

In respect of the properties at Arran Court, it is noted that there would be some adverse impact, with daylight levels to 12 windows not meeting BRE guidance and a reduction in sunlight to 6 rooms. However, it is noted that the impact would not be significant in these cases and, critically, there would be no additional impact beyond the consented scheme for A8.

Under Scenario 2, the report concludes that the proposal would meet the BRE guidance in respect of existing neighbouring properties when considered against the approved scheme. Furthermore, consideration has been given to the impact on Plot A1 within Phase 1B, which would be located on the opposite side of Lanacre Avenue and would comprise residential flats in a part 7, part 13 storey building. The report concludes that 3 windows would not meet BRE guidance on daylight. However, it is noted that these would not be significantly in excess of the guidance and furthermore a number of rooms experience an improvement in daylight levels compared to the extant consent for the development of A8.

Overall, it is considered that the impact on neighbouring properties would not be materially greater than the approved situation and in some cases would result in an improvement, due to an overall reduction in the scale of the building. Officers therefore consider that the proposal would be acceptable in respect of daylight and sunlight.

Outlook and visual impact

As with the other residential amenity considerations, the main impact would be on the adjacent existing properties at Arran Court and the consented flats at Plot A1 that have yet to be built. In terms of the apparent scale of the rear (west) of the building, the footprint and rearward projection has been increased, so the building projects closer to Arran Court. This is due to the larger space requirements of the uses proposed, particularly the environmental technology workshops associated with the College, the library and the CIL. However, these rear projections are 2 storey and would be 7-18m away from the rear boundaries of these properties. In addition, the height of the main part of the building would be lower by up to 1 storey in some places and the scale of the southern element projecting towards Arran Court would be greatly reduced. The below images show the consented and proposed situation as would be viewed from the Arran Court properties:



The visual impact on Plot A1 and the outlook therefrom is considered not to be materially different to the consented situation and in some instances would be an improvement, given the reduction in scale. The proposal would therefore not result in a detrimental impact on outlook from neighbouring properties, having regard to the approved situation for Plot A8.

Noise

The main noise impacts from the completed development are expected to arise from the use of the environmental technology workshops for construction and joinery training courses. The application is accompanied by a Noise Assessment, which states that the expected noise emissions from machinery operating within the building would be unlikely to increase the background noise levels at the nearest residential properties at Arran Court. This assessment is based on the maximum amount of noise that could be generated when all machinery that can be used at the same time is operational, so this is considered to be robust. It is important that external doors remain closed during these times in order to minimise noise emissions, so a condition is recommended requiring this.

Other sources of noise associated with the operation of the building include vehicle movements in the rear yard and plant and machinery, most of which would be located on the rooftops.

In respect of vehicle movements and car parking, it is expected that the noise levels in the habitable rooms of Arran Court would be below recommended levels. It should also be noted that the extant consent for the site also includes an open parking courtyard at the rear. A condition is recommended to restrict deliveries so that these do not occur after 23.00 hours and before 07.00 hours.

There are two areas of rooftop plant, the main area located at the very top of the building and a secondary area on the roof of the western wing. Given the separation distances, the plant on the roof of the western wing would not be

likely to give rise to concerns. The main area of roof plant would be located high on the building, away from background noise levels at ground level and approximately 20m from the future adjacent flats located in Block A1, which would be constructed on the opposite side of Lanacre Avenue. It has not been possible to accurately measure the existing noise levels for these flats, as Block A1 has not been built yet, so the readings for the Arran Court properties has been used. The Noise Assessment predicts a slight increase in background noise levels, but these would be of marginal significance according to the British Standards. The plant would not operate during the night however and a condition is recommended to ensure that plant and machinery operation aligns with the operational hours of the uses. The report also recommends the installation of an acoustic enclosure, which has the potential to reduce noise emissions by more than 10dB. A condition is recommended requiring details of this enclosure to be submitted and approved prior to use of the rooftop plant.

It is possible that the use of the building, particularly at weekends, could give rise to noise and disturbance to neighbouring occupiers. Barnet Local Plan policy CS10 recognises the importance of maximising access to education and community facilities, so it is necessary to balance this aspiration with the likely impact on the amenities of neighbouring residents. A condition is recommended to restrict the use of the building, which is broadly in line with the opening hours set out in the Planning Statement, but also allows flexibility to enable use outside of these normal times.

The submission acknowledges that the exact specification of the extract equipment for the Environmental Technology workshops is unknown at this stage. However, it is expected that this would be an internal system of trunking and filters that would result in little or no external noise transmission. Environmental Health consider that a condition requiring details of this equipment to be submitted and approved prior to installation, in order to ensure that it would not unacceptably harm neighbouring amenity.

In addition to this a condition has been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance. This includes 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. Subject to these conditions the proposal is considered to be acceptable in terms of the noise impacts.

Concerns have been raised by local residents in relation to the level of comings and goings associated with the College, as well as the possible overspill of College students into surrounding areas during break times. It is noted that there would be an impact from students arriving and leaving the site over the course of the day, with up to 480 students expected to attend the campus at any one time. However, as noted above, the development of A8 would be part of a new mixed use neighbourhood that would generate activity in itself and it is considered that the College would contribute positively to this. Matters pertaining to the behaviour of students would not be a material planning consideration, but it should be noted that the College fronts onto the Southern Square, so it would be expected that students would spill out into this area, rather than towards neighbouring residential properties.

Impacts from lighting associated with the development

Policy DM01 of the Barnet Local Plan requires new lighting schemes to not impact upon amenity. A condition has been recommended requiring the implementation of the development in accordance with details of the external lighting installed as part of the development. Subject to this condition the proposal is considered to be acceptable and compliant with the objectives of policy in terms of preventing unacceptable lighting impacts from new development.

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.

3.4 Impact on existing trees and proposed planting:

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

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

The policy also states (k) 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.

Tree loss

It is proposed to remove 3 additional trees compared to the earlier reserved matters consent, 1 London Plane and 1 Ash tree located adjacent to the boundary with Arran Court and 1 Norway Maple that would have been sited within the Southern Square, to the south of the building.

The London Plane and Ash trees are sited adjacent to the western boundary with Arran Court and provide screening for these properties. They are early mature specimens and the submitted Tree Condition Survey (extracted from the original document for Phase 1B) assesses them as Category B, being of moderate quality or value. However, their position adjacent to the retaining wall of the pedestrian underpass and the need to create a car park in close proximity to them means that they are unlikely to survive as a result of development due to levels changes, despite efforts from specialist arboricultural and structural consultants to find a solution. The Council's Tree Officer agrees that the trees would be unlikely to survive the works. These are the same circumstances as the reserved matters approval, so it would have emerged during the detailed landscaping considerations that these trees would have to be replaced.

Whilst this is regrettable, officers consider it a better option to ensure that there is a high standard of new planting to replace these trees and the submitted Design and Access Statement and application drawings include a commitment to plant two new replacement trees. The trees proposed would be Western Red Cedar and would be planted as semi-mature species of 5-6m in height. These are fast growing, medium sized conifer trees with red-brown bark and rich green foliage. They would be clear stemmed to a height of 2.5m, giving adequate space for car parking. These trees would provide a pleasant outlook and year round screening for the Arran Court properties and are considered appropriate.

The Norway Maple to the south of the proposed building siting was proposed to be retained as part of the extant consent, forming part of the soft landscaped setting within the Southern Square. However, the revised layout of the scheme means that this tree would reduce the visibility of the library and CIL entrance. This is also classified as a Category B tree. There is no appropriate alternative location for this entrance, as it needs to face out onto the square and it needs to be legible in order to maximise its visibility. Therefore, whilst the loss of an additional tree is regrettable, it is considered to be justified in this instance. It should also be noted that the main cluster of trees that will occupy the Southern Square would be unaffected by the proposal.

New planting

This revised scheme proposes to plant 11 new trees within the site boundary, compared to 15 proposed as part of the reserved matters consent. This is due to the change of use of the plot and enlarged footprint of the building, which results in less space between the building and the parking areas. However, given that residential use is no longer proposed there is no requirement for a buffer between the parking courtyard and the building. Furthermore, 2 additional trees would be planted along the boundary with Arran Court, which would increase the screening to these neighbouring properties compared to the existing consent. In addition, the 2nd and 3rd floor west facing elevation of the CIL building would be planted with climbers, which would further soften the appearance of the development when viewed from Arran Court.

Officers consider that the new trees and other landscaping works proposed provide adequate mitigation for the existing trees and landscaping which would be lost in this instance. It is noted that none of the trees are protected by preservation orders and therefore all trees on the site could be removed without further reference to the Council. Conditions have been recommended to ensure that the trees and wider landscaping implemented as part of the proposal would be of a sufficient quality, including new trees of a suitable size and species as detailed in the submitted drawings. The conditions recommended also include requirements to ensure that appropriate measures are taken to protect the trees immediately adjacent to the application site, as well as any to be retained on the site as part of the scheme. Officers take the view that adequate consideration has been given to trees in this instance.

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, given the constraints of the scheme. It is noted that much of the rear of the site would be given over to

surface car parking. However, this has been minimised where possible through a low parking ratio and the use of podium parking arrangements. The landscaping scheme includes new areas of lawn, trees and shrub planting and provides an appropriate setting for the buildings proposed. A green wall would also be planted facing the Arran Court properties. Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate quality and makes a positive contribution to the area.

The management and maintenance of the planting will be very important and this is alluded to in the submitted Landscape Strategy and accompanying drawings. Accordingly, a condition is recommended requiring a Landscape Management Plan to be submitted and approved. This will include maintenance schedules, measures for replacement of dead or dying trees/shrubs and watering/pruning schedules.

Matters relating to access, parking and 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 scheme provides adequate mitigation for the existing trees and other landscaping which would be lost as part of the works proposed and that the development is acceptable and compliant with policy in respect of tree and landscaping matters with the conditions recommended.

3.5 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, seek more environmentally friendly transport networks, ensure 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 Policies DPD sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek to ensure 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. Larger schemes are also required to implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Site Location, Proposal and Surrounding Area

The existing College campus on Grahame Park Way has a large car parking area with 359 spaces to accommodate the current staff and students. There

are approximately 920 full time students enrolled each year, but with no more than 480 on site at any one time. In addition, the existing staff numbers employed full time at the current location is 145.

This proposal is to relocate the College to A8, which is located closer to Colindale Underground station. The new college would accommodate 1,000 students, with maximum occupation of 460 students at any one time and 90 members of staff. In addition, a public library is also proposed to be relocated at the same site from the Grahame Park Concourse. The library is expected to employ 3 members of staff and serve approximately 150 visitors per day. Also, the Centre for Independent Living (CIL) which is also located on the Concourse is proposed to be relocated. The existing CIL currently employs 22 members of staff but expects a slight increase of this number to 25 staff, serving approximately 30 visitors per day.

The proposal is for a 5 storey building split between these three users. The College would occupy 5,536sqm, the public library 500sqm and the CIL 500sqm. The proposed College is considerably smaller compared to the existing campus, which has a total floor area of 15,845sqm. However, the total number of staff and students is proposed to remain approximately the same.

Public Transport Accessibility Level (PTAL) rating for the site is 3, which represents moderate/good public transport accessibility. PTALs range from 1 to 6, with 6 representing a high level of accessibility and 1 a low level of accessibility. The PTAL rating for the existing College site is 1a, with only the 303 bus route taken into consideration in the calculations, whereas the new location has a PTAL of 3 with three bus routes nearby, the 303, 186 and 204. The nearest underground station is Colindale, 350m away, which is part of the Northern Line and is walking distance from the new location.

Since PTAL calculations do not take into consideration the possibility of linking trips, meaning changing from one mode of transport to another, different sites could be more accessible than others even though they have the same PTAL score. For that reason, public transport accessibility level for this new location is considered to be much more accessible. It is also acknowledged that recent transformations of the nearby highways network, including the diversion of bus route 186, contribute to make this site more accessible.

The main access for the College, library and CIL is from the newly created Southern Square, part of Phase 1B, with another access directly from Lanacre Avenue to be used by the commercial salon element of the proposal. There is another additional pedestrian access for disabled persons from the rear car park for CIL users which is in addition to the previously approved application.

The only vehicular access proposed is from Cherry Close in the same location as previously approved application for Phase 1B. This part of the proposal was assessed before and was considered acceptable.

Parking

The proposed car parking provision is 27 car parking spaces (including 4 spaces for disabled users) and 2 minibus spaces. 22 of the car spaces and the 2 minibus spaces would be in the rear yard, whilst 5 car spaces would front onto Cherry Close, to the north of the proposed building.

The existing parking layout is considered acceptable providing that visibility splays are as per Manual for Streets (MfS) requirements and that the operation of automatic vehicular gates are to acceptable standards and at a height to not obstruct visibility. A condition is recommended to require details of boundary treatments, which will include these entrance gates.

Although the car parking is to be split between different uses, it is noted that the allocation is not yet defined. It is also possible that standard car parking spaces could need to be converted to disabled parking spaces, if there is a demand. A condition is recommended requiring a Car Parking Management Plan (CPMP), which would deal with allocation of parking as well as how the on-site spaces will be managed and enforced.

As part of this proposal the applicant must include Electric Vehicle Charging Points (EVCP). The provision must be in accordance with the London Plan requirements, which is 20% active and 20% passive. A condition is recommended to secure this.

Cycle Parking

The proposal includes 80 cycle parking spaces, in a secured location at the south western corner of the site. An additional 10 visitor parking spaces are proposed adjacent to the Southern Square, in the form of Sheffield stands. This part of the proposal is considered acceptable, although it is noted that London Plan requirements are for 88 spaces to serve the mix of uses proposed. However, it is considered that there would be adequate space within the covered cycle store to provide additional spaces if there is demand, having regard to the travel planning process.

Vehicle Access and Trip Generation

As mentioned, the only vehicular access proposed is from Cherry Close in the same location as per the previously approved application for Phase 1B. This part of the proposal was assessed before and was considered acceptable. This proposal would provide fewer parking spaces than the extant consent and would therefore give rise to less activity from this access and fewer vehicle trips generally, so the proposal is considered to be acceptable in terms of access provision and trip generation.

Refuse Collection

Refuse/recycling collection, deliveries and servicing would occur from the rear of the building and swept path analysis have been submitted to confirm that this can be achieved. It is not clear how parts of this mixed use development will be serviced, gate operation or the frequencies of these activities, so a condition is recommended to secure a Deliveries and Servicing Plan (DSP).

The submitted drawings show a location for refuse storage, but no details are provided of the enclosure, fencing or the ground levels in this area, which is

important for collection. It is considered that the above DSP condition should also require details of refuse collection arrangements to be submitted and approved.

Overspill Parking

Parking restrictions in the vicinity of this development site are not uniform. Some roads surrounding the area are within the Colindale Controlled Parking Zone (CPZ) restricting parking for 1 hour during weekdays, from 2pm to 3pm and it covers part of the Booth Road and Annesley Avenue. A section of Colindale Avenue has parking restrictions operating on Monday to Sunday, from 8am-6:30pm with exception of the section near the Underground Station where no waiting at any time applies.

The applicant's Travel Plan strategy has ambitious targets to shift students away from car use and a parking restraint approach is taken to on-site provision. Whilst this approach is supported, there are a number of unrestricted streets within walking distance of A8 and it will be important that the Council is able to respond to any potential overspill parking issues once the development is operational.

Several S.106 CPZ related contributions have been secured from other developments in the Colindale area. These contributions would be used to assess and analyse the current parking requirements in the area, should overspill occur into surrounding uncontrolled streets. Subject to public consultation, a revised or extended Colindale Controlled Parking Zone (CPZ) could be introduced.

As the College is expected to open in September 2016, the Colindale CPZ may have to be introduced earlier than envisaged and earlier than monies would otherwise be available. It is therefore expected that the College would need to contribute an appropriate amount to cover any potential overspill parking impact. The figure agreed with the College is £100,000, to be paid in increments. This amount would enable the whole extent of any potential impact to be mitigated against in the form of a new or extended CPZ, along with other contributions already secured from other developments.

Travel Plan

College

Travel Plan (TP) contains measures to promote the use of sustainable modes of transport and TP Framework was submitted as part of the Transport Statement. A snapshot travel survey on the existing site was carried out in October 2013 in order to establish staff and student mode share to and from the existing Grahame Park Way campus. The presented results indicate that 61% of staff and 22% students were single car users to and from the site. In addition, 8% staff and 11% students travelled as car passengers. The survey however does not detail where staff and students travel from.

The applicant states that the new College building will be used by approximately the same number of students and staff with a maximum daytime capacity at about 460 students on site. The TP Framework targets a significant reduction of students travelling by car either as single user or as a passenger, a total of 33%. The college would ensure that all students travel to site by sustainable modes of transport.

It has been agreed with the College through the S.106 that a strategic level Travel Plan will be submitted (in line with London Plan and LBB requirements), that must be approved by the Local Planning Authority (LPA), with agreed initiatives and targets. A £10,000 monitoring contribution has also been agreed in line with the requirements of the Planning Obligations SPD.

CIL and Library

The submitted Travel Plan only relates to the College, on what will be a mixed use site. The library and CIL are both already operational in different locations of the Grahame Park. However, users of these facilities have not been surveyed to establish how they currently travel and what initiatives would be best to encourage the use of sustainable modes of transport. However, it has been agreed through the S.106 combined local level Travel Plans is to be submitted and approved to deal with these uses, which must be agreed prior to occupation. A £5,000 monitoring contribution has also been agreed.

Summary

In summary, the likely impacts from the proposed development would be parking displacement onto surrounding roads, on account of the reduction in overall parking numbers serving the College. To mitigate against this impact, a contribution has been agreed towards provision of a CPZ in the vicinity of the site to restrict on street parking. Alongside this, Travel Plans will encourage users of the site to use more sustainable modes of transport. Conditions are recommended in relation construction management, delivery and servicing and car park management in line with the highways officers request. Accordingly, the proposal is considered to comply with the objectives of the policies set out above.

It is not considered necessary as part of this application to require contributions towards public transport or pedestrian environment improvements, given that this is a revised proposal for A8 that would sit within the Grahame Park masterplan and adjacent to other large developments in Colindale.

3.6 Creating inclusive environments for all members of the community:

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design and the Draft Accessible London SPG (2014) provides specific advice for implementation of design guidance.

Since the original submission, revised floor plans have been submitted, which show accessible toilet facilities for all uses, as well as adequate doorway and corridor widths for wheelchair accessibility. Level access would be provided to all entrance doors and lifts would provide access to each floor. A condition is imposed requiring these plans to be complied with. 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, having regard to the particular nature of the uses proposed.

3.7 Contaminated land and water quality issues:

The application is not accompanied by a contaminated land report, but the contaminated land condition attached to the original outline application for the Grahame Park Estate redevelopment has already been discharged in respect of Phase 1B, under planning reference H/00891/12. Therefore, no further technical information is required to be submitted in relation to this proposal, but it is considered necessary to impose a condition requiring the development to be carried out in accordance with the documentation approved under this reference. It is therefore considered that the proposal is acceptable and compliant with development plan policy in respect of contaminated land and water quality matters, subject to the condition recommended.

3.8 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 existing consent for A8 establishes the principle of a perimeter block backing onto the Arran Court properties following the re-siting of Lanacre Avenue, which would improve security of these properties. The design and layout of the development proposed and the degree of natural surveillance is considered to be such that, provided adequate external lighting and means of enclosures are provided, it would provide a safe and secure environment. Conditions are recommended requiring a lighting scheme and boundary treatment details to be submitted and approved. 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.

3.9 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding, although the proposed development would increase the amount of hardsurfacing across the site, so there would be the potential for increased surface water run-off. A preliminary surface water management drainage strategy is included with the Flood Risk Assessment. Sustainable Urban Drainage Systems (SuDS) would be incorporated into the scheme, which would achieve brownfield run-off rates (to mimic the existing site characteristics) for the 1, 30 and 100 year events, with an additional 20% allowance made for climate change for the 100 year event. The proposed SuDS features therefore comprise:

- Permeable paving in private parking areas and non-adopted highways, providing attenuation;
- Surface water run-off from roofs are proposed to be directed to off-site public drainage networks, as attenuation and flow controls have already been proposed off-site as part of the Grahame Park masterplan.

The layout for the proposed surface water drainage system is compatible with the current layout of Phase 1B. A condition is recommended to require detailed designs and calculations to be submitted and approved prior to commencement.

Thames Water has responded to the consultation and have raised concerns over capacity in terms of utilities in the vicinity of the site. They have requested that a condition be imposed requiring a detailed drainage strategy to be approved prior to commencement.

Conditions have been recommended to ensure that water use by the development is minimised. Subject to these conditions the development is found to be acceptable in this respect. Both businesses potentially supplying water to the development (Veolia 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.

3.10 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

Developments are currently required to achieve a 40% reduction in carbon dioxide emissions when compared to 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 demonstrates compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes and BREEAM. The CAAP provides that schemes such as this should achieve BREEAM 'Excellent' for non-residential uses.

Carbon dioxide emissions

The application is accompanied by an Energy Statement, which includes an assessment of the options considered under the Mayor's hierarchy. The chosen options include built fabric improvements, passive solar features, mechanical ventilation, low energy lighting, a small Combined Heat and Power Unit (CHP) and photovoltaic panels. These measures would reduce CO₂ emissions for the whole development by 30.3%, which would not meet the 40% target required by London Plan policy 5.2.

This represents the maximum CO2 reductions that can be achieved without compromising the usability, form and viability of the development. However, the revised masterplan for the Grahame Park Estate will include a district heating network powered by an expanded district heating system, which will have capacity to serve the whole redeveloped estate, as well as other sites in the vicinity. A feasibility report has been commissioned by the Council and this is expected to be completed in the summer. Whilst it cannot be confirmed at this stage that future connection to a low carbon district heating system would result in a 40% CO2 emission reduction, experience on other sites suggests that this will be the case. Given the firm commitment to energy provision across the Grahame Park Estate, it is considered appropriate to ensure that the scheme can connect to the district heating system when it is implemented. The submitted Energy Statement states that space for future connection will be considered if plant space permits. However, the infrastructure will need to be in place when the development is constructed, to ensure that a connection can be made when the system is put in place. A condition is therefore recommended requiring details of this infrastructure to be submitted and approved prior to commencement of development. Subject to satisfactory consideration of these details, the proposal would comply with London Plan policy 5.2.

The submitted BREEAM Strategy Report sets out the applicant's commitment to achieving BREEAM 'Excellent' for the scheme. A BREEAM pre-assessment has been included, which demonstrate compliance with these standards. A condition has been recommended to ensure that a certificate of compliance is submitted prior to occupation of the development, in order to ensure this is achieved. Subject to this condition the proposal is found to be acceptable and policy compliant in respect of reducing carbon dioxide emissions.

Electricity and gas supply

London Plan policy 5.4A requires developers to engage with energy companies at an early stage to ensure that there are no strategic concerns with regard to energy supply capacity. However, in this instance the proposal is a revision to an existing consent and it is not expected that energy demand would be significantly greater than the current approval for A8.

Biodiversity matters

Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity. Where development would affect a Site of Importance for Nature Conservation (SINC) or a species of importance the council will apply the following hierarchy:

1. Avoid adverse impact to biodiversity interest.
2. Minimise impact and seek mitigation.
3. Only in exceptional cases, where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

The application site is not designated as a SINC, does contain some habitats that could attract protected species, such as nesting birds. There are no other ecology designations in the vicinity of the site, with the Brent Reservoir SSSI located some 2km to the south and Cophall Playing Fields over 1km to the north-east.

The Ecology and Biodiversity Report submitted with the Phase 1B reserved matters application concluded that there is the potential for nesting birds to occupy trees and that these should be checked prior to felling. The report also recommends that habitat creation measures (such as bird and bat boxes) be incorporated into the development and a condition is recommended requiring this.

The tree and wider landscaping conditions recommended are considered sufficient to ensure that the scheme makes appropriate contributions to biodiversity generally, as well as urban greening, and that the new planting which takes place 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 the objectives of planning policy on biodiversity and nature conservation matters.

Other aspects of sustainable design and construction

The proposal includes a number of features that have been incorporated to develop in a sustainable way, mitigate and adapt to climate change, conserve resources and minimise pollution. These include elements such as new planting, the provision of appropriate recycling facilities, the inclusion of energy efficiency measures and the installation of facilities for cycle storage. The Construction Management Plan, to be submitted and approved pursuant to condition, would ensure that materials are sourced sustainably where possible and measures are put in place to minimise waste. Specifications for external lighting will exceed 'Dark Sky' requirements and a condition is recommended requiring details of lighting to be approved.

The submission demonstrates that the proposal would achieve BREEAM 'Excellent'. 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. To ensure that the commitment to reaching BREEAM 'Excellent' 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.

In summary, the proposal is considered to be fully compliant with Local Plan and London Plan policies on energy and sustainability.

3.11 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'.

However, the site area is below 0.5 hectares and the development is not considered to result in significant environmental effects, having regard to the criteria set out in Schedule 3. 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.

3.12 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 and the Council's supplementary planning documents the following obligations are required to be secured through a legal agreement with the developer. With these obligations secured (alongside the other mitigation provided by the development and secured through the conditions recommended) the proposal is considered to be acceptable in terms of delivering the infrastructure, facilities and services needed to mitigate the impacts it would generate.

Travel Plan

A strategic level Travel Plan would be secured in relation to the College use, whilst a local level Travel Plan would cover the library and CIL uses. This is in line with GLA guidance and the Planning Obligations SPD.

Travel Plan Monitoring

Monitoring contributions of £10,000 for the College Travel Plan and £5,000 for the library/CIL Travel Plan, in line with the requirements of the Planning Obligations SPD.

Controlled Parking Zone

A £100,000 contribution has been agreed towards the provision of a new or extended Colindale CPZ, as required to mitigate the potential impact of the development in terms of parking overspill into surrounding streets. This would be divided into smaller phased payments and there would be a review of the actual final amount depending on final costs.

3.13 Barnet Community Infrastructure Levy

The proposed development is not liable for charge under the Barnet CIL, as it does not propose residential or retail floorspace.

3.14 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. There is no existing floorspace on site that can be discounted, so the development would be chargeable on the basis of the proposed floorspace (GIA) of the library and Centre for Independent Living, which combined are 1,000sqm. The College floorspace is exempt as it would be for educational use. The development might therefore be expected to generate a Mayoral CIL charge of **£36,883**.

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 development, as assessed under the plans submitted for approval, would ensure that in several regards the building constructed would exceed the minimum requirements of such legislation. Examples of this would include the provision of level or appropriately sloping access within the site, the building being constructed to be wheelchair accessible 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 development is such that the site would, as an area of land, become significantly more accessible to all members of the community. In this sense the development would 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 support the council in meeting its statutory equality responsibilities.

5. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised are considered in the above appraisal and analysis.

6. CONCLUSION

In summary, the proposed mix of uses proposed would accord with the site specific guidance set out in the CAAP, as well as more general Barnet Local Plan policies governing the provision of such uses. The scheme would also contribute to the vitality of the area, which the CAAP also requires, as well as providing a positive contribution towards the wider regeneration of Colindale.

The design and layout of the development would relate well to the remainder of Phase 1B and the scale of the building would comply with the parameters set by the outline consent. The development relates acceptably to neighbouring properties, is in keeping with the character of this part of the Grahame Park development and do not cause any unacceptable harm to the amenities of the neighbouring properties.

More generally the application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new building would meet BREEAM 'Excellent' and there are requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

The scheme provides an appropriate level of car parking on site, with the emphasis on parking restraint in this accessible location. A contribution has been secured to ensure that parking controls can be implemented on surrounding roads should overspill parking occur. Alongside this, Travel Plans will encourage users of the site to use more sustainable modes of transport and further mitigation will be secured by condition to control details of construction, delivery and servicing and car parking management.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, having regard to the urban character of the Phase 1B. The setting for the building proposed would be provided by the Southern Square, but the proposal also includes the planting of new trees at the rear of the building. The development would result in the limited removal of the existing trees from the site. However, none of these are protected by a preservation order and it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

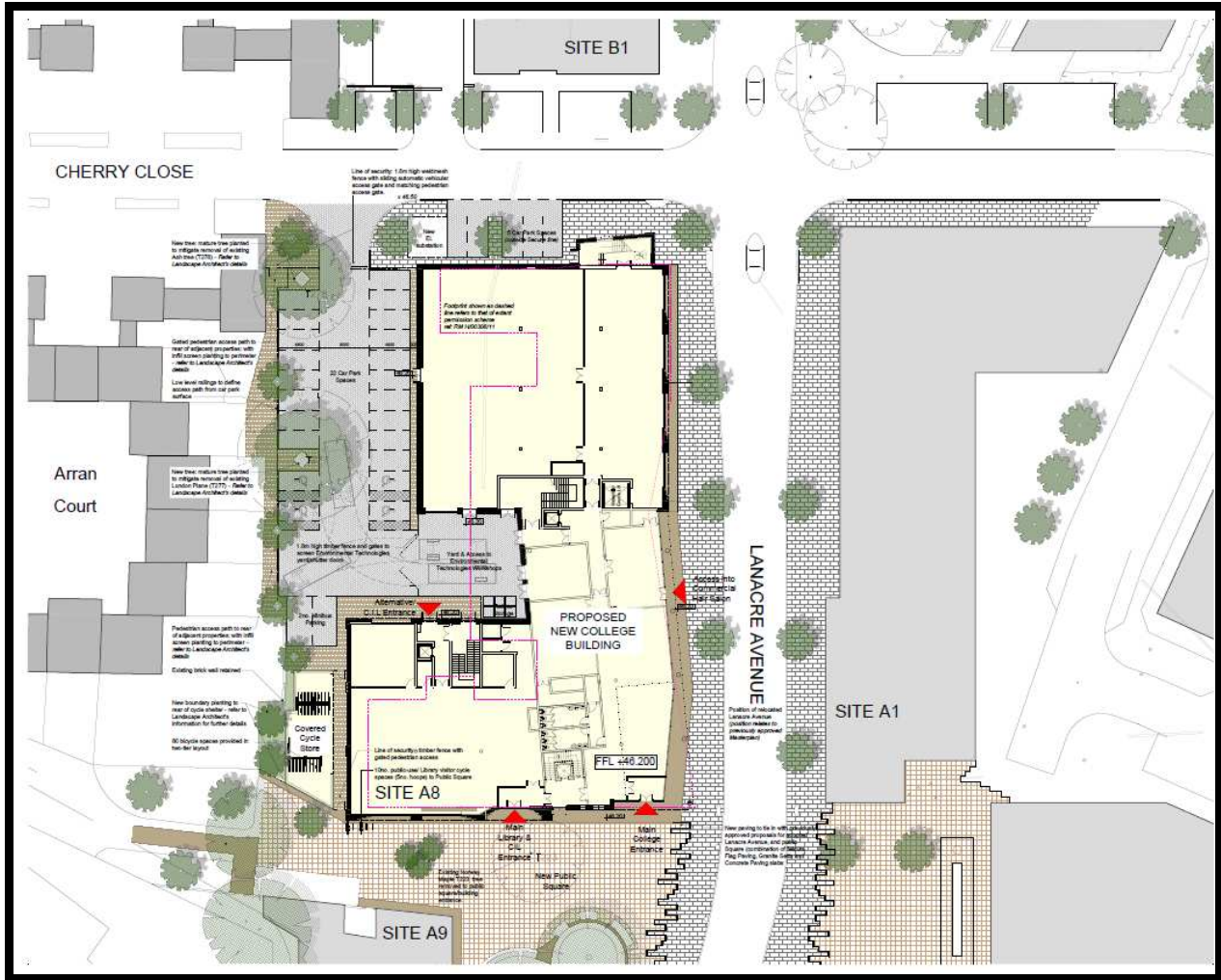
A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers

or biodiversity, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal.

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 development 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: PLANS OF THE PROPOSED DEVELOPMENT

Site layout and context as proposed



APPENDIX 2: INFORMATIVES

1. A summary of the development plan (London Plan 2011, Barnet Core Strategy 2012 and Development Management Policies DPD 2012) 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 – Protection, enhancement and consolidated growth – The three strands approach)
CS5 (Protecting and enhancing Barnet's character to create high quality places)
CS8 (Promoting a strong and prosperous Barnet)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive and integrated community facilities and uses)
CS11 (Improving health and well being in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM13 (Community and education uses)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

London Plan 2011 (set out by chapter):

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas) and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.16 (Protection and Enhancement of Social Infrastructure); and 3.18 (Education Facilities)

London's Economy:

4.1 (Developing London's Economy); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide

Emissions); 5.3 (Sustainable Design and Construction); 5.4A (Electricity and Gas Supply); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.3 (Assessing Effects of Development on Transport Capacity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity) and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Lifetime Neighbourhoods); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

2. 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.

3. 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 a developer proposes to discharge water to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

4. 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 £36,883 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 does not include any of these uses and therefore is not liable for 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.

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.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can potentially apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

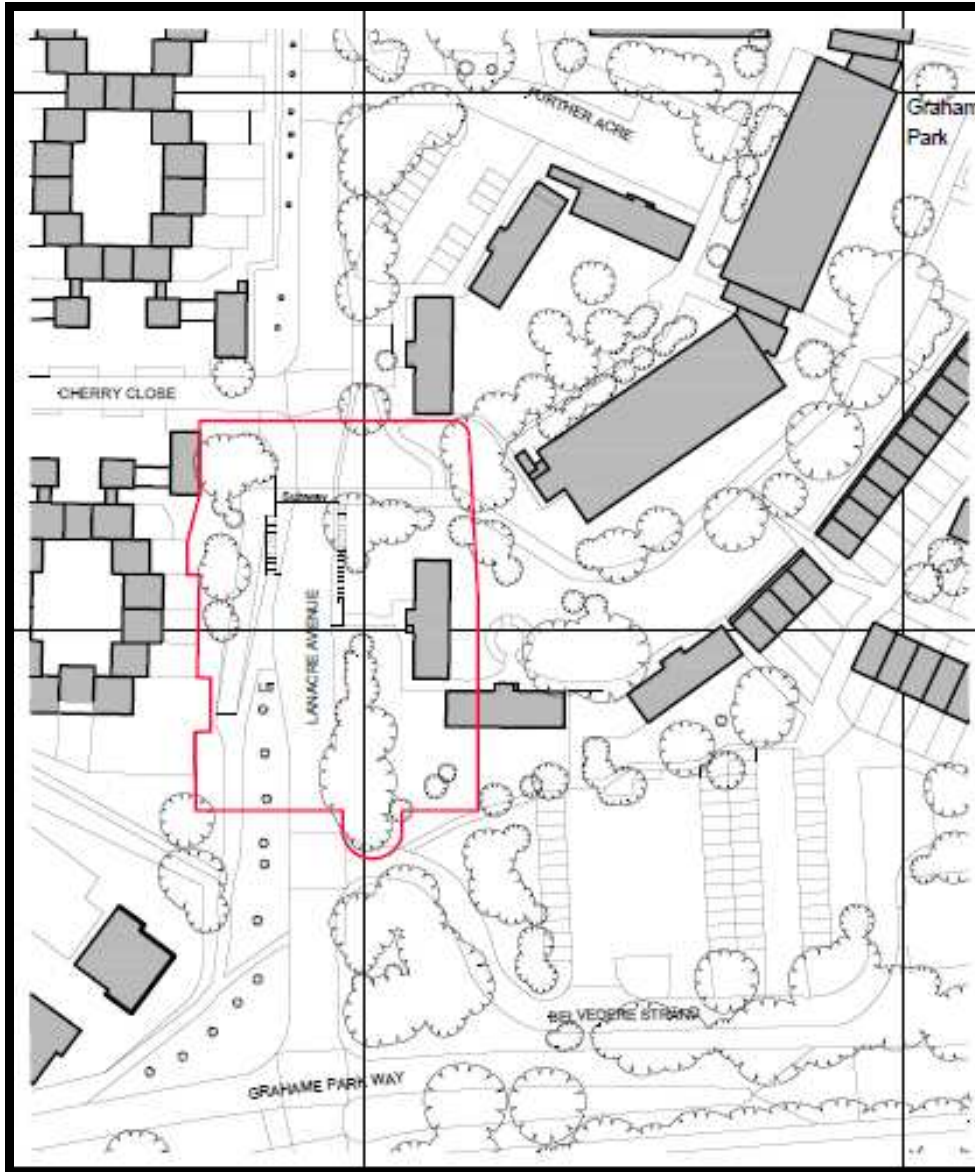
Visit

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whatto submit/cil> for further details on exemption and relief

5. For the purposes of this decision notice, 'enabling works' includes the following:
- Demolition of existing structures including removal of asbestos, disconnecting services and grubbing up foundations;
 - Reduced level dig and removal of all surplus rubble from the site;
 - Remove services within the site boundary including service trenches;
 - Carry out CAT scans on site to confirm all existing services are clear and remove any unidentified services;
 - Erect/re-establish hoarding line for the construction site;
 - Provide piling mat for an early start with piling;
 - Preparation of welfare facilities for the main contract;
 - Provide clear Health and Safety information on the site in advance of the main works commencing; and
 - Substructure and underground drainage works.

APPENDIX 3: SITE LOCATION PLAN

Site Address: Development Plot A8, Grahame Park Estate Regeneration, Lanacre Avenue



LOCATION: Garage site adjacent to 23 Bedford Road, London, NW7 4LT

REFERENCE: H/01011/14

Received: 21 February 2014

Accepted: 24 February 2014

WARD(S): Hale

Expiry: 21 April 2014

AGENDA ITEM 13

Final Revisions:

APPLICANT: Barnet Homes

PROPOSAL: Demolition of 2 no. blocks of garages and the erection of a terrace of 2 no. houses and 2 no. flats and associated parking, bin and cycle stores.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 455.PA.001, 455.PA.002, 455.PA.003, 455.PA.004 P4, 455.PA.005 P4, 455.PA.006, 455.PA.007 - Location Site Analysis, 455.PA.007 - Existing Garage Roof Plan, 455.PA.010 P4, 455.PA.011 P4, 455.PA.012 P4, 455.PA.013 P4, Design Statement, Letter from Barnet Homes dated 13/02/2014, Arboricultural Statement, Accessibility Statement.

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 455.PA.004 P4 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. 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. 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).

9 Part 1

Before development commences other than for investigative work:

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

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

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

Part 2

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

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012) and 5.21 of the London Plan 2011.

10. 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).

11. 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.

12. 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.

13. 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.

14. 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, F of Part 1 to Schedule 2 of that

Order shall be carried out within the area of former garages adjacent 23 Bedford Road NW7 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).

15. The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy 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).

16. Before the development hereby permitted commences details of the location within the development and specification of the unit 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 unit 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.

17. No development shall take place until a 'Demolition & Construction Method Statement' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety and good air quality in accordance with

Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

18. Before the development hereby permitted commences, details of the cycle sheds 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 character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 and DM17 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.

19. 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).

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 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 £14,014.40 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 £53,819.40 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.

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 at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

3. 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.

4. 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.

5. If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

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.

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.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM08, DM17.

Supplementary Planning Documents and Guidance

Residential Design Guidance (2013)
Sustainable Design and Construction (2013)

Relevant Planning History:

Planning applications picked up in spatial search

Site Address: 23 Bedford Road London NW7
Application Number: W11439
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/05/1998
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side extension, new ramp to rear door.**
Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 29 Replies: 1
Neighbours Wishing To Speak 0

One letter of support was received stating that the garages are an eyesore and the proposals would provide good quality housing and improve the area.

Internal /Other Consultations:

- Green Spaces (inc Allotments) - No comments received.
- Traffic & Development - No objection - comments addressed in main report.
- Environmental Health - No objection.

Date of Site Notice: 13 March 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is a block of former garages adjacent to a pair of semi-detached dwellings on the west side of Bedford Road. To the north of the site is Mill Hill County High School.

Proposal:

The proposals are for the demolition of 2 no. blocks of garages and the erection of a terrace of 2 no. houses and 2 no. flats and associated parking, bin and cycle stores.

The proposed building would be set within a terrace of three buildings. The buildings would be staggered with the northernmost building divided into two flats.

Planning Considerations:

The proposals form part of the Barnet Homes Affordable Homes Scheme which involves a number of schemes for new affordable housing around the borough. The proposals would provide 100% affordable housing and would add additional dwelling units to housing stock available within the borough.

The item has been referred to Planning Committee given that the applicant is Barnet Homes.

The proposals have been amended following discussions with the case officer.

The main considerations are considered to be:

- Whether the proposals would have an acceptable impact on the character and appearance of the area
- Whether the proposals would harm neighbouring or future amenity
- Whether the proposals would harm highway and pedestrian safety

Whether the proposals would have an acceptable impact on the character and appearance of the area

It is noted that the proposed eaves height would be somewhat higher than the neighbouring building at no.23. The height of the ridgeline would however be similar. Given that the building is at the end of the row of properties on this side of Bedford Road it is not considered that the eaves relationship to no.23 would be materially harmful to the character and appearance of the streetscene.

The proposed buildings would be constructed in traditional materials similar to existing houses on Bedford Road.

The proposals would have an acceptable impact on the character and appearance of the streetscene and general locality.

Whether the proposals would harm neighbouring or future amenity

The rear depth of the building has been amended so that the buildings result in an acceptable level of light and outlook for future residents. The middle house would project 1.5m further rearwards than the southmost house and the northernmost flats 3m beyond the middle house.

The proposals would comply with London Plan in terms of space standards.

The proposals would provide adequate amenity space standards in accordance the Supplementary Planning Document on Sustainable Design and Construction. The proposals would comprise: 127 and 150 square metres for the houses and 60 square metres for the two flats. Both flats would have access to amenity space. Details of how this amenity space would be subdivided will need to be provided.

Cycle stores would be provided in the rear gardens.

Refuse stores would be provided to the front gardens and details of these enclosures would be secured by condition.

Whether the proposals would harm highway and pedestrian safety

The proposals would create 2 x 3 bedroom houses, 1 x 2 bedroom units, and 1 x 1 bedroom unit.

The applicant has submitted a letter in support of the application stating that only 5 of the 22 garages are currently let and that most of the buildings are used for storage. Furthermore, none of the occupants of the 5 garages live in Bedford Road. The garages attract a lot of anti-social behaviour.

Given the low occupancy rate of the garages for parking, their loss would be unlikely to increase pressure for on-street parking in the vicinity.

The proposals would provide 1 parking space for each unit and it is considered that this would comply with policy DM17 of the Adopted Barnet Development Management Policies DPD.

It should be noted that the grant of planning permission would not grant ownership of any land or verges adjacent to the site.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The letter of support is noted.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: Garage site adjacent to 23 Bedford Road,
London, NW7 4LT

REFERENCE: H/01011/14



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LOCATION: Former garage site to rear of 62-67 Brent Place, Barnet, Herts, EN5
REFERENCE: B/02986/14
WARD(S): Underhill

Received: 02 June 2014

Accepted: 06 June 2014

Expiry: 01 August 2014

AGENDA ITEM 14

Final Revisions:

APPLICANT: Barnet Homes

PROPOSAL: Erection of 5 no.two storey dwellinghouses with associated parking, bin and cycle storage.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 112_E_01X, LON-122-002b, 112_GA-03, Planning Statement, Arboricultural Implications Assessment, Design and Access Statement 112_GA-01 Rev D, 112_E_02P Rev A, 112_E_01P Rev A, 112_P_00X Rev A, 112_GA_02 Rev C, 112_P_01X Rev D.

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 112_GA_01 Rev. D 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. 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. This shall include details of how refuse collection will be managed.

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) in the north-west elevations facing Mays Lane 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).

10 Part 1

Before development commences other than for investigative work:

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

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

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

Part 2

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

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012) and 5.21 of the London Plan 2011.

11. 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).

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

Reason:

To ensure a satisfactory appearance to the development 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.

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

Reason:

To ensure a satisfactory appearance to the development 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. 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.

15. 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, F of Part 1 to Schedule 2 of that Order shall be carried out within the area of former garages to rear of 62-67 Brent Place 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).

16. The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy 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).

17. Before the development hereby permitted commences details of the location within the development and specification of the unit 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 single unit 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.

18. No development shall take place until a 'Demolition & Construction Method Statement' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the

detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

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.
2. 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.

3. 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.

4. 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 £18,181.84 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 £69,540.33 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.

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 at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

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.

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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.

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.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM08, DM10, DM17

Supplementary Planning Documents and Guidance

The Council adopted a Supplementary Planning Document (SPD) "Sustainable Design and Construction", following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

The Council is currently consulting on the following 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:

Site Address: 35 Mays Lane BARNET HERTS
Application Number: N08340A
Application Type: Full Application
Decision: Refuse
Decision Date: 17/09/1991
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **First floor and part ground floor rear extension.**
Case Officer:

Site Address: Brent Place Garage Block, Brent Place, Barnet, EN5 2DS
Application Number: B/04354/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/02/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension to time limit for use as temporary site office and storage containers for planning permission reference B/00219/08 dated 13/08/2008 to extend the time limit to 31/12/2010.**
Case Officer: Lisa Cheung

Site Address: 62-67 Brent Place, Barnet, Herts, EN5 2DS
Application Number: B/02303/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 02/08/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Replacement of windows with new UPVC windows. Installation of permanent handrail to the perimeter of the roof. (AMENDED DESCRIPTION)**
Case Officer: Lisa Cheung

Site Address: Brent Place Garage Block, Brent Place, Barnet, EN5 2DS
Application Number: 04503/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 13/12/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension to time limit for use as temporary site offices and storage containers for planning permission reference B/04354/10 dated 15/02/10 to extend the time limit to 31/12/2011.**
Case Officer: Lisa Cheung

Site Address: BRENT PLACE GARAGE BLOCK, BRENT PLACE, BARNET, HERTS, EN5 2DS
Application Number: B/00219/08
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 13/08/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition and removal of existing garages at Brent Place. Installation of temporary site office and storage containers.**
Case Officer: Lisa Cheung

Consultations and Views Expressed:

Neighbours Consulted: 93 Replies: 3
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Residents were sent a letter in October 2007 advising that garages would be demolished and parking bays formed - this recognises the need for parking for existing residents. Yellow lines have been introduced to Mays Lane and therefore residents have nowhere to park.
- Boundaries of site do not take into account rear access to properties on Mays Lane
- Increased number of dwellings will cause noise and disturbance
- Overlooking
- Encroaching into neighbouring allotment area
- Visual impact on neighbouring properties
- Overcrowding, increased crime and pressure on sewer system.

- Impact on local electricity supply
- Loss of light
- Disruption from construction traffic during building works.
- Does not appear to be a clear plan for refuse collection.

Internal /Other Consultations:

Highways - comments contained within main report.

Date of Site Notice: 12 June 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a former garage block to the rear of 62-67 Brent Place.

The surrounding area is residential in character. This consists predominantly of two storey dwellinghouses on Brent Place and Mays Lane, though there are two three storey flat blocks on Brent Place, including one immediately adjacent to the site.

The garages have been demolished and the site at the time of site visit was fenced off.

Proposal:

The proposals are for the erection of 5 no.two storey dwellinghouses with associated parking, bin and cycle storage.

Planning Considerations:

The proposals for part of the Barnet Homes Affordable Homes Scheme which involves a number of schemes for new affordable housing around the borough. The proposals would provide 100% affordable housing and would add additional dwelling units to housing stock available within the borough.

The item has been referred to Planning Committee given that the applicant is Barnet Homes.

The proposals have been amended following discussions with the case officer.

The main issues are considered to be:

- Whether the proposals would harm the character and appearance of the streetscene and general locality
- Whether the proposals would harm neighbouring and future amenity
- Whether the proposals would harm highway and pedestrian safety

Whether the proposals would harm the character and appearance of the streetscene and general locality

The surrounding area consists predominantly of two storey buildings with some examples of taller buildings such as no.62-67 Brent Place.

Levels across the site are flat though the land drops sharply to the rear of houses to the south on Brent Place and increases slightly northwards towards Mays Lane.

The proposed design of the development would feature two storey houses with flat roofs, and low pitched roofs to the rear. The development would include brick arches and recessed brickwork. The buildings would feature gaps at first floor level to provide views through the site and prevent the massing of the development from appearing obtrusive.

Overall, it is considered that the proposed design of the development would be of high quality and would respect the constraints of the site, and would not materially harm the character and appearance of the general locality and streetscene.

Whether the proposals would harm neighbouring and future amenity

The proposed development has been designed in a way to minimise impact on neighbouring houses. The proposed buildings are relatively low height for a two storey building at between 6.7m (Main roofline) and 7.3m (Highest point of ridge.) The buildings to the centre of the site would be of shallow depth, at 5.5m. This would help reduce the impact on the neighbouring properties on Brent Place, preventing the buildings from appearing overbearing or visually dominating.

In terms of light and overshadowing, given the relatively low profile and distance from properties on Mays Lane, it is not considered that there would be a harmful impact on properties to the north on Mays Lane. It is considered that the proposed dwelling would be adequate distance from neighbouring residential properties to ensure that there is not harmful loss of light or outlook.

The proposals would comply with the internal space standards within the Mayor's London Plan. Proposed outdoor amenity space would comply with the Supplementary Planning Document on Sustainable Design and Construction. The proposed development would generally meet the standards within the SPD in terms of distances between new development in that there would be a distance of some 27.7m to the rear windows of houses on Mays Lane. Whilst on the end blocks the distances to neighbouring gardens would be less than that normally required the windows in the side facing elevations would be obscure glazed to prevent any overlooking. These windows are secondary to the main outlook from the rooms they serve.

In terms of the impact on no.4 and no.5 Brook Place, the proposals would leave a gap of approximately 14.5m between the rear windows of the development and the rear windows on the neighbouring buildings.

Although it is acknowledged that there is a drop in levels towards the houses on Brent Place to the south, these properties have long gardens of at least 16m and consequently there is a distance of at least 22.5m between the rear windows of these properties and the development. Although given the relatively shallow depth of the gardens on the development they do not achieve the 10.5m distance to neighbouring gardens, in light of the large depth of the neighbouring gardens and the fact that they are sited at an angle of those on the development it is not considered that there would be a harmful level of overlooking between the development and neighbouring gardens.

Whether the proposals would harm highway and pedestrian safety

The proposal is for construction of 5 dwellings, 2x 3-bedroom and 3 x 2-bedroom at the site of previous garages in Brent Place. A total of 5 off street parking spaces are proposed accessed via exiting access road.

Access will be via the existing access road, which has Housing maintenance responsibility.

The parking provision for the new dwellings is in accordance with the parking standards on Barnet's Local Plan.

Although the site was previously occupied by garages, these garages have been demolished and permission has been granted on application B/00219/08 and subsequent applications for extension of time for installation of temporary site office and storage containers. It is considered that given the time that has elapsed since the garages were last in use, and that the site has permission and has been occupied by other uses, the parking spaces no longer exist.

The applicant has provided a letter stating that the garages were demolished in 2008 and fenced off since this time, and before this the garages were vacant. In this way they could not have been accessed as parking.

In view of the fact that the garages have been fenced away from public access since 2008 , it is considered that the proposal is not expected to result in a detrimental impact on public highways.

The site is linked to Mays Lane and Brent Place via a footpath which will be maintained. The applicant must ensure that all right of way accesses are retained, including the access road which is been available for access to the general public.

Refuse vehicles will not be able to enter and turn within the site, therefore refuse should be brought to a location at the edge of the public highways on collection days if council refuse collection is intended. A condition has been attached ensuring that refuse collection arrangement details are provided.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

Residents were sent a letter in October 2007 advising that garages would be demolished and parking bays formed - this recognises the need for parking for existing residents. Yellow lines have been introduced to Mays Lane and therefore residents have nowhere to park. - *The parking pressures in the locality are noted. However, the proposals would make adequate provision for the new development in accordance with the Council's policies.*

Boundaries of site do not take into account rear access to properties on Mays Lane - *The plans submitted show the pedestrian access to the north of the site to be retained.*

Increased number of dwellings will cause noise and disturbance - *Given the distance of the buildings from neighbouring residential properties it is not considered that the introduction of 5 dwellings on the site would cause harmful noise and disturbance to neighbouring occupiers.*

Encroaching into neighbouring allotment area - *The site includes part of the Council*

owned land to the east and correct notices have been served.

Overcrowding, increased crime and pressure on sewer system, Impact on local electricity supply - The proposals would not materially impact security in the area.

Sewerage is principally a building control matter however it is not considered that any impact on local utilities warrants refusal of the proposals.

Disruption from construction traffic during building works. - Whilst it is appreciated that building works can cause noise and disruption this is not reason to withhold permission. However, a condition is attached requiring details on construction method statement in an effort to minimise disruption to residents.

4. EQUALITIES AND DIVERSITY ISSUES

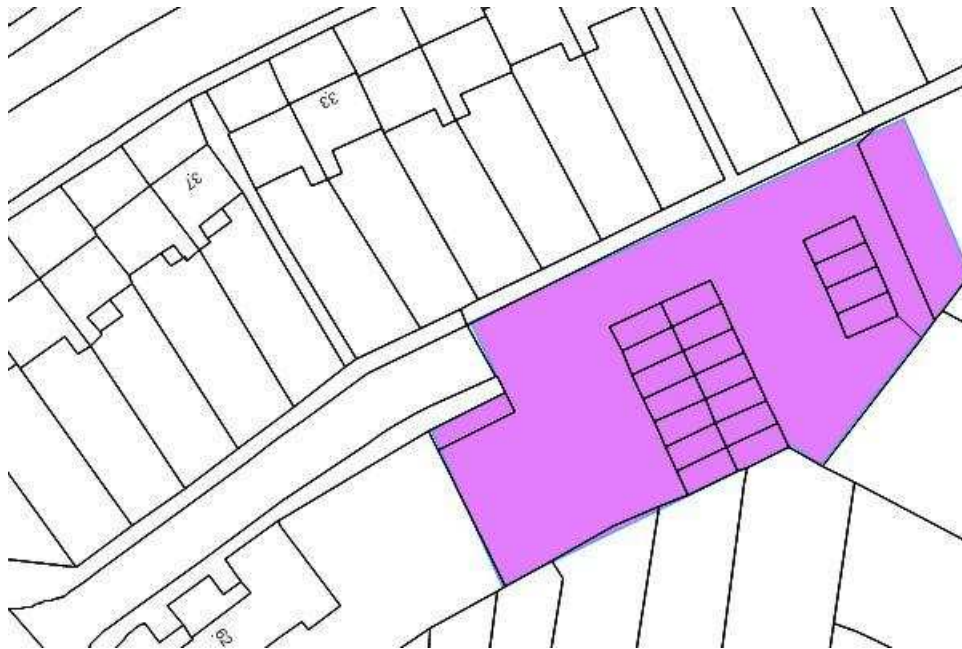
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Taking the above into consideration the planning application is recommended for **APPROVAL.**

SITE LOCATION PLAN: Former garage site to rear of 62-67 Brent Place,
Barnet, Herts, EN5

REFERENCE: B/02986/14



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LOCATION: Garage site on land at Haldane Close, Off Cromwell Road, N10

REFERENCE: B/03087/14

Received: 06 June 2014

Accepted: 09 June 2014

WARD(S): Coppetts

Expiry: 04 August 2014

AGENDA ITEM 15

Final Revisions:

APPLICANT: Barnet Homes

PROPOSAL: Demolition of garages and the erection of three storey flatted development containing 9 no. flats, all for affordable occupancy, car parking spaces, amenity areas, bin and cycle stores and associated development thereto.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, Planning Statement, 7937 13, LBB-SMP (0) 1002, Environmental Noise Assessment, LBB SMP (0) 200, LBB SMP (0) 100, LBB SMP (0) 101, LBB SMP (0) 050, LBB SMP (0) 201, LBB SMP (0) 010, LBB SMP (0) 103, LBB SMP (0) 012, LBB SMP (0) 9250, LBB SMP (0) 013.

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 LBB-SMP (0) 101 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. 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) in the first and second floor living rooms for the front two bedroom units, facing east 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).

10. Part 1

Before development commences other than for investigative work:

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

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

- c. If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in

writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012) and 5.21 of the London Plan 2011.

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. The property shall be used as self-contained units as shown on the hereby approved drawings under Class C3 (a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

13. 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).

14. 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.

15. 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.

16. 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.

17. The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy 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. 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 LBB-SMP (0) 101 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.

19. No development shall take place until a 'Demolition & Construction Method Statement' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

20. Prior to occupation the approved development shall make provision for cycle parking in accordance with the submitted detail with the planning application. Such spaces shall be permanently retained thereafter.

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

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. If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).
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 £9,473.38 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 £36,393.14 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.

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 at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

4. 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.

5. 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.

6. Any highway approval as part of the planning process for the alteration to the existing crossovers or new crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for crossover under Highways Act 1980. Removal or relocation of any existing street furniture or alteration to road markings or Controlled Parking Bays would be subject to public consultations and would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

Any details submitted in respect of the Demolition and 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 and precautions to minimise damage to trees on or adjacent to the site.

Any public or private rights of ways that are likely to be affected by the works may require to be stopped up to facilitate the development and shall be submitted to and agreed with the Local Planning Authority under 247 TCPA.

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.

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.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM04, DM08, DM10, DM17

Supplementary Planning Documents and Guidance

The Council adopted a Supplementary Planning Document (SPD) "Sustainable Design and Construction", following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

The Council is currently consulting on the following 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:

Site Address:	THE VERODO BUILDING (R/O 10-34 PEMBROKE ROAD) HAMPDEN ROAD LONDON N10
Application Number:	N13294A/02
Application Type:	Full Application
Decision:	Deemed Refusal
Decision Date:	28/01/2003
Appeal Decision:	Dismissed

Appeal Decision Date: 28/01/2003
Proposal: **Erection of 23 two-bedroom flats in a four storey block at front of site and a three storey block at rear. Associated car parking for 24 cars with vehicular access from Hampden Road. (Formerly C10051A/02 due to recent boundary changes)**

Case Officer:

Site Address: 4 Pembroke Road London N10
Application Number: C03803
Application Type: Full Application
Decision: Refuse
Decision Date: 16/08/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of three-storey block of six flats.**
Case Officer:

Site Address: 60 Cromwell Road, London, N10 2PR
Application Number: B/03934/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 19/02/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use from Class B8 (warehouse) to Sui Generis (car repairs.) Internal alterations to walls and doors, creation of a main reception area, MOT testing bay and removal of existing beams.**
Case Officer: Josleen Chug

Site Address: HAMPDEN WORKS, 2 PEMBROKE ROAD LONDON N10
Application Number: C07172A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 04/07/1984
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Construction of new roof and alterations to industrial building at rear, second floor office extension, staircase enclosure, alterations to elevations and change of use of first and second floor of frontage building from offices ancillary**

Site Address: HAMPDEN WORKS CROMWELL ROAD LONDON N10
Application Number: C07172B
Application Type: Full Application
Decision: Approve
Decision Date: 06/06/1985
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Construction of new roof, alterations to industrial building at rear and construction of new vehicular access.**

Case Officer:

Site Address: 2 PEMBROKE ROAD LONDON N10
Application Number: C07172C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 21/05/1986
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of four storey building comprising Basement Car Parking with Three Floors of Offices above, New Vehicular Access and Provision of Ten Parking Spaces**

Case Officer:

Site Address: GROUND FLOOR UNIT 2 PEMBROKE WORKS Pembroke Road LONDON N10
Application Number: C07172D
Application Type:
Decision: Approve with conditions
Decision Date: 02/03/1988
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Garaging and valeting of used vehicles.**
Case Officer:

Site Address: THE INSTITUTE Hampden Road LONDON N10
Application Number: C10051
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 09/11/1988
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Redevelopment to provide six terraced houses in two blocks of three, vehicular access, estate road, three garages, four car ports & three parking spaces**
Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 95 Replies: 1
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Loss of privacy
- Noise and disturbance
- Lack of parking provision

Internal /Other Consultations:

N/A

Date of Site Notice: 19 June 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site at present is covered in hardstanding and contains some 34 garage arranged into five blocks.

The site is located within a mixed area, with the neighbouring buildings to the west including three storey building on corner and three storey blocks of flats to the north. Those to the east are two storey flatted buildings. Immediately to the west of the site is a single storey car workshop.

Haldane Close itself is accessed from Hampden Road to the south, and there are three storey blocks of flats fronting onto Haldane Close and Hampden Road. The site is the adjacent garage block to the west, accessible from Cromwell Road.

Proposal:

The proposals are for Demolition of garages and the erection of three storey flatted development containing 9 no. flats (including ground floor disability flat), all for affordable occupancy, car parking spaces, amenity areas, bin and cycle stores and associated development thereto.

Planning Considerations:

The proposals for part of the Barnet Homes Affordable Homes Scheme which involves a number of schemes for new affordable housing around the borough. The proposals would provide 100% affordable housing and would add additional dwelling units to housing stock available within the borough.

The item has been referred to Planning Committee given that the applicant is Barnet Homes.

The proposals have been amended following discussions with the case officer.

The main issues are considered to be:

- Whether the proposals would harm the character and appearance of the streetscene and general locality
- Whether the proposals would harm neighbouring amenity
- Whether the proposals would harm highway and pedestrian safety

Whether the proposals would harm the character and appearance of the streetscene and general locality

There are numerous examples of three storey buildings within the locality and therefore it is not considered that such a building would appear out of character. The design of the building would take into account the relationship to neighbouring buildings, given that the proposed building would be sited alongside the neighbouring two storey maisonettes next door. The site is located at a lower level than this building so the additional storey can be accommodated comfortably within the streetscene.

The proposed building would be of brick construction with slate grey concrete tile cladding on the roof. It is considered that subject to seeing the specific materials to use, this would be in keeping with the aesthetics of the surrounding area.

Whether the proposals would harm neighbouring amenity

The proposed building would be located alongside 96-102 Cromwell Road, a two storey block of maisonettes located at a higher level.

There would be a gap of approximately 8.9m between the east flank wall of the building and the west facing windows at 96-102 Cromwell Road. It would appear that these windows are secondary windows serving these flats, and the principle source of light to these rooms are the south facing rear windows. In light of the likelihood that the side windows are secondary windows, it is not considered that the impact on the amenities of the occupiers of these flats would be harmful.

The proposed building would be located opposite a block of flats at 13-24 Strode

Close. The building has landing windows facing the site and in view of the fact that these do not serve habitable rooms it is considered that there would not be any harmful impact on neighbouring amenity.

The proposed building would be located approximately 28m from the rear of 15-22 Haldane Close and in view of this distance it is not considered that there would be harmful overlooking of neighbouring occupiers.

The site is located adjacent to a motor repair workshop. Environmental Health officers have looked at the accompanying noise report and consider that the impact of nearby noise could be addressed through planning conditions.

It is not considered that the proposed development would result in a harmful loss of outlook, light or privacy as perceived from neighbouring residential properties.

The internal sizes of the proposed flats would comply with the standards within the Mayors London Plan. The development consists of 5no. x 1 bedroom flats and 4no x 2 bedroom flats. The units would be approximately 55 square metres in the case of the 1 bedroom flats and 77 square metres in the case of the 2 bedroom units.

The proposed amenity space would provide approximately 197 square metres of communal amenity space to the rear of the site. This would comply with the requirements of the Supplementary Planning Document on Sustainable design and Construction.

Whether the proposals would harm highway and pedestrian safety

The site is located off Cromwell Road N10 at the end of the cul-de-sac. The access road and the existing garages are the ownership of Barnet Homes.

Barnet Homes has confirmed in a letter that out of 34 garages only 13 garages are currently occupied. 3 of these are in use by Barnet Homes' Bulk Storage team and the remaining 10 are let to individuals who do not live on Haldane Close or on the other blocks nearby but live locally.

The proposal is for the demolition of the existing garages and erection of 9 residential units comprising 5x1bedroom and 4x2bedroom units. 9 parking spaces are being provided for the new development.

A range of 4 to 11 parking spaces would need to be provided to meet the parking standards as set out in the Barnet Local Plan Development Management Plan Approved in September 2012. Therefore parking provision of 9 parking spaces is in accordance with the parking standards as set out in the Barnet Local Plan Development Management Plan Approved in September 2012.

A 4.2m wide ramped access with 1:10 gradient is proposed from Cromwell Road. The vehicular access is to be controlled by electronic gate proposed at the entrance to the access.

9 cycle parking spaces are proposed for the new development.

The application is recommend for approval on highway grounds.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Taking the above into account the application is recommended for **APPROVAL**.

SITE LOCATION PLAN: Garage site on land at Haldane Close, Off Cromwell Road, N10

REFERENCE: B/03087/14



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LOCATION: Site to the rear of Colindale Station Plaza comprising land of Former Station House and part of Former Colindale Hospital Site, Colindale Avenue, London, NW9 5HG

REFERENCE: H/03131/14

Received: 12 June 2014

AGENDA ITEM 16

Accepted: 12 June 2014

WARD: Colindale

Expiry: 11 September 2014

APPLICANT: Semali Investments Limited

PROPOSAL: Application to make minor amendments to the approved development (ref H/01110/13, approved 3rd April 2014 for 'construction of a part 7, part 18 storey mixed use building comprising 55 room Apart-Hotel (Use Class C1), 319 student accommodation units (Sui Generis), four commercial units (Use Class A1/A3) and gym (Use Class D2) along with associated car parking and landscaping') comprising:

- 1) Alterations to floor layouts to provide teaching rooms for student residents, reorganisation of student and hotel common areas and mezzanine retail floorspace;
- 2) Addition of second basement level;
- 3) Associated external alterations.

APPLICATION SUMMARY

The proposal would introduce classroom space to accommodate the Stay Academy, which would provide opportunities for students to stay and study within the same building. This would diversify the use of the building and would ensure that it would be occupied throughout the year. This would be of benefit to the local economy and would ensure the viability of this key scheme, which would deliver a high quality development that would frame the public piazza and deliver the important apart-hotel use.

The proposed amendments would not have a significant impact on neighbouring residents, the character of the area or the local highway network beyond that of the original proposal. The same conditions and s.106 obligations imposed on the original consent have been carried forward onto this permission, along with further restrictions on the educational element of the student use, which are considered necessary to ensure that this remains ancillary to the student accommodation. Accordingly, approval subject to conditions and a legal agreement is recommended.

RECOMMENDATION APPROVE 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) Deed of Variation
All obligations agreed through the previous planning permission (listed below) to be binding on the implementation of this minor material amendment application (ref H/03131/14).
- *Enforceability*
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
 - *Public Transport Improvements*
In accordance with the priority identified in the CAAP the payment of a financial contribution of **£75,000** index linked to the Council towards the general improvement of public transport services within the vicinity of the site including Step Free Access at Colindale Underground Station.
 - *CPZ Contribution*
A contribution of **£30,000** towards the provision of a Controlled Parking Zone in the vicinity of the site.
 - *Travel Plans*
The applicant shall enter into two separate Travel Plans for the student accommodation and aparthotel that seek to reduce reliance on the use of the private car, promote sustainable means of transport and appoint an appropriately qualified Travel Plan Coordinator.
 - *Travel Plan Monitoring*
A contribution of **£10,000** index linked towards the monitoring of the Travel Plans for the development.
 - *Parking Permit Exemption*
A contribution of **£5,000** in order to facilitate a parking permit exemption scheme for residents of the development.
 - *Restricted Student Occupation*
The applicant to ensure that the student accommodation is occupied only by students on a full-time course or summer course and provide documentary evidence in accordance with timescales to be agreed.
 - *Monitoring of the Section 106 Agreement*
A contribution of **£3,000** 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 H/03131/14 under delegated powers 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:

140127-A(GA)P080
140127-A(GA)P090
140127-A(GA)P100
140127-A(GA)P110
140127-A(GA)P120
140127-A(GA)P300
140127-A(GA)P400
140127-A(GA)P401
130222 A(GA)P110
130222 A(GA)P160
130222 A(GA)P170
130222 A(GA)P260
130222 A(GA)P270
130222 A(GA)P280
Design and Access Statement

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 AND DETAILING

3. Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not proceed above basement level unless and until details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas 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 as so approved before the dwellings approved are occupied.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

4. Notwithstanding the details submitted in the drawings otherwise hereby approved the development is not to proceed above basement level unless and until details (necessary details specified in brackets) of the following features of the new buildings have been submitted to the Local Planning Authority and approved in writing:
- Glazing and window frame details/reveals (details at a scale of not less than 1:10 or a sample).
 - Projection of oriel windows (details at a scale of not less than 1:10 or a sample).
 - Terracotta, timber and mesh spacing (details at a scale of not less than 1:10 or a sample).
 - Window openings on the glazed elements of the building (details at a scale of not less than 1:10 or a sample).
- The buildings shall be implemented in accordance with the approved details prior to the 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 building 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

5. The development shall be constructed in accordance with the levels details approved under reference H/02497/14. Site levels shall be thereafter retained in accordance with these details.

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.

SUSTAINABILITY

6. The development hereby permitted shall be constructed to achieve not less than BREEAM 'Excellent' in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The building shall be occupied until formal certification has been issued confirming that not less than Excellent has been achieved 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, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan.

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

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policies 5.2 and 5.6.

RESTRICTIONS ON USE

8. The student accommodation hereby approved shall only be occupied as part of the overall use of this part of the building as "Sui Generis" student accommodation, and it shall not be used as independent and separate self-contained dwellings within the meaning of Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason:

To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area, in line with policies CS4, DM01 and DM02 of the Barnet Local Plan.

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

Reason:

To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area, in line with policies CS4, DM01 and DM02 of the Barnet Local Plan.

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

Reason:

To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area, in line with policies CS4, DM01 and DM02 of the Barnet Local Plan.

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

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

Reason:

To ensure that the commercial floorspace approved does not have a detrimental impact on the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area, in line with policy CS6 and DM11 of the Barnet Local Plan.

12. The basement/mezzanine levels of the Use Class A1 units hereby permitted (as defined by the Use Classes Order 2005 (As Amended)) shall not be used as sales floorspace.

Reason:

To ensure that the commercial floorspace approved does not have a detrimental impact on the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area, in line with policy CS6 and DM11 of the Barnet Local Plan.

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

Reason:

To safeguard the amenities of occupiers of adjoining residential properties, in line with policy DM01 of the Barnet Local Plan.

14. The bar/restaurant floorspace on the sixth floor of the building hereby permitted shall only be used for these purposes as an ancillary use for the student accommodation and not as a separate self-contained commercial use. This use shall not be open to customers before 7am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties, in line with policy DM01 of the Barnet Local Plan.

15. The student social area on the mezzanine floor shall be used only as ancillary space to the approved student accommodation and not as a separate self-contained commercial use.

Reason:

To ensure that there is no increase in commercial floorspace, in the

interests of the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area, in line with policy CS6 and DM11 of the Barnet Local Plan.

16. The classrooms, lecture rooms, seminar rooms and study rooms as detailed on the plans hereby approved shall only be used by occupants of the student accommodation hereby permitted, with the exception of teaching and support staff necessary to carry out the educational use. No other persons shall arrive at and/or occupy any part of the development for study or educational purposes at any time and the building shall not be used by any educational institution, other than the institution that occupies the development.

Reason:

To safeguard the amenities of occupiers of nearby residential properties and in the interest of highway safety in accordance with policies CS9, DM01 and DM17 of the Barnet Local Plan.

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

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area, in line with policies CS9 and DM17 of the Barnet Local Plan.

CONTAMINATED LAND

18. Part 1

The development shall be carried out and the site remediated in accordance with the details and method statement approved under reference H/02144/14.

Part 2

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

Reason:

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

19. Piling for foundations or other infrastructure using deep (approximately >15 metres below ground level) penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:

To protect groundwater quality in the deep aquifer. Piling to facilitate building foundations has the potential to penetrate impermeable geological formations and create a pathway between contaminated shallow soils and deeper geological formations. A Piling Risk Assessment is required to demonstrate that the chosen piling method does not increase the risk of near-surface pollutants migrating into deeper geological formations and underlying aquifers, in line with policy DM04 of the Barnet Local Plan.

WATER, DRAINAGE AND WASTE

20. The development hereby permitted shall not proceed above basement level until a drainage strategy detailing all on and off site drainage works to be carried out in respect of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. No discharge of foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works referred to in the strategy have been completed in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with Policies 5.13 and 5.14 of the London Plan 2011.

21. 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 5.15 of the London Plan 2011.

22. Before the development hereby permitted is occupied a Refuse and Recycling Management Plan that includes: refuse/recycle collection arrangements, swept paths for collection vehicles, agreed points of collection and showing any required turnings of the refuse and recycle vehicles to facilitate the collection shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

In the interest 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.

23. Before the development hereby permitted is occupied, an indemnity agreement must be signed, submitted to and approved in writing by the Local Planning Authority. The agreement shall indemnify the Council and its contractors 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 development.

Reason:

In the interest 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.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

24. 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.

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

Reason:

To ensure that the amenities of neighbouring premises are protected from noise and odour from such systems, in line with policy DM01 of the Barnet Local Plan.

26. The level of noise emitted from the heating, ventilation and air conditioning plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of any neighbouring property which existed at the time of this decision notice.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of any existing neighbouring property at the time of this decision notice.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties, in line with policy DM01 of the Barnet Local Plan.

27. Before development proceeds above basement level, a report should be carried out by a competent acoustic consultant and submitted to the LPA for approval that assesses the likely noise impacts from the development of the ventilation/extraction plant to serve the building. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied/ the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development, in line with policy DM01 of the Barnet Local Plan.

28. Prior to the first occupation of the development 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 and thereafter be maintained as such.

Reason:

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

LANDSCAPING

29. Notwithstanding the details submitted and otherwise hereby approved, prior to the construction of the development proceeding above basement level a detailed scheme of hard and soft landscaping shall be 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 and hedges to be retained or 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;
- green and brown roofs;
- means of planting, staking and tying of trees, including tree

guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser;

- existing contours and any proposed alterations such as earth mounding;
- areas of hard landscape works including paving, proposed materials, samples, and details of special techniques to minimise damage to retained trees and provide conditions appropriate for new plantings;
- timing of planting;
- all proposed boundary treatments, fencing or means of enclosure to be erected at the site.

Reason:

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

30. All work comprised in the approved scheme of hard and soft landscaping 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 future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

TRANSPORT

31. Before the development hereby permitted is occupied the car parking spaces shown on the approved plans 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 adequate and 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.

32. 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.

33. 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. the positioning of cranes and other construction related equipment;
 - x. Details of interim car parking management arrangements for the duration of construction;
 - 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.

34. Before development hereby permitted is first occupied, a full Delivery and Servicing Management Plan shall be submitted to and agreed by the Local Planning Authority. The delivery plan should include details of size, number, times and frequency of delivery vehicles and swept paths for vehicles entering and using the site in association with the permitted use.

Reason:

In the interest 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.

35. 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 active electric vehicle charging facilities and a further 20% to be provided with passive facilities for future fit out. 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.

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

Reason:

In the interests of promoting cycling as a mode of transport, in line with London Plan policy 6.9 and policies CS9 and DM17 of the Barnet Local Plan.

37. The development shall be carried out in all respects in accordance with the approved Pringuer-James report 'Conceptual Design Statement (Basement Levels) Rev A', and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy 6.2.

38. The student accommodation hereby permitted shall not be occupied until a Student Pick-Up and Drop-Off Management Scheme is submitted and approved in writing by the local planning authority. This Scheme shall include details of a drop-off and collection schedule that will be set up by the

student management company to stagger the pick-up and drop-off activity at key times of year and how the parking spaces on the site will be managed during pick-up and drop-off periods. Student drop-off and pick-up activity shall thereafter be managed in accordance with the approved Scheme, or any variation that may be approved.

Reason:

In the interest 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.

INFORMATIVES:

The informatives that it is recommended be included on the decision notice in respect of this application are set out in **Appendix 3** of this report. These include (as the first informative) a summary of the reasons for granting planning permission for this development and the relevant development plan policies taken into account in making this decision.

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 (published July 2011) and the development plan documents in the Barnet Local Plan (adopted September 2012). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other documents, including supplementary planning guidance and national planning guidance, are also material to the determination of the 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 in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, 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 considered to comply with the requirements of the development plan.

The London Plan

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). On 11th October 2013, the Mayor published Revised

Early Minor Alterations to the London Plan (REMA). From this date, the REMA are operative as formal alterations to the London Plan and accordingly form part of the development plan for Greater London. Subsequently, on 15th January 2014, the Mayor published Draft Further Alterations to the London Plan (FALP) for 12 week period of public consultation. An Examination in Public (EiP) of the FALP will commence on 1st September 2014.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas); and 2.18 (Green Infrastructure: The Multi Functional Network of Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); and 3.18 (Education Facilities)

London's Economy:

4.1 (Developing London's Economy); 4.5 (London's Visitor Infrastructure); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector and Related Facilities and Services); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.4A (Electricity and Gas Supply); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Lifetime Neighbourhoods); 7.2 (Inclusive Environment); 7.3 (Designing

Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location and Design of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes); and 7.19 (Biodiversity and Access to Nature)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

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

CS1 (Barnet’s Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet’s character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall buildings)

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

DM09 (Specialist Housing – HMOs, student accommodation and housing for older people)

DM13 (Community and education uses)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Planning Obligations (April 2013)
Sustainable Design and Construction (April 2013)
Residential Design Guidance (April 2013)
Colindale Area Action Plan (March 2010)

Strategic Supplementary Planning Documents and Guidance:

Draft SPG on Accessible London (April 2014)
Sustainable Design and Construction (April 2014)

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.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of regulation 122 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 this site is set out in **Appendix 1** of this report. Of particular significance to the current application is the 2014 planning permission for a similar development for the construction of a part 7, part 18 storey mixed use building comprising 55 room Apart-Hotel (Use Class C1), 319 student accommodation units (Sui Generis), four commercial units (Use Class A1/A3) and gym (Use Class D2) along with associated car parking and landscaping (ref H/01110/13).

The current proposal seeks to make minor material amendments to this proposal, comprising the following:

- Mezzanine level to remove retail (A1/A3) floorspace and hotel communal space and replace with student class/study rooms, retaining student communal space.
- Ground floor level to combine the student accommodation and hotel reception areas.

- 1st basement level to provide retail (A1/A3) storage space and rationalisation of other floorspace including reduced cycle storage.
- Addition of 2nd basement level to provide student classrooms and a lecture theatre.
- Associated external alterations, including a 5m deep extension of the mezzanine level to the north west and alterations to the fenestration on the north east elevation at mezzanine level.

The changes proposed are intended to facilitate the introduction of the Stay Academy to the building, which provides students with an opportunity to stay in the student accommodation and study short courses in the same building.

1.3 Public Consultations and Views Expressed

Public Consultation

A total of **1232** local properties were consulted on the application by letter and email in June 2014. The application was also advertised on site and in the local press at that time.

Number of Responses from Residents

1 response has been received in **objection**, with no request to speak at committee. No responses supporting the proposal were received.

Comments from Residents

The comment made in objection to the application cites concerns over parking pressure and controls in the area, with regard to the adjacent Fairview development. Where appropriate further detail is provided below, in the relevant section of the report.

Highways, Transport and Parking:

- Fairview's development on the Hospital site provides inadequate parking for visitors.
- Parking controls laid down on the roads are not enforceable.

Officer Response:

These concerns relate to Fairview's development of the Former Colindale Hospital site and are therefore not relevant to this proposal. As discussed in the appraisal below, the proposal would not significantly increase the number of vehicle trips to the site, so would not further impact on parking pressure in the area.

Internal Consultation responses

Traffic and Development Team: The proposals are acceptable, all original conditions and s.106 obligations secured should be applied to the revised consent.

Neighbouring Authority (LB Brent): No objection.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site is irregular in shape and covers an area of 0.19 hectares on the north side of Colindale Avenue. The site is cleared and hoarded off, but comprised part of the former Colindale Hospital, which is currently being redeveloped for housing, and Station House, a 5 storey office building that has now been demolished. Access is from Colindale Avenue via the main spine road (Charcot Road) and roundabout through the Colindale Hospital development.

The site is bounded to the east by the Northern Line with residential properties beyond. To the south is the public piazza adjacent to Colindale Underground Station, with Colindale Avenue and the British Newspaper Library site and Colindale Park beyond. To the north and west are the recently constructed residential properties in the former Colindale Hospital development and the older 2 storey houses fronting Colindale Avenue.

The area around the site is mixed in character, consisting of modern developments ranging from 5 to 14 storeys, traditional 2 storey houses and employment/institutional buildings with larger footprints. The site lies within the wider Colindale Opportunity Area as identified in the London Plan and is earmarked for significant regeneration, along with a number of other sites in the area.

2.2 Description of the Proposed Development

This application seeks consent for minor amendments to the approved development, as set out in section 1.2 above. The amendments are proposed to accommodate the Stay Academy within the student accommodation element of the approved scheme, which is to be run by the Stay Club. The intention is that some of the students occupying the building would attend courses taught within the building, which requires lecture and classroom space. Some of this space would also be made available for all of the students to use for study.

Some other minor changes are proposed to accommodate the classroom space, including rationalisation of the retail uses, addition of a second basement level and a reduction in the apart-hotel communal spaces.

The apart-hotel element would still contain 55 bedrooms and would still be located within the 7 storey wing of the building, with the main tower still comprising the 319 student units (471 rooms, with indicated bedspaces shown to be up to 662).

The building itself would be broadly the same size as the consented scheme, the only changes being a modest increase in the depth of the building at the rear (north west) at mezzanine level. Some limited changes are also proposed to the fenestration along the north east of the building, although the same design concept and use of materials would be employed.

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

- Design and Access Statement;
- Transport Technical Note;
- Construction Traffic Management Plan.

3. PLANNING CONSIDERATIONS

3.1 Principle of the amendments to the uses proposed

Student accommodation

The applicant is in partnership with a student accommodation company, the Stay Club, who run similar facilities in Camden and Willesden that are not affiliated to a particular institution. It is the Stay Club who will operate the student accommodation on this site.

The amendments proposed to the scheme under this application are intended to facilitate the incorporation of the Stay Academy, an initiative run by the Stay Club whereby students stay on site and take short courses. These courses would include, but not be limited to, English language and teacher training. They would generally be 3 month short courses. The application therefore proposes to introduce an educational element to this mixed use development – totalling 1,839sqm – although it should be noted that the teaching space proposed would be used only by occupants of the student accommodation, which is not proposed to be extended beyond the existing approval.

It is therefore the intention that the educational function of the building would be complimentary to the student accommodation, with around 20-30% of the occupiers of the building during normal university term time also taking courses in the on-site classrooms. It is estimated that this could increase to over 70% outside of term time, when student halls would typically be empty, as the Stay Academy would look to run short courses during the summer break. The accommodation would be capable of housing up to 662 students, so during term time it would be expected that between 132 and 198 of the occupiers would also take courses, whilst this could increase to around 460 during the summer break.

It is acknowledged that this would change the nature of the use of the building, by introducing an educational element to a primarily residential development. The extent of this use would be greater than what would be considered incidental or ancillary. However, as noted above, all students that would study on site would also stay within the accommodation, so there would be no additional impact on the local area in terms of trip generation or noise and disturbance. The applicant accepts that a condition is to be imposed to restrict the use of classrooms to residents of the development only. This would also prevent it from being used by a separate educational institution. During the academic year the teaching space will offer dual purpose facilities providing student study areas and rooms, social facilities, breakout and common areas in conjunction with classrooms. During the summer period there will be a greater emphasis on shorter courses and groups and therefore an intensification of use of classrooms.

Officers consider that this proposal would be beneficial to the area, as it would ensure that the student accommodation is largely fully occupied throughout the year, which will be of benefit to local businesses in Colindale, Barnet and London more widely. As set out in the committee report prepared to support the previous application (ref H/01110/13), student populations diversify the local economy, support the voluntary sector, create demand for local business, boost creative industries and provide critical mass for infrastructure and services.

Overall therefore, the proposal would have a beneficial impact on the local area and would help to ensure the overall viability of the development and delivery of other important uses. All conditions originally imposed are again recommended to ensure that the accommodation is occupied by students only and a S.106 obligation would also require the accommodation to be occupied by students attending an educational institution. As mentioned, a further condition is recommended to control the nature of the Stay Academy use to occupants of the development only.

Apart-hotel and commercial uses

Importantly, the apart-hotel use would be retained in its entirety as part of the amended proposals. This is considered to be an important element of the scheme, providing local visitor accommodation in an accessible location, that could benefit local businesses.

The ground floor retail uses are also retained, with a rationalisation of floorspace as a result of the mezzanine storage spaces being moved to the basement. The principle of commercial floorspace has already been established in the earlier scheme iterations and the total quantum would not significantly increase as a result of this revised proposal. The amount and type of this development proposed is considered to be appropriate to provide ground floor activity that would contribute towards the creation of a new vibrant neighbourhood centre for Colindale, in line with the objectives of the AAP.

All conditions imposed on the original permission to control these uses are recommended as part of this report, as well as a condition to restrict the use of the 6th floor bar/restaurant as ancillary to the student accommodation.

3.2 Scale, Design and Appearance

This application proposes minor amendments to the external appearance of the development, which comprises:

- Minor extension (5m depth, 16m width) of the mezzanine floor to the rear (north-west) of the building.
- Changes to fenestration on the north east elevation and ground floor south east and south west elevations.
- Re-arrangement of external structural columns.

These changes are mainly required to accommodate the classroom space for the Stay Academy, plus external changes to the ground floor elevations to account for the rationalisation in floorspace.

Overall, the changes are considered to be minor in the context of the proposal as a whole. The small extension to the rear of the building would still be contained under the oversailing upper floors and would therefore have minimal visual impact. The ground floor commercial units and student/hotel lobby would still ensure that an active frontage is provided to the public realm on the piazza and Charcot Road elevations.

Importantly, the scale of this tall building would not be materially affected and the changes proposed would not unduly impact on the high standards of architecture that would be delivered. The same arrangement of materials would be incorporated into the design to shroud the modular construction of the internal form of the building.

The detailing of the final design will be key to achieving a high quality appearance. Accordingly, along with a condition requiring material samples to be submitted, specific detailing such as the projection of oriel windows and the terracotta, timber and mesh spacing are the subject of recommended conditions. In addition, it is considered to be important to require details of the window openings on the glazed elements of the building, to ensure a crisp appearance for this element of the development.

In summary, the proposed scheme as amended would still result in a high quality design on this important site, thereby satisfying Local Plan policy DM01, London Plan policy 7.4 and CAAP policies insofar as they relate to design and scale.

3.3 Standard of accommodation provided and amenities of future occupiers

The application does not propose any amendments to the floorspace of the student accommodation units and does not propose any changes to the building that would affect outlook or privacy. The site is still considered to be suitable for the proposed uses in terms of noise and air quality. The development as amended is found to be satisfactory in this regard and would provide acceptable living conditions for future occupiers.

3.4 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 Residential Design Guidance Supplementary Planning Document provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users. This includes stating that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

Overlooking and Loss of privacy

The amendments to the scheme proposed under this application would not result in the building being any closer to neighbouring residential properties. There would also be no material change to the extent and arrangement of glazing on any of the elevations. The proposal would therefore not result in additional overlooking or loss of privacy to neighbouring occupiers compared to the extant approval.

Daylight, Sunlight, Overshadowing, Outlook and Visual Impact

As discussed, the scale of the building would only increase by way of a mezzanine (first floor) extension. This minor increase in scale at low level would not give rise to detrimental impacts on the amenities of neighbouring occupiers in terms of daylight, sunlight, overshadowing, outlook or visual impact.

Noise

The earlier applications on the site were supported by a PPG24 assessment which demonstrated the appropriateness of the site for the development. The noise assessment concluded that during the development's construction period, the effect of noise and vibration on the surrounding area will be negligible and various measures such as site hoardings could be implemented to mitigate against any impacts that may arise. It is also recommended that a Construction Management Plan be required by condition, which would deal with issues such as construction methods and hours.

The noise assessment also concluded the operational impact of the hotel and commercial uses on the surrounding area (i.e. plant and vehicular movements) would be minimal and can be mitigated through the implementation of appropriate planning conditions. The student accommodation is also not expected to give rise to significant levels of noise emissions, as it would be principally a residential use. It is noted that use of the social space could generate some noise at times, but it is considered that the separation distance between the development and surrounding residential properties would ensure that this would not be unduly detrimental to amenity.

This application proposes to introduce some classroom space for on-site learning courses, as discussed in more detail in appraisal section 3.1. Part of this classroom space would be in the basement, whilst the rest would be at mezzanine floor level. It is not considered that this use would be overly noisy, having regard to the other uses proposed for the building, the hours of use proposed and the background noise levels in this part of Colindale. A condition is recommended to control the hours of use of the classrooms, as well as to ensure that only occupiers of the student accommodation can study on site.

Therefore subject to the imposition of suitable conditions, it is considered that the proposals will not give rise to any unacceptable adverse impacts arising from noise.

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.

3.5 Transport, parking and highways matters:

As discussed, the proposed educational floorspace would be used only by occupiers of the student accommodation, so there would be no additional trips to the site associated with the proposed amendments. The exception to this is the teaching and support staff that would serve the educational use, although these are expected to be minimal. Accordingly, the proposal is not expected to give rise to significant additional trips compared to the extant permission, which was in itself a reduction compared to earlier approvals.

The proposed access, car parking and servicing arrangements remain unchanged and this is acceptable. The basement cycle parking would be reduced to 162 spaces to serve all uses, but this would still comply with London Plan standards and is considered to be an acceptable provision.

The same conditions and S.106 obligations originally imposed and agreed will apply to this amended planning permission. This includes the Student Pick-Up and Drop-Off Management Scheme, the controlled parking zone contribution, the construction management plan, delivery and servicing plan and car park management plan. Travel planning measures would also be secured as they were previously. Accordingly, the proposal is considered to comply with the objectives of the London Plan and Barnet Local Plan as they relate to transport and highways matters.

3.6 Creating inclusive environments for all members of the community:

The proposed amendments would not impact on level access to the buildings, internal circulation space and facilities for disabled users. 10% of the apartment and student accommodation units would still be wheelchair accessible as per the previous approval. It is therefore considered that the revised proposal would provide an environment that is fully accessible and inclusive to all and would therefore be acceptable in this regard.

3.7 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 proposal, as amended, would continue to provide commercial frontages to the public piazza at ground floor level and would therefore provide street level activity in the vicinity of Colindale Underground station, which would enhance the local environment in terms of security. The building would be overlooked to a large degree by surrounding residential uses. Subject to the provision of external lighting, as recommended by condition, it is considered that the security of the development would not be compromised.

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.

3.8 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding and does not exceed 1 hectare in area, so a Flood Risk Assessment is not required. However, the Environment Agency have recommended that sustainable surface water drainage management is incorporated into the development. As such a condition has been recommended to ensure that the necessary mitigation is achieved, similar to the condition imposed on the original consent.

Conditions have been carried forward from the previous consent to ensure that water use by the development is minimised. Subject to these conditions the development is found to be acceptable in this respect.

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

3.9 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:

- a. Be lean: use less energy
- b. Be clean: supply energy efficiently
- c. Be green: use renewable energy

Residential developments are currently required to achieve a 25% reduction in carbon dioxide emissions when compared to 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 also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes/BREEAM. The Colindale AAP requires non-residential buildings to achieve a BREEAM excellent rating.

Carbon dioxide emissions

The previous application was accompanied by an Energy Strategy, which set out the applicant's commitment to achieving the target CO2 reductions and demonstrated how this could be achieved.

The submission demonstrated that the development would reduce its CO2 emissions by up to 44%, principally through a connection to the E.On Colindale Community Energy System (located within the former Colindale Hospital development), as well as through built fabric improvements. The same percentage is committed to as part of this amendment application and as such the scheme is found to be acceptable in this regard.

Other aspects of sustainable design and construction

A Sustainability Statement was submitted with the previous application and this included a BREEAM 'Excellent' pre-assessment. This application commits to the same objectives. It is therefore considered that the proposed development would meet the requirements of the relevant London Plan and Barnet Local Plan standards in this regard. Conditions are recommended in relation connecting the scheme to the CHP network, as well as to ensure that the scheme meets the BREEAM 'Excellent' standard, as per the extant approval.

Biodiversity/geological matters

The Environment Agency previously raised concerns that piling for foundations could penetrate impermeable geological formations and create a pathway between contaminated shallow soils and deeper geological formations. The same condition originally imposed has again been recommended requiring a piling risk assessment to ensure that underlying aquifers are not subject to disturbance and pollution from piling works. Subject to this condition the proposal is found to be acceptable and compliant with policy on biodiversity and nature conservation matters.

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

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

The current application proposes relatively minor amendments to an extant planning permission and is again accompanied by the documents referred to above. Paragraph 46 of Circular 02/99 states that changes to an approved development requires EIA only if the change is likely to have significant environmental effects. The current proposal would alter the uses of the building proposed and would result in minor external changes to the building. These are not considered to be significant effects.

In summary, 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.

3.11 Planning obligation matters:

Policy CS15 of the 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.

It is recommended that a deed of variation be entered into with the developer that links the s.106 agreement relating to the previous approval (ref H/01110/13) to this amended approval. This is necessary since the outcome of this application will be a new planning permission. Details of the obligations previously agreed are set out below:

Public Transport Improvements Including Step Free Access at Colindale Underground Station (£75,000)

A feasibility study for Step Free Access at Colindale Underground Station has been undertaken by TfL using allocated s.106 money from the Colindale Hospital development. This study will set out the cost for providing step free access at Colindale Underground Station as well as other station upgrades including additional gates, a new entrance into the Piazza and new ticket booths.

Given the low level of car parking proposed for the development and the fact that the majority of students and guests using the facility are expected to travel by public transport, a contribution of £75,000 is required. This also accords with the s.106 priorities set out the Colindale AAP.

A £50,000 contribution formed part of the legal agreement for the extant permission and it is considered reasonable to allocate the £10,000 previously secured towards highways improvements towards this, given that the A5/Colindale Avenue junction improvements already have the necessary funding. An uplift in this contribution to an overall figure of £75,000 would be appropriate, given the student accommodation now proposed is expected to be heavily reliant on the tube station. It would be reasonable to require this, particularly given that the majority of trips associated with the student accommodation now proposed would be made by public transport.

Travel Plan/Travel Plan Monitoring (£10,000)

In line with Barnet Local Plan policy DM17, the Planning Obligations SPD and TfL thresholds, the development requires a Strategic Travel Plan to deliver sustainable transport objectives for occupants of the aparthotel and student accommodation. A minimum figure of £10,000 is also required for the monitoring of the Travel Plan, in line with the SPD.

CPZ Contribution (£30,000)

In order to mitigate against potential parking displacement into surrounding streets, particularly as a result of the introduction of the student accommodation into the proposal, a contribution of £30,000 towards the provision of a Controlled Parking Zone in the vicinity of the site has been agreed.

Parking Permit Exemption (£5,000)

It is necessary to restrict residents of the scheme from applying for parking permits, in order to not disenfranchise existing residents when CPZ controls are put in place. A contribution of £5,000 is needed in order to facilitate a parking permit exemption scheme for residents of the development.

Restricted Student Occupation

It is necessary for the applicant to ensure that the student accommodation is occupied only by students on a full-time course or summer course and provide documentary evidence in accordance with timescales to be agreed.

Therefore the total additional S106 Contributions required to facilitate the increased size of the development is £120,000. An appropriate monitoring contribution is also sought in line with the Planning Obligations SPD.

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.

3.12 Community Infrastructure Levy

Under the CIL Regulations, s.73 applications must be assessed for any additional CIL payments beyond the original permission, where additional floorspace is proposed. A breakdown of the relevant floorspace is set out below:

Original permission

The total floorspace of the proposed uses is set out below:

- Class A uses (A1/A3): 1,465m²
- Gym (D2): 880m²
- Student accommodation (Sui Generis): 14,936m²
- Apart-hotel (C1): 3,309m²

Total = 20,590m²

Total chargeable under Barnet CIL = 4,774m²

This application

The total floorspace of the proposed uses is set out below:

- Class A uses (A1/A3): 1,187m²
 - Gym (D2): 881m²
 - Student accommodation (Sui Generis): 16,423m²
 - Apart-hotel (C1): 3,184m²
- Total = 21,675m²
 Total chargeable under Barnet CIL = 4,371m²

The proposed development in its entirety is liable for charge under the Mayoral Community Infrastructure Levy (CIL), at a charge of £35 per square metre. All but the D2 and student accommodation uses proposed are liable for the Barnet CIL, at a charge of £135 per square metre. The total calculations, based on the above figures, are set out below:

Original permission

- Mayoral CIL: £720,650
- Barnet CIL: £644,490

This application

- Mayoral CIL: £799,448 (+£78,798)
- Barnet CIL: £592,607 (-£51,883)

The increased difference in Mayoral CIL (+£78,798) would need to be paid pursuant to this application, but there would be no entitlement to a reduction in the Barnet CIL under the CIL Regulations.

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 development, as controlled by the conditions recommended, would ensure that in several regards the building constructed would exceed the minimum requirements of such legislation. Examples of this would include all the proposed uses being fully accessible and inclusive to all, including the provision of level or appropriately sloping access within the site, not less than 10% of the 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 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 above appraisal and analysis.

6. CONCLUSION

The introduction of classroom space to accommodate the Stay Academy would diversify the use of the building and would ensure that it would be occupied throughout the year. This would be of benefit to the local economy and would ensure the viability of this key development, which would deliver a high quality development that would frame the public piazza and deliver the important apart-hotel use.

The proposed amendments would not have a significant impact on neighbouring residents, the character of the area or the local highway network beyond that of the original proposal. The same conditions and s.106 obligations imposed on the original consent have been carried forward onto this permission, along with further restrictions on the educational element of the student use, which are considered necessary to ensure that this remains ancillary to the student accommodation.

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 development 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 PLANNING HISTORY FOR THE SITE

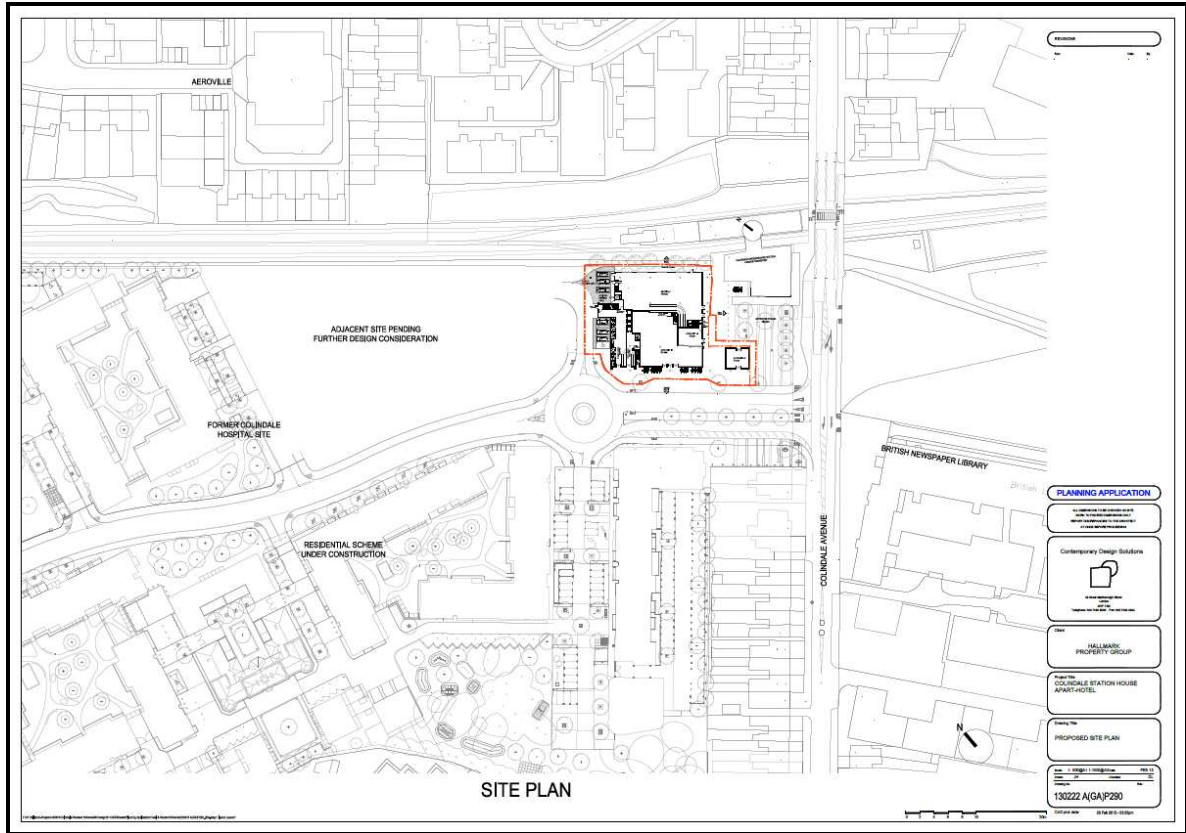
App Ref.	Address	Description of Development	Decision and Date
H/01159/08	Colindale Hospital, Colindale Avenue, London NW9 5HG	Demolition of curtilage buildings to Listed Hospital Administration Block.	APPROVED 02/12/2008
H/00395/09	Colindale Hospital, Colindale Avenue, London NW9 5HG	Enabling works application for the provision of new site access, spine road with footpaths, emergency access to the health protection agency together with associated sub-surface infrastructure.	APPROVED 03/06/2009
H/00342/09	Colindale Hospital, Colindale Avenue, London NW9 5HG	Redevelopment of the former Colindale Hospital to include the erection of 714 residential units including the change of use and conversion of the listed former Administration building to residential, a new primary care trust facility (Use Class D1) of 1,132sqm, commercial units (Use Class A1/A2//A3/B1) and site management office (Use Class D1/B1), together with access roads, car parking and cycle parking, new public and private open space, children's play space and landscaping. Application includes the submission of an Environmental Statement.	APPROVED 20/11/2009 following completion of S106 agreement
H/00343/09	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	The demolition of Station House and construction of a 293 bed, part 6, part 13 storey Aparthotel of up to 8965sqm, together with a 369sqm restaurant (Use Class A3) and three ground floor commercial units (Use Class A1/A2/A3) totaling 780sqm with associated access, car parking and landscaping, retention of and alterations to the Colindale Underground station building and the provision of a new public square and a transport interchange incorporating bus stops, taxi rank and associated landscaping.	APPROVED 20/11/2009 following completion of S106 agreement
H/00344/09	The Administration	Listed Building Consent application for works of repair and internal and external	APPROVED 20/11/2009

	Building, Colindale Hospital, Colindale Avenue, London, NW9 5HG	alterations to convert the former Colindale Hospital Administration Building into residential use.	
H/00041/10	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Section 73 application for amendments to wording of conditions 2 (Restriction to Hotel Use), 4 (Maximum Stay), 5 (A1/A3 Units Layout), 6 (A3 Specified Use), 8 (Details of Piazza), 10 (Materials), 12 (Refuse), 13 (Protection from Vibration), 14 (Land Contamination), 15 (Details of Ventilation and Extraction), 17 (Noise Report), 18 (Sound Insulation), 19 (Tree Protective Fencing), 20 (Services in Relation to Trees), 21 (Trees Method Statement), 23 (Landscaping Details), 26 (Construction Method Statement), 27 (Parking), 28 (Car Park Stacker Maintenance), 29 (Parking Management Plan), 30 (Cycle Parking Provision), 32 (Drainage Strategy), 34 (BREEAM Standard), 35 (Details of Green/Brown Roofs), 36 (Connection to Decentralised Heating Network), 37 (Details of Taxi and Coach Bays), 38 (PPG24 Noise Report) of approved planning consent ref. H/00343/09 and inclusion of new condition in relation to phasing plan.	APPROVED 05/05/2010 following completion of Deed of Variation to S106 agreement
H/03982/10	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Construction of a part 7, part 18 storey building comprising a 374 bed Aparthotel (Use Class C1) together with a bar-club / restaurant (Use Class A3/A4), gym (Use Class D2) and four commercial units on the ground floor (Use Class A1/A3) along with associated car parking and landscaping.	APPROVED 24/12/2010 following completion of S106 agreement
H/00305/13	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Non-material minor amendment to planning permission Ref: H/03982/10 dated 24/12/2010 for the "Construction of a part 7, part 18 storey building comprising a 374 bed Aparthotel (Use Class C1) together with a bar-club / restaurant (Use Class A3/A4), gym (Use Class D2) and four commercial units on the ground floor (Use Class A1/A3) along with associated car parking and landscaping" to amend the wording of the conditions 10, 11, 13, 17	APPROVED 18/04/2013

		and 18.	
H/01110/13	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Construction of a part 7, part 18 storey mixed use building comprising 55 room Apart-Hotel (Use Class C1), 319 student accommodation units (Sui Generis), four commercial units (Use Class A1/A3) and gym (Use Class D2) along with associated car parking and landscaping	APPROVED 03/04/2014

APPENDIX 2: PLANS OF THE PROPOSED DEVELOPMENT

Proposed site layout and context:



APPENDIX 3: INFORMATIVES

1. A summary of the development plan policies relevant to this decision is set out below:

The London Plan

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). On 11th October 2013, the Mayor published Revised Early Minor Alterations to the London Plan (REMA). From this date, the REMA are operative as formal alterations to the London Plan and accordingly form part of the development plan for Greater London. Subsequently, on 15th January 2014, the Mayor published Draft Further Alterations to the London Plan (FALP) for 12 week period of public consultation. An Examination in Public (EiP) of the FALP will commence on 1st September 2014.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas); and 2.18 (Green Infrastructure: The Multi Functional Network of Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); and 3.18 (Education Facilities)

London's Economy:

4.1 (Developing London's Economy); 4.5 (London's Visitor Infrastructure); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector and Related Facilities and Services); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.4A (Electricity and Gas Supply); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Lifetime Neighbourhoods); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location and Design of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes); and 7.19 (Biodiversity and Access to Nature)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

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

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall buildings)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM09 (Specialist Housing – HMOs, student accommodation and housing for older people)
DM13 (Community and education uses)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Planning Obligations (April 2013)
Sustainable Design and Construction (April 2013)
Residential Design Guidance (April 2013)
Colindale Area Action Plan (March 2010)

Strategic Supplementary Planning Documents and Guidance:

Draft SPG on Accessible London (April 2014)
Sustainable Design and Construction (April 2014)

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.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

2. With reference to Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended), this decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.
3. In complying with the contaminated land condition parts 1 and 2:
 - a) Reference should be made at all stages to appropriate current guidance and codes of practice at 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).

4. The London Plan promotes electric vehicle charging points with 20% active and 20% passive provision and should be provided. The parking layout should include provision of electric charging points for all elements of the development.
5. Where a developer proposes to discharge water to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. The applicant is advised that any occupiers of the site would not be able to purchase any type of parking permit, voucher or similar issued within a Controlled Parking Zone (CPZ) in the area that a property address might otherwise be eligible for as part of the councils ongoing management of the public highway.
7. The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.
8. 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 total £799,448 payment under Mayoral CIL (£78,798 more than the original scheme (ref H/01110/13)).

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 been assessed at this time as liable for a £644,490 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.

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.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can potentially apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whatto-submit/cil> for further details on exemption and relief

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LOCATION: Old Camdenians Football Club, Burtonhole Lane, London, NW7
1AS
REFERENCE: H/03817/13 **Received:** 23 August 2013
Accepted: 27 August 2013
WARD(S): Mill Hill **Expiry:** 22 October 2013 **AGENDA ITEM 17**

**Final
Revisions:**

APPLICANT: Camden Playing Fields Trust

PROPOSAL: Retention of earth bund around playing fields. New deck and paving to the east elevation of the clubhouse.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: MILLEGL, Site Location Plan, Arboricultural Method Statement & 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. 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).

4. 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.

5. 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.

6. 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).

7. No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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.

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.

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, CS7.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM15, DM17

Supplementary Planning Documents and Guidance

Supplementary Planning Document (SPD) Sustainable Design and Construction

Relevant Planning History:

Planning applications picked up in spatial search

Site Address: Camden Playing Fields Burtonhole Lane NW7
Application Number: W01751
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/08/1969
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **sports pavilion.**
Case Officer:

Site Address: Camden Playing Fields Burtonhole Lane NW7
Application Number: W01751A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/08/1969
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **sports pavilion.**
Case Officer:

Site Address: Camden Playing Fields Burtonhole Lane NW7
Application Number: W01751B
Application Type: Full Application
Decision: Refuse
Decision Date: 01/12/1971
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **implement store.**
Case Officer:

Site Address: Camden Playing Fields Burtonhole Lane NW7
Application Number: W01751C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/03/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **implement store**
Case Officer:

Site Address: CAMDEN PLAYING FIELDS BURTONHOLE LANE NW7
Application Number: W01751D
Application Type: Full Application
Decision: Refuse
Decision Date: 03/05/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **implement store.**
Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 9 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Trees have been removed without permission
- Enlarged car park creates additional noise
- Premises has previously operated at antisocial hours
- Raised level outside club and decking area would cause noise and disturbance to neighbouring occupiers
- Earth bund is a good idea to protect privacy

Councillor John Hart has objected on the following grounds:

Dumping of rubble and soil and tree felling is a concern and he is supporting of the comments of Mill Hill Preservation Society.

These comments have been further endorsed by Cllr Khatri.

Mill Hill Preservation Society have objected on the following grounds:

The Society has inspected the above planning application and we do not object to the minor alterations around the clubhouse however we wish to make the following observations on the bund:

1. When MHPS enquired about the depositing of the soil making up this earth bund, we were informed by email from Nick Elsley that the current site occupants "have Environment Agency approval and have consulted our planners. These are legitimate works to improve the ground and the club are very aware of the local residents' concerns and sensitivities." The granting of an exemption from the Environment Agency does not mean that the activity in question does not require planning permission. An email from Nick Elsley to members of Old Camdenians clearly states that "you will need to consult our planning department about the need for their consent". Apparently this was not sought in due time.
2. The Confirmation of Registration also states that the activities are only lawful if they are carried out "without adversely affecting the countryside or places of special interest". As a result of this action the public footpath that runs across the Totteridge Valley from Mill Hill has been overwhelmed by the mounds of earth and views are obscured to the point of being lost altogether. Periods of wet weather will only serve to create mud and exacerbate the mess.
3. The depositing of the soil on this site has been going on for some time and trees have been removed to allow access to the site. We deplore the loss of any mature trees unnecessarily in the Green Belt and believe that replanting of appropriate replacements should be insisted upon. The replanting of the whips that has taken place is not satisfactory as many have died or been uprooted and few of them have survived
4. The soil used consists of various items of rubbish and debris such as building materials, which is clearly not "imported suitable soil", as quoted in the application papers.

For these reasons we urge you to refuse this application

Internal /Other Consultations:

- Green Spaces (inc Allotments) - No objections subject to adequate monitoring

Date of Site Notice: 05 September 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is Old Camdenians Sports Club, Burtonhole Lane.

The site is of approximately 4 hectares and is designated as green belt land. There are a large numbers of trees to the boundary of the site

It is noted that at the time of making the planning application unauthorised works had been undertaken on site including the creation of an earth bund.

Proposal:

The proposals are for the retention of earth bund around playing fields, new deck and paving to the east elevation of the clubhouse.

Planning Considerations:

The main issues are considered to be:

- Whether the proposals are inappropriate development within the green belt, and if so, whether there are very special circumstance that should be considered
- Whether the proposals would harm trees of special amenity value
- Whether the proposals would harm the character and appearance of the area and the visual amenities of the green belt.
- Whether the proposals would harm neighbouring amenities.
- Whether the proposals would harm structural stability in the area

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.

Whether the proposals are inappropriate development within the green belt, and if so, whether there are very special circumstance that should be considered, and whether the proposals would harm the character and appearance of the locality and the visual amenities of the green belt.

The National Planning Policy Framework states that:

'Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- *mineral extraction;*
- *engineering operations;*
- *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- *the re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- *development brought forward under a Community Right to Build Order.'*

The proposals are considered to be an engineering operation. This in itself is not inappropriate development within the Green Belt providing it does not conflict with the purposes of including the land within the green belt or harm its openness.

The proposals involve works to create an earth bund on the southern, eastern and northern edges of the site. At the time of making a site visit the earth bunds had been created and in part have left exposed soil which does appear unsightly and it is acknowledged that in this form the proposals are harmful to the openness of the green . As part of the works the applicant would need to plant additional trees to ensure satisfactory appearance to these areas.

The site is visible from footpaths to the north and east. At present the views from these footpath are substantially of woodland and trees though it is acknowledged that the works have resulted in some thinning of the vegetation. The applicant would be obliged to provide additional planting to ensure that the planting is thickened and restored to its former condition.

The site is an existing sports pitch for a private sports club. The proposals would not encroach on the playing areas and it is not considered that the proposals would warrant refusal in this regard.

Subject to conditions ensuring that the site is left and retained in a satisfactory manner, it is not considered that the proposals are inappropriate development within the green belt.

Whether the proposals would harm trees of special amenity value

The site is owned by the London Borough of Barnet. No trees on the site are subject to Tree Preservation Order however the trees are on Council owned land and contribute significantly to the character of the area and the visual amenities of the Green Belt.

The applicant has provided an Arboricultural Method Statement & Tree Protection Plan in order to protect the trees remaining on site. It is acknowledged that some trees have been previously damaged or removed as a result of the works. A satisfactory landscaping plan will also need to be provided to show how the land will be left in perpetuity, but the report details how this will be achieved. The applicant has committed to planting additional trees, providing top soil, seeding and planting.

The proposals have been discussed with the Local Planning Authority's Greenspaces officers. They are satisfied with the remaining works and the proposed remedial works in order to ensure that the bund remains in an appropriate condition. They are satisfied that the works will not result in additional compaction to the trees providing there is adequate monitoring.

The proposals are not considered to harm trees of special amenity value.

Whether the proposed development would harm neighbouring amenities.

The proposals include a decking area outside the existing clubhouse. The decking would be located a minimum of 20m from the rear gardens of properties on Burtonhole Close to the south. Given the nature of the proposed decking area it is not considered that the proposals would result in harmful noise and disturbance to neighbouring occupiers.

There are no current restrictions on the use of the area outside the pavilion.

It is not considered that the proposals would harm neighbouring visual or residential amenities.

Whether the proposals would harm structural stability in the area

Though the stability of the land is primarily a building regulations matter, the issue of the stability of the land has been raised as a concern by residents. The applicant has tried to address this through the Arboricultural Method Statement & Tree Protection Plan and the planting of trees in the area around the bund to provide additional stability.

It is not considered that the proposals would result in harmful risk in terms of the stability of the land.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

Trees have been removed without permission - *Noted*.

Enlarged car park creates additional noise - *It is not clear that there has been any enlargement to the existing car park.*

Premises has previously operated at antisocial hours - *It is noted that there have been some previous disturbance from the previous owners of the club. There are no restrictions on the use of the pavilion and therefore it is considered difficult to justify attaching additional controls or refusing the proposals on this basis.*

It is noted that planning permission was not sought before work commenced. However, given that the proposed restorative works would be acceptable it is not considered that refusal can be justified.

The comments of Cllrs Hart & Khatri and the Mill Hill Preservation Society are noted. Conditions are attached to the proposals to ensure that there is adequate planting in place of the removed trees.

The material used for the bund has been certified by the Environment Agency.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

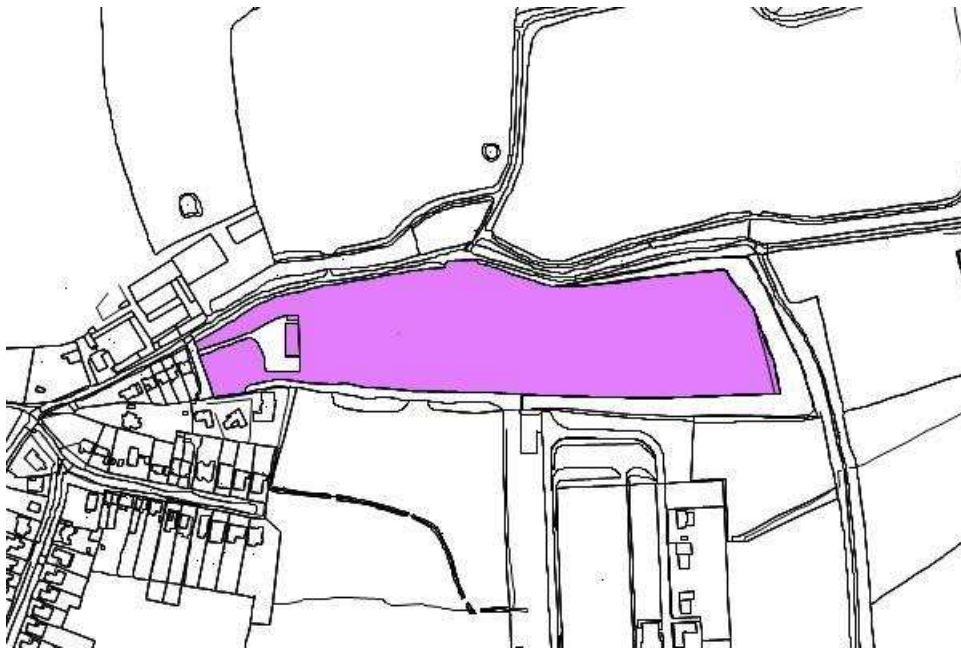
The application is recommended for **APPROVAL**.

SITE LOCATION PLAN:
London, NW7 1AS

Old Camdenians Football Club, Burtonhole Lane,

REFERENCE:

H/03817/13



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	<p>Planning Committee 30 July 2014</p>
<p style="text-align: right;">Title</p>	<p>Application to Register Land known as Mill Hill Village Green between High Street and Milesplit Hill, NW7 as a Town or Village Green.</p>
<p style="text-align: right;">Report of</p>	<p>Assistant Director of Planning and Development Management</p>
<p style="text-align: right;">Wards</p>	<p>Mill Hill</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 – Site Plan</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Fabien Gaudin, Finchley and Golders Green Area Planning Manager, 020 8359 4258.</p>

Summary

This report contains the result of officers' investigations into the relevant facts and legal issues in deciding whether or not to register the subject land as a Town or Village Green under the Commons Act 2006.

Recommendations

1. That the application for registration as a Town or Village Green under Section 15 (8) of the Commons Act 2006 be approved in respect of the land known as 'Mill Hill Village Green between High Street and Milesplit Hill, NW7' on the basis that the voluntary registration by the land owner.
2. That the applicant and landowner be informed of this decision in writing.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report contains the result of officers' investigations into the relevant facts and legal issues in deciding whether or not to register the subject land as a Town or Village Green under the Commons Act 2006.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The recommendation to register the land as a Village Green follows the written agreement of the land owner to voluntarily register his land to be used as a Village Green.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None

4. POST DECISION IMPLEMENTATION

- 4.1 No further approval or review required.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Council as the Registration Authority is obliged by law to determine applications to register land as a Town or Village Green.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Not applicable

5.3 Legal and Constitutional References

- 5.3.1 This application is to be considered under the Commons Act 2006. The original application was made by Dr Fredrick Robin Vicary on behalf of the Mill Hill Preservation Society and local residents was deemed to be received in whole by the Registration Authority on 28 November 2011.

- 5.3.2 Section 15 (1) of the 2006 Act provides that any person may apply to a commons registration authority to register land as a town or village green, where one of subsections (2), (3) or (4) applies.

- 5.3.3 Section 15(2) applies where:

(2) This subsection applies where—

- (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
(b) they continue to do so at the time of the application.

5.3.4 On finally locating the Lord of the Manor who is the deemed owner of this site, he agreed to voluntarily register the land as a village green under s.15(8) of The Commons Act 2006. The Council is therefore determining this application under s.15(8).

5.3.5 Section 15(8) provides that, "The owner of any land may apply to the commons registration authority to register the land as a town or village green."

Further that section 15(9) states that "An application under subsection (8) may only be made with the consent of any relevant leaseholder of, and the proprietor of any relevant charge over, the land."

There is no such known leaseholder or charge over the land.

5.3.6 The application to voluntarily register the land as a village green was received complete by the Council on 12 June 2014.

5.3.7 Since the application has been made voluntarily, the application is not subject to the tests to determine how the land has been used (i.e. as of right etc) only that the landowner has the capacity to dedicate the land for registration as a village green.

5.3.8 The terms of reference of the Planning Committee are contained in the Constitution, Responsibility for Functions, Annex A and include the following function '...Commons registration and town and village Greens....'

5.4 Risk Management

5.4.1 The Council as the Registration Authority is obliged by law to determine applications to register land as a Town or Village Green.

5.5 Equalities and Diversity

Equality Duties and the Equality Act 2010

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies is set out in Section 149 of the Act. The duty requires the Council to pay regard to the need to eliminate discrimination and promote equality with regard to those with protected characteristics such as race, disability, and gender including gender reassignment, religion or belief, sex, pregnancy or maternity and foster good relations between different groups when discharging its functions.

Equality duties require Authorities to demonstrate that any decision it makes is reached in a fair, transparent and accountable way, considering the needs and the rights of different members of the community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on different equality groups. It is an opportunity to ensure

better decisions are made based on robust evidence.

Section 149 of the Act states that:

- (1) A public authority must, in the exercise of its functions, have due 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.

- (2) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to-
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different to the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- (3) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular steps to take account of disabled persons' disabilities.

- (4) Having due regard to the need to foster good relations between persons who share relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to-
 - (a) tackle prejudice, and
 - (b) promote understanding

- (5) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

- (6) The relevant protected characteristics are-
 - age;
 - disability
 - gender reassignment
 - pregnancy and maternity
 - race
 - religion or belief

- sex
- sexual orientation

The proposals would not result in any physical alterations to the site. It is not considered that any of the protected groups listed above would be affected by the proposal.

S149 (5) of the Act requires that the Council have due regard to the need to:-

“(5) having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:-

- (a) Tackle prejudice and
- (b) Promote understanding”

The proposals would not result in any physical alterations to or change of use of the site. It is not considered that there would be any change in the type of relation of any protected groups listed above who would remain unaffected by the proposals.

5.6 Consultation and Engagement

5.6.1 The site is located between High Street and Milespit Hill, NW7 in the Mill Hill ward. It is an open area of land and contains a pond to the north opposite the Ridgeway Methodist Church.

5.6.2 The application was made by Dr Frederick Robin Vicary ('the Applicant').

5.6.3 The application was advertised by way of press notice, site notice and letters sent to 118 addresses.

5.6.4 Four representations in support of the application to register the Land as a village green were received. Those representations can be summarised as follows:

- Helps bring the community together
- Place for children to play
- Important aspect of the conservation area

5.6.5 An objection was also received. The objection was raised on safety grounds. The resident has advised that the land has been used as a football pitch and that balls have been kicked in the surrounding roads with young children running after them.

5.6.6 The Council's Highways officers have advised that a section of the area of land forms part of the adopted public highway and that the land should not be granted Village Green status. The path considered to be highways has been removed from the application and it no longer forms part of the application for registration.

5.6.7 The Council's Property Services section have confirmed that they have no interest to submit for the application.

5.6.8 The Lord of the Manor of Hendon in his capacity as landowner has provided a written response to the application and has agreed to voluntarily register his land to be used as a Village Green.

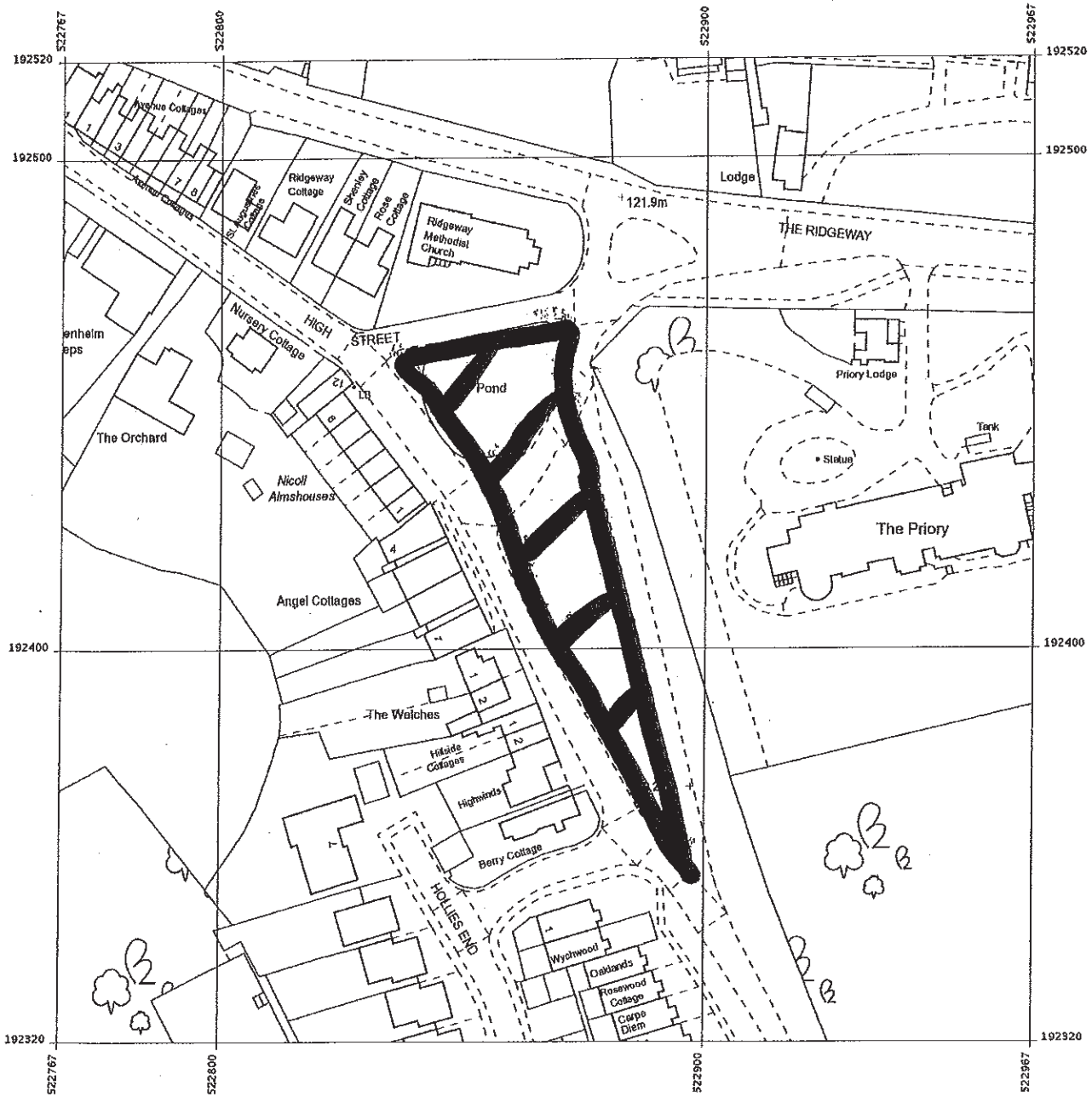
5.6.9 In view of this voluntary registration, the Council as the registration authority is not required to advertise the application and does not need to examine the merits of registering the land and the applicant has been advised of the same.

5.6.10 Legal officers are satisfied that the applicant is legally entitled to apply to register. There is historical evidence that the unregistered land belongs to the Lord of the Manor of Hendon.

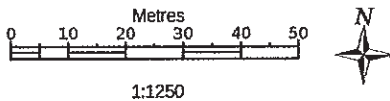
6. BACKGROUND PAPERS

6.1 None

MILL HILL VILLAGE MAP (10.1)




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PROPOSED VILLAGE GREEN
MARKED AS 

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