

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 17TH SEPTEMBER, 2014

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4AX

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Melvin Cohen
Vice Chairman: Wendy Prentice

Councillors

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

Substitute Members

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

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

Andrew Nathan – Head of Governance

Governance Services contact:

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	1 - 6
2.	Absence of Members	
3.	Declarations of Members Disclosable Pecuniary Interests and Non-pecuniary Interests	
4.	Report of the Monitoring Officer (if any)	
5.	Public Questions and Comments (if any)	
6.	Members' Items (if any)	
7.	1412-1420 High Road, London, N20 9BH - B/01561/13	7 - 54
8.	Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB - F/02788/14	55 - 62
9.	Django Cafe, Scratchwood Park Open Space, Barnet Way, London NW7 3AL - H/03243/14	63 - 70
10.	Child Guidance Centre, East Road, Edgware, Middx, HA8 0AJ - H/02051/14	71 - 90
11.	Garage site at Green Lane, London, HA8 - H/04042/14	91 - 106
12.	Land adjacent to Wade Court, Alexandra Road London, N10 2EX - B/04000/14	107 - 126
13.	Mill Hill Neighbourhood Plan Area and Forum Application	127 - 158
14.	Any Item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

30 July 2014

Members Present:-

AGENDA ITEM 1

Councillor Wendy Prentice (Vice-Chairman)

Councillor Eva Greenspan	Councillor Mark Shooter
Councillor Maureen Braun	Councillor Jim Tierney
Councillor Claire Farrier	Councillor Sury Khatri (In place of Stephen Sowerby)
Councillor Barry Rawlings	Councillor Gabriel Rozenberg (In place of Melvin Cohen)
Councillor Agnes Slocombe	Councillor Laurie Williams (In place of Tim Roberts)

Apologies for Absence

Councillor Melvin Cohen	Councillor Stephen Sowerby
Councillor Tim Roberts	

1. MINUTES OF THE LAST MEETING

RESOLVED - That the minutes of the meeting held on 26 June 14 be approved as a correct record.

2. ABSENCE OF MEMBERS

An apology for absence had been received from:

- Councillor Melvin, who was being substituted for by Councillor Gabriel Rozenberg
- Councillor Stephen Sowerby who was being substituted by Councillor Sury Khatri
- Councillor Tim Roberts who was being substituted by Councillor Laurie Williams

Apologies for lateness were received from Councillor Gabriel Rozenberg

3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Member	Item	Interest declared
Councillor Sury Khatri	Application to Register land known as Mill Hill Village Green between High Street and Milespit Hill, NW7 as a Town or Village Green	Non pecuniary interest as Councillor Khatri was involved in helping facilitate discussions between Officers and the applicant

4. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

There were none.

5. MEMBERS' ITEMS (IF ANY)

There were none.

6. BRITISH LIBRARY NEWSPAPERS, 130 COLINDALE AVENUE, LONDON, NW9 5HE - H/05856/13

The Committee noted the receipt of the additional information set out in the tabled addendum.

The Committee having heard representations from Mr Brian Turner, Ms Nicola Forster, Mr Andrew Dismore AM, Councillor Gil Sargeant, Ward Councillor for Colindale and Mr Steven Gough, Director of Fairview Homes;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) referral to the Mayor of London (ii) completion of the Section 106 Agreement and (iii) the conditions set out in the report.

Votes were recorded as follows:

For	5
Against	5
Abstentions	0

The Chairman used her casting vote and voted in favour of the application.

7. PHASE 2, DOLLIS VALLEY ESTATE, BARNET, HERTS, EN5 - B/02349/14

The Committee noted the receipt of the additional information set out in the tabled addendum. The Committee further noted receipt of a written representation from Mr Nigel Eade, Chairman Dollis Valley Partnership Board in support of the application.

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) the conditions set out in the report and (ii) the updates contained within the addendum.

8. GATEWAY HOUSE, 318-330 REGENTS PARK ROAD, FINCHLEY CHURCH END, LONDON, N3 - F/03933/13

The Committee noted the receipt of the additional information set out in the tabled addendum.

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) completion of the Section 106 Agreement, (ii) the conditions set out in the report and (ii) the updates contained with the addendum.

Votes were recorded as follows:

For	6
Against	2
Abstentions	3

9. LAND AT TARLING ROAD, LONDON, N2 8LB - F/03195/14

The Committee noted the receipt of the additional information set out in the tabled addendum.

The Committee having heard representations from Ms Juliette Tallen and Miss K Bhatt;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) the conditions set out in the report and (ii) the updates contained within the addendum.

Votes were recorded as follows:

Agreed	9
Opposed	2
Abstentions	0

10. 237A GOLDERS GREEN ROAD (ALSO KNOWN AS 2A HIGHFIELD AVENUE), LONDON, NW11 9ES - F/01133/14

The Committee noted the receipt of the additional information set out in the tabled addendum.

The Committee having heard from Mr Mehrdad Sahami, Mr Hananel Zohar Tsubara and a representative from BS Initiative;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) the conditions set out in the report and (ii) the updates contained within the addendum.

11. DEVELOPMENT PLOT A8 (GRAHAME PARK ESTATE REGENERATION), LANACRE AVENUE, COLINDALE, NW9 - H/00320/14

Having heard representations from Councillor Gill Sargeant, Ward Councillor for Colindale;

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) completion of the Section 106 Agreement and (ii) the conditions set out in the report

12. GARAGE SITE ADJACENT TO 23 BEDFORD ROAD, LONDON, NW7 4LT - H/01011/14

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to the conditions set out in the report

13. FORMER GARAGE SITE TO REAR OF 62-67 BRENT PLACE, BARNET, HERTS, EN5 - B/02986/14

The Committee noted the receipt of the additional information set out in the tabled addendum;

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) the conditions set out in the report and (ii) the updates contained within the addendum.

14. GARAGE SITE ON LAND AT HALDANE CLOSE, OFF CROMWELL ROAD, N10 - B/03087/14

The Committee noted the receipt of the additional information set out in the tabled addendum.

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) the conditions set out in the report and (ii) the updates contained with the addendum.

15. 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

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to (i) completion of the Section 106 Agreement and (ii) the conditions set out in the report.

16. OLD CAMDENIANS FOOTBALL CLUB, BURTONHOLE LANE, LONDON, NW7 1AS - H/03817/13

The Committee;

RESOLVED TO APPROVE the application as per the officer's report and subject to the conditions set out in the report.

17. APPLICATION TO REGISTER LAND KNOWN AS MILL HILL VILLAGE GREEN BETWEEN HIGH STREET AND MILESPIT HILL, NW7 AS A TOWN OR VILLAGE GREEN

The Committee;

RESOLVED -

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.

18. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

19. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 9.20 pm

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LOCATION: 1412-1420 High Road, London, N20 9BH

AGENDA ITEM 7

REFERENCE: B/01561/13

Received: 19 April 2013

Accepted: 19 April 2013

WARD(S): Oakleigh

Expiry: 19 July 2013

Final Revisions: 10/06/2014

APPLICANT: Mr A Lewczynski

PROPOSAL: Mixed use redevelopment of former petrol station to erect a six-storey building to provide 22 self-contained units and 2 retail units at ground floor level. Provision of basement car and cycle parking.

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) Highway Works

A total S106 of **£30,000** is required for highways. This includes the following measures:

£5,000 is required towards a feasibility study for relocation of existing pedestrian crossing facilities at the frontage of the site and any necessary alterations to existing waiting restrictions and road markings

£25,000 for implementation of any required relocation of pedestrian crossing facilities, changes to waiting restrictions and road markings identified in the feasibility

The Section 106 Agreement should contain a commitment for the reinstatement of the redundant crossover under the Section 184 of the highways Act is required. All costs related to the reinstatement of the

footway and any associated required works will be borne by the applicant.

(d) Viability Review

A review process when the development is complete to assess whether revenues generated by the sale of the flats is sufficient to provide a financial contribution towards the provision of affordable housing in the London Borough of Barnet.

(e) Monitoring of the Section 106 Agreement

A contribution of **£1350** 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 B/01561/13 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:

1 Statutory Time Limit

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

Reason:

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

2 Plans

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

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

PL08

PL09

PL10

PL100 Rev C

PL101 Rev A

PL102 Rev A

PL103 Rev A

PL104 Rev A

PL105 Rev A

PL106 Rev A

PL107 Rev A

PL108 Rev B
PL109 Rev B
PL210 Rev D
PL211 Rev C
PL212 Rev C
PL213 Rev D
PL214 Rev C
PL215 Rev C
PL216 Rev C
PL220 Rev B
PL221 Rev A
3217/SK/13 Rev
Design and Access Statement by Stock Woolstencroft
Visualisations/ Amended CGIS by Stock Woolstencroft
Townscape Sequential Views by Stock Woolstencroft
Additional Information A by Stock Woolstencroft
Planning Consultant Statement by Allies and Morrison Urban Practitioners
Affordable Toolkit by Housing People Partnership
Transport Statement by Glanville
Acoustic & Vibration Report by AIRO
Air Quality Report by SKM Enviros
Sustainability and Energy Report by JS Lewis Ltd
Daylight & Sunlight Report by Malcolm Hollis LLP
Land Contamination and Soil Investigation Report by Site Analytical Services Ltd

Reason:

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

3

Levels

Before this development is commenced, details of the levels of the building, roads and footpaths in relation to adjoining land and highways 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.

4 Samples of Materials

Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence (other than for Groundworks and Site Preparation Works) unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed building at the site 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 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 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

5 Electric Charging

Before the development hereby permitted is occupied; parking spaces shall be provided in accordance with a scheme to be submitted to and approved by the highways Authority. 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. The parking layout should include provision of disabled parking spaces for all elements of the development and electric vehicles charging points 20% active and 20% passive for the residential development and 10% active, 10% passive for the retail element of the development, as required by Transport for London.

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.

6 Removal of Crossovers

The development hereby approved shall not be occupied until the existing redundant crossovers are reinstated to footway by the Highway Authority at the applicant's expense.

Reason:

To confine access to the permitted points in order to ensure that the

development does not prejudice the free flow of traffic or conditions of general safety on the public highway and 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.

7 Access Points

Prior to the commencement of the development, details of the access and basement access shall be submitted to and approved in writing by the Local Planning Authority. The submitted access road details should provide a management scheme detailing measures to manage traffic entering and exiting the car park to avoid conflict within the shared access road. The management scheme should include give way markings and signs and visibility splays for vehicles entering and exiting the proposed underground car park and the existing adjacent car park at Brook Point.

Reason:

To ensure the safe form of access to the development and to protect the amenity of the area and to conform to 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.

8 Delivery and Servicing Plan

Before the permitted development is occupied a Delivery and Servicing Plan (DSP) including details of a suitable refuse collection location and servicing arrangements for the commercial units shall be submitted to and agreed 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.

9 Construction Management Plan

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:

- a. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- b. site preparation and construction stages of the development;
- c. 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;
- d. 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;
 - e. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
 - f. 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;
 - g. noise mitigation measures for all plant and processors;
 - h. details of contractors compound and car parking arrangements;
 - i. Details of interim car parking management arrangements for the duration of construction;
 - j. 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.

10 Cycle Parking

Prior to occupation the approved development shall make provision for cycle parking and cycle storage facilities in accordance with submitted plans. 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.

11 Sound Insulation

The development shall be constructed so as to provide sufficient air borne and structure borne sound insulation against internally and externally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from internal and external noise sources as

measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The approved mitigation scheme shall be implemented in its entirety before any of the residential units are occupied.

Reason:

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

12 Contamination 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.

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.

13

Contamination 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.

14

Air Pollution

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 and neighbouring occupiers shall have been submitted to the Local Planning Authority and approved in writing. The approved Scheme of Air Pollution Mitigation Measures shall be implemented in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of future and neighbouring occupiers are protected in accordance with policy DM04 of the Barnet Local Plan and policies 5.3 and 7.14 of the London Plan.

15

Plant

The level of noise emitted from the any 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.

16 Ventilation/ Extraction

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 residential units are occupied.

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.

17 Noise Assessment

A noise assessment, by an approved acoustic consultant, shall be carried out that assesses the likely impacts of noise on the development. This report and any measure to be implemented by the developer to address its findings shall be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before any of the residential 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.

18 Hours of Construction

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.

19

BREEAM

The non-residential units (use class A1) within the development hereby permitted shall all be constructed to achieve not less than a standard of 'Excellent' when assessed against a suitable and up to date (not prior to 2011) scheme under the Building Research Establishment Environmental Assessment Method (BREEAM). No non-residential unit 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 'Excellent' 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.

20

Code for Sustainable Homes

The residential (use class C3) dwellings shall achieve a Code Level 4 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) 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 4 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with 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).

21

Lifetime Homes

All new residential dwellings (Use Class C3) within the development hereby

approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

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

22 Wheelchair Housing

Before the development hereby permitted commences details of the location within the development and specification of the two units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. The specification provided for the two units shall demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

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

23 Crime Prevention Strategy

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

Reason:

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

24 Play Equipment

Prior to the first occupation of the development a scheme detailing the specification and location of all play equipment to be installed in the communal amenity space identified on the plans hereby approved 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.

25 Communal Roof Amenity Area

Details of the proposed communal roof amenity space including details of hard and soft landscaping and proposed measures to enhance and promote biodiversity, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced. All work comprised in the approved details 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. Any tree or shrub which forms part of the approved 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 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

26 Boundary Treatment

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 and DM02 of the Barnet Local Plan and policies 1.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan.

27 Piling

Piling or other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning

authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:

To protect the water environment from contamination as piling has the potential to create new pathways for contamination to reach ground water, in accordance with the provisions of the NPPF and Policy DM04 of the Barnet Local Plan.

28 Privacy Measures

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, the method of opening of such windows and any additional screening proposed. 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.

29 No Telecommunication Equipment

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 Barnet Local Plan.

30 Architectural Details

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

- Brick bonding and brick detailing (annotated plans at a scale of not less than 1:20).
- External windows, balconies, doors, louvres and balustrading (annotated plans at a scale of not less than 1:20).
- Parapet Details (annotated plans at a scale of not less than 1:20).
- Details of Proposed Photo Voltaic Equipment (annotated plans and elevations at a scale of not less than 1:50).
- Depth of window reveals to a minimum depth of 100mm (annotated plans at a scale of not less than 1:20).
- Rainwater goods (annotated plans at a scale of not less than 1:10).
- Any means to be used for enclosing the basement car parking area (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 dwellings hereby approved.

Reason:

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

31 Use Class A1 Floorspace

The 289m² of floorspace hereby approved for purposes falling within Class A1 shall be used for non food retail use only and shall not be amalgamated or subdivided without the prior written provision of the Local Planning Authority.

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 does not prejudice the amenities of the future and neighbouring residential occupiers or adversely affect highway safety in accordance with policy DM01 of the Barnet Local Plan.

32 Delivery Hours

No delivery to or collection from the site shall take place before 7.00am or after 7.00pm Mondays to Saturdays and a maximum of 4 deliveries shall take place on Sundays of which, 1 delivery shall be permitted between the hours of 9.00am and 10.00am and 3 deliveries shall be permitted between the hours of 10.00am and 4.00pm.

Reason:

To prevent the use causing an undue disturbance to occupiers of neighbouring residential properties and potential future occupiers of the development at unsocial hours of the day in accordance with policy DM01 of the Barnet Local Plan.

33 Commercial Unit Opening Hours

The ground floor commercial units hereby approved shall not be open to customers before 7:30am or after 9:00pm from Monday to Saturday or before 10:00am or after 6:00pm on Sundays.

Reason:

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

INFORMATIVE(S):

- 1 To ensure the re-instatement of the footway and suitability of the remaining crossover the applicant will be required submit an application under Section 184 of the Highways Act (1980). The removal of the existing crossover, and any associated works on the public highways will be reviewed 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 onsite development, will be borne by the applicant.
- 2 The applicant is advised that for construction works adjacent or affecting the public highways, the council's Street Based Services should be contacted on 0208 359 4600 for any necessary Highways Licenses or any highway approvals deemed necessary.
- 3 The applicant is advised that The A1000 High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic
- 4 The applicant is advised that the development is located on or will have an impact on the Strategic Road Network (SRN)/Transport for London Road Network (TLRN). The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.

- 5 The applicant is encouraged to develop a voluntary travel plan and /or promote more sustainable forms of travel in order to demonstrate commitment to the benefits of reducing vehicle use and increasing walking, cycling and public transport use. Further advice can be provided by the Council's Travel Plan Coordinator via abetterwaytowork@barnet.gov.uk.
- 6 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 £126,315 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 £ 487,215 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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 CIL 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 at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: 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

Please visit

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

The Chipping Barnet Area Planning Committee resolved on the meeting held on the 28th July 2014: to refer the application to the Planning Committee for decision and requested officers to provide an updated report to that meeting.

The issue raised by members concerned the relationship of the proposal to the approved outline planning permission (Ref: B/03068/11) for the redevelopment of the site to the rear of the development off land to the rear of Whetstone High Street Chandos Avenue.

Officers have considered the relation of the proposed development to this consent and can advise as following:

Planning Permission was granted under planning application reference B/03068/11 on the 29/03/2012 for the *'redevelopment of the site comprising of 70no dwellings (62no houses and 8no flats). Erection of 512sqm building for use class D1 purposes (Non-Residential Institution). Provision of associated car parking, landscaping and open space'*

Of the 70 units proposed, the majority of these are set well within the site and are not materially affected by the current proposal.

One house (Plot 26) is located at the end of the car park in a direct line of sight of the proposal. However the flank wall of this property is located over 75m away from the proposal and will not be materially affected.

A block of flats is located at an angled position to the north east of the current application. These flats are located over 45m away from the proposal. This distance separation is significantly greater than the required distance separation of 21m between windowed elevations and 10.5m between amenity areas (35m under the current proposals). It is also noted that only a limited number of habitable room windows are affected at an angled relationship over a publically accessible car park.

As such due to the distance separation between the current proposal and the approved development under outline permission B/03068/11 and the relationship between the properties, it is not considered that the current application would result in any significant impact upon the future amenities of these properties in regards to Daylight, Sunlight or Privacy.

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 the development would comply with the requirements of the development plan, for the reasons set out above.

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). 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); 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 Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (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); 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 (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); 7.13 (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)

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)
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)
DM14 (New and existing employment space)
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)
Contributions to Education from Development (February 2008)
Contributions to Health Facilities from Development (July 2009)
Contributions to Library Services from Development (February 2008)
Residential Design Guidance (April 2013)

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)
Housing (November 2012)

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 that are considered to accord with the development plan.

1.2 Key Relevant Planning History

Application Ref.	Address	Description of Development	Decision and Date
N01188M	1412-1420 High Road LONDON N20 (Brook House)	Erection of a part four/part five storey block of offices with three flats and roof garden on fifth level, with surface and basement parking provision.	APPROVED 06/01/1988
N01188N	PETROL FILLING STATION 1418 High Road LONDON N20 (Brook House)	Redevelopment of petrol filling station, including new canopy, pump islands, single-storey sales/office building and car wash.	APPROVED 10/02/1988
N01188R	1412-1420 High Road LONDON N20 (Brook House)	Change of use of 2 flats on top floor to Class B1 (Business) Use.	APPROVED 29/01/1991
N01188T	1412-1420 High Road LONDON N20 (Brook House)	Change of use of fourth floor flat from residential to offices (B1).	APPROVED 12/08/1992
N/16024/08	Former BP Garage, 1412-1420 High Road LONDON N20	Demolition of former petrol filling station forecourt shop building, and erection of a seven storey mixed use building, comprising class A1, A2, A3 and B1 commercial floorspace at ground floor and 40 residential units on upper floors with associated car parking at basement level.	REFUSED 27/05/2008

1.3 Public Consultations and Views Expressed

Neighbours Consulted: 412 Replies: 14
 Neighbours Wishing To Speak 2

The following is a summary of the comments received grouped under the headings below:

Design and Scale

- Proposed Height Excessive out of keeping with character of area;
- Design and appearance of proposal not in keeping with character of area;

Officer Response

The proposed building would be no higher than the adjoining office building at Brook Point and would be viewed against this backdrop and the larger backdrop of Northway House on the opposite side of the High Road. In this context while the proposed building would appear large it would not appear out of keeping with the surrounding townscape. The proposed design is also considered acceptable, helping to break up the visual mass of the building and provided an attractive building in keeping with the streetscene. Design and Character issues are assessed in section 3.6 of this report

Impact on Amenity

- Loss of Light to neighbouring Office at Brook Point;
- Loss of Light to neighbouring Residential Properties;
- Loss of Privacy;
- Overshadowing as a result of height;

Officer Response

The proposal is located between 6-9 metres from the office building at Brook Point and 70m from the nearest residential properties in Chandos Avenue. The proposal is also accompanied by a Daylight Sunlight Assessment which shows that the proposal would not result in any significant loss of daylight, sunlight or overshadowing to neighbouring residential properties. Obscure glazing and use of louvers are proposed in the south elevation to address potential overlooking to and from Brook Point. Issues to do with impact on amenities of neighbouring properties is covered in section 3.7 of this report.

Highway Safety

- Insufficient Parking;
- Highway safety issues due to increase in cars entering and leaving the site at this point;

Officer Response

The level of car parking provision has been assessed by the Council's Highway Officer and Transport for London. The level of provision of 31 spaces for the residential units and 8 spaces for the commercial units is in accordance with London Plan guidance for development in this PTAL zone.

The existing use of the site for a car wash and the previous use as a petrol filling station generates a higher number of vehicular movements than the proposed use of the site. The proposal has been assessed by the Council's Highway Officer and Transport for London who have advised that the proposed access is satisfactory subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements. Transport and Parking matters are covered in section 3.8 of this report.

Other

- Proposal will introduce a noise sensitive use which could lead to complaints and affect the future viability of adjoining industrial units;
- Retail units not needed as already vacant retail in area;
- Cumulative impact in conjunction with other developments in area including Northway House.

Officer Response

The proposal is subject to conditions requiring the provision of soundproofing and the use of mechanical ventilation which would limit the opportunity for future conflict.

The proposal involves the provision of two small non food retail units which are not considered to affect the vitality or viability of other units located in the wider Whetstone Primary Shopping Frontage.

The cumulative impact of the proposal has been taken into account particularly in relation to highway impact. However planning law requires that each application needs to be judged on its own merits and assessed accordingly.

Residents Association

The Friern Barnet & Whetstone Residents' Association has submitted the following comments:

- Proposed development excessive height unrelated to the scale of adjoining buildings
- Density excessive and insufficient amenity space provided
- Proposal will increase number of vehicles entering and leaving this portion of the high street affecting highway safety.

Officer Response

It is considered that the height of the proposal is in keeping with the scale of adjoining buildings, and it is not considered that the density is excessive in this location and sufficient amenity space for the units is provided. The impact of the proposal on the adjoining highway is considered satisfactory subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements.

Member of Parliament

Theresa Villiers MP has forwarded a letter of objection from a residents asking that their views are taken into consideration. (Comments incorporated in summary of consultation responses above).

Date of Site Notice: 9 May 2013

Consultation Responses from Statutory Consultees and Other Bodies

Environment Agency

The Environment Agency (letter dated 21st May 2013) have no objection in principle to the proposed development subject to conditions set out in the recommendation above.

London Fire and Emergency Planning Authority

No objections raised to proposal.

Metropolitan Police

No objections in principle raised, however concerns expressed regarding preventing unauthorised access to the basement parking area and requirement to achieve secured by design accreditation.

Transport for London

No objection to proposal providing comments have been taken into account. These comments include a requirement for refuse collection to be provided at the front of the premises and for the car parking levels to be reduced to 28 spaces.

Internal Consultations

Traffic and Development Team:

The Highways Group have no objections subject to conditions and a S106 legal agreement to secure a contribution of £30,000 towards improvements and alterations to the public highway in the vicinity of the site.

Environmental Health Service:

Noise issues should be addressed though the provision of mechanical ventilation. Noise, air quality and contamination conditions are also suggested.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The development site comprises a former BP filling station at 1412-1420 High Road in Whetstone on the east side of the High Road at the northern end of Whetstone town centre. The site has been partially cleared and is currently vacant. Marks &

Spencer (M&S) and Carpet Right are located to the north of the site, whilst Brook Point, a 5-storey office block, sits to the south. The vehicular access road and car park for M&S form the northern and eastern boundaries of the site respectively.

Northway House is an isolated 12-storey office building on the opposite side of the High Road and slightly to the south of the site. This building sits adjacent to two-storey traditional high street terraces and a single-storey self-storage warehouse (Michael Gerson Ltd). Brook Farm Open Space and allotments are also located opposite the site on the west side of the High Road. Beyond M&S the area is predominantly residential in character. The site is approximately 70m from the northern end of the Main Retail Frontage of Whetstone town centre, and 750m from Totteridge and Whetstone Underground Station.

There are two existing vehicle crossovers servicing access points to the site which relate to the former use as a petrol filling station. The site occupies an area of approximately 1140sq.m (0.114Ha).

2.2 Description of the Proposed Development

The application proposes the redevelopment of the site comprising a mixed use redevelopment of former petrol station to erect a six-storey building to provide 22 self-contained residential units and 2 retail units at ground floor level. Provision of a double basement car park and cycle parking and communal rooftop amenity area.

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

- Planning Statement;
- Design and Access Statement;
- Acoustic and Vibration Report;
- Air quality report;
- Daylight and sunlight statement;
- Financial Viability Report;
- Land investigation Report;
- Sustainability and Energy Statement;
- Transport Statement; and
- Utilities Statement

2.3 Background to the Application

As noted within section 1.2 above 'Key Relevant Planning History', a previous application was submitted for the demolition of the former petrol filling station and the erection of a seven storey mixed use building providing A1, A2, A3 and B1 commercial floorspace at ground floor and 40 residential units on upper floors with associated car parking at basement level (Ref: N/16024/08).

The application was submitted and assessed in conjunction with a separate planning application for the redevelopment of 713 Finchley Road in Childs Hill, NW11 (application reference: C/00896Y/08). The applications proposed to provide all of the required affordable housing units on the Finchley Road site along with some private units, whilst the Whetstone site would only accommodate private flats.

The previous application was refused by Members of the Planning & Environment Committee on 27th May 2008 on the following grounds:

- 1 The proposed development would, by reason of its mass, bulk, size and design, be overbearing, visually obtrusive and detrimental to the character and appearance of the area and the street scene contrary to Policies GBEnv1, GBEnv2, D1, D2, D3, D4, D7 and H16 of the Adopted Barnet Unitary Development Plan (2006).
- 2 The development would require the provision of on-site units for affordable housing and no formal undertaking is given to provide these units within the development contrary to Policies H5 and IMP1 of the London Borough of Barnet Adopted Unitary development Plan (2006).
- 3 No formal undertaking is given to meet the extra educational costs arising as a result of the development contrary to Policy CS8, IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary Development Plan (2006).
- 4 No formal undertaking is given to meet the extra library costs arising as a result of the development, contrary to Policy IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary Development Plan (2006).
- 5 No formal undertaking is given to meet the costs of making necessary improvements to local parks and open space to meet the needs of potential future occupiers of the proposed residential development, contrary to Policy L12, H20, IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary development Plan (2006).
- 6 The development would require works to improve and adapt the highway in the vicinity of the site and no formal undertaking is given to meet the costs of these works to the detriment of the safety and free flow of traffic and contrary to Policies M13, IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary Development Plan (2006).

The current application differs from the previous application in several regards. The main points of difference are as follows:

- Height – Building reduced from 7 to 6 storeys and upper storey stepped back from front of building
- Alterations to ground floor level with retail units being constructed out of brick with louvered aluminium screens;
- Alterations to the design of the building providing a stepped façade with integrated balconies in contrast to the more cluttered appearance of the refused scheme;
- Reduction in number of residential units from 40 to 22;

- Removal of B1 space from proposal and total reduction of commercial space from 456 m² to 289 m²;
- The previous scheme proposed off site affordable housing provision, the current scheme does not propose any affordable housing and is accompanied by a viability assessment to justify this position;

Amendments

The applicant has amended the scheme post submission. The main changes of which are as follows:

- 1) A reduction in the ground floor commercial floor heights
- 2) A reduction in residential floor slabs to reduce the overall floor to floor heights.
- 3) Penthouse ceiling height reduced and private terrace access levels amended.
- 4) The brick parapet of the private terrace areas on the west elevation(facing the high road) has been reduced to match the eaves height of brook point, with a glass balustrade fixed to the back of the parapet.
- 5) The penthouse parapets have been reduced to match the ridge level of Brook Point.
- 6) The roof top amenity parapet has been reduced with a glass balustrade fixed to the back of the parapet.
- 7) The lift and stair access to the roof top amenity space has been reduced and its form amended.

The net effect of the above changes reduces the overall height of the building by a further 1.1m over and above the scheme as submitted.

Additional Consultation

Neighbouring properties have been reconsulted in relation to the proposed amendments. Two further objection letters have been received as a result of the reconsultation. Comments are incorporated in the summary of consultation responses above.

3. PLANNING CONSIDERATIONS

3.1 Principle of the Development

The application proposes the provision of 22 residential units along with two retail units at ground floor level measuring 107 m² and 170 m² in area (289 m² in total

including shared circulation space). The application form states that these will be non food retail. The appropriateness of these uses is discussed in turn.

Retail Use

The National Planning Policy Framework (NPPF) requires Local Plans to promote competitive town centres and to define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations (Paragraph 23). Local planning authorities should *'apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.'* (Paragraph 24) *'When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m)'* (Paragraph 26).

The London Plan 2011 Policy 4.7 requires planning authorities to take account of the scale of retail development proposed. Retail should be 'focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres. Proposals for new or extensions to existing, edge or out of centre development will be subject to an assessment of impact.

Local Plan Policy is set out in the Core Strategy (CS) (Adopted 2012) and Development Management Policies (DMP) (Adopted 2012). Chapter 11 of the Core Strategy and Policy CS6 of the Development Management Plan requires Development proposals for main town centre uses in edge of centre or out of centre locations need to demonstrate that the proposal site has been identified through a sequential approach in accordance with the National Planning Policy Framework.

Whetstone is identified as a District Town Centre in the Adopted Core Strategy and Development Management Policies. The extent of the town centre is defined in planning policy terms by its Primary Retail Frontage. The development site is located approximately 70m beyond the last retail unit at the northern end of Whetstone's Primary Retail Frontage. It is therefore technically an edge-of-centre location in policy terms, however there are several existing large retail stores (Marks & Spencer, Halfords, Carpet Right and a tile store) located to the north of the site outside of the defined town centre retail frontage. While these units are outside of the designated frontage it is acknowledge that they draw a certain level of pedestrian footfall as well as vehicular borne customers beyond the end of the existing retail frontage and outside of the town centre. This existing footfall runs right past the

development site. It can therefore be considered that the provision of limited retail uses in this location could provide a useful link between the end of the designated Whetstone town centre retail frontage to the south and Marks & Spencer/Carpet Right to the north which could therefore contribute to the vitality and viability of Whetstone town centre. Due to the limited footprint of the retail space provided which is split into 2 smaller units it is not considered that a sequential assessment is required in this instance in accordance with the proportional approach set out in the NPPF. The proposal for 289 m² of A1 non- food retail is considered acceptable in this specific circumstance and with the conditions and controls included in the conditions contained in the recommendation of this report.

Residential Use

The NPPF advises that *'residential development can play an important role in ensuring the vitality of centres'* and that Local Authorities should *'set out policies to encourage residential development on appropriate sites.'* (Paragraph 23).

The London Plan 2011 identifies *'the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford'* (Policy 3.3).

Policy CS6 of the DMP advises that *'Residential accommodation in town centres can help contribute to vitality and viability by increasing trade for business and enhancing levels of natural surveillance and activity throughout the day and evening. Town centre homes also offer their occupiers ready access to town centre-based services, goods and facilities and public transport, thereby reducing the need to travel by car. However care should be taken to ensure that the primary retail function is not impacted by residential uses.'*

The development site is on the edge of Whetstone town centre with shops, services, public open space, and Totteridge and Whetstone Tube Station all within walking distance. There are also several bus services along the High Road which pass the site and the site has a 4 PTAL rating. The site is therefore considered accessible and sustainable. The impact of the proposed building on its surroundings will be considered later in this report. The site is not within Primary or Secondary retail frontage and is not allocated in the Barnet Local Plan for other uses, therefore the principle of residential accommodation in this location is considered acceptable, subject to compliance with other relevant policies.

It is considered that the mix of uses proposed for this site will help contribute to the vibrancy and activity of the town centre without compromising the vitality and viability of existing retail and commercial uses in the town centre.

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 proposal would provide four 1 bed (18%), eight 2 bed (36%) and ten 3 bed (45%) family dwellings. The mix accords with the adopted Local Plan Policy. Given the location of the site within Whetstone Town Centre and given the constraints of the site which limit the ability to provide any further amenity space on the development, the proposed housing mix is considered acceptable in accordance with Local Plan objectives.

3.3 Tenure Mix

The previous scheme for the redevelopment of this site (Ref: N/16024/08) proposed 40 residential units as part of a mixed use development. The application was assessed in conjunction with a separate planning application for the redevelopment of 713 Finchley Road in Childs Hill, NW11 (application reference: C/00896Y/08).

The applications proposed to provide all of the required affordable housing units on the Finchley Road site along with some private units, whilst the Whetstone site would only accommodate private flats.

This was considered unacceptable by the Planning Committee and the application was refused inter alia on the grounds that *'the development would require the provision of on-site units for affordable housing and no formal undertaking is given to provide these units within the development contrary to Policies H5 and IMP1 of the London Borough of Barnet Adopted Unitary development Plan (2006).'*

The current application proposes 22 residential units, all of which are private.

The NPPF states that local planning authorities should:

"where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time." (NPPF: para 50).

The Mayor's London Plan 2011 sets a London wide target for affordable housing and states that *"Boroughs should set an overall target in LDFs for the amount of affordable housing provision needed over the plan period in their areas"* (Policy

3.11). It also indicates more tenure mix flexibility of 60:40 split between social rent and intermediate.

Local Plan Policy as set out in Policy CS4 of the Core Strategy and Policy DM10 of the DMP as well as in the adopted Supplementary Planning Document 'Affordable Housing' which expands upon the policies contained within the CS and DMP. These policies advise that developments involving 10 units or more are expected to provide 40% affordable housing consisting of 60% social rented and 40% intermediate.

Barnet's Affordable Housing Policies accept that there are circumstances when schemes can not provide the full quota of affordable housing with the SPD advising that:

'There may be exceptional circumstances which occasionally justify a reduction in the level of affordable housing provision. A developer should, however, take affordable housing provision and other known requirements and constraints into account when negotiating the purchase of land rather than assume a discount on affordable housing provision.'

Standard development costs that will not be considered as exceptional include: demolition; landscaping; surveys (e.g. archaeological or ecological); or ground conditions. In such circumstances the onus will be on the applicant to demonstrate that these costs are not offset by depreciated land value or cannot be recouped in the sale price of units.

In cases where there are genuine unforeseen costs associated with the site (e.g. unexpected contamination) and all other sources of remedial finance have been exhausted, the council will expect 'open book' negotiations and may seek independent viability advice on both costs and values. It will also require an Independent Financial Appraisal (IFA) to assist in determining applications as one of the methods of assessment. The costs of this will be borne by the applicant as it seeks to justify the development business case and planning merits of reduced affordable housing provision.'

In the case of the current application the applicant has submitted a financial viability assessment by Housing People Partnership. The Council has had this information independently verified by GVA who have confirmed that the scheme will not be viable if any affordable housing is provided. Due to the length of time which the application has taken to be assessed a second viability assessment was undertaken in September 2013, which also confirmed that the scheme can not provide affordable housing and remain viable.

The mechanism by which viability is assessed excludes land purchase price and is based on Existing Use Value. It is noted that the site is constrained, with the majority of the footprint of the site taken up with built structure with car parking provided in the form of a double basement which drives up development costs.

In these circumstances given the constraints on development including contamination costs and the necessity of providing basement car parking due to the limited size of the site, the non provision of affordable housing is considered acceptable in this instance in accordance with the exceptions allowed under national and local policy.

3.4 Density of development

London Plan policy 3.4 seeks to optimise the housing potential of sites. This policy provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

The site has a 4 PTAL rating. The proposed development would provide 22 units at a density of 200 units per hectare or 818 habitable rooms per hectare which is just above the top end of the scale permitted under the London Plan matrix for urban sites with a PTAL of 4 -6.

However given the town centre location of the development the proposed density is not in itself considered to be objectionable subject to assessment of the sites ability to accommodate the scale of development without having any adverse impacts on the character or appearance of the surrounding area or impact upon the capacity of the adjoining highway, and subject to compliance with other relevant policies and standards for residential accommodation.

3.5 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.

External amenity space provision

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 which includes identifying minimum sizes for external amenity space. Barnet's Residential Design Guide advises that flats should provide 5 m² of amenity space for each habitable room.

The development contains 22 flats providing 155 habitable rooms. The scheme provides some form of private external amenity space for all units with balcony sizes ranging from 5 to 9 square metres on the lower storeys, while the penthouses on the set back top floor having terraces of 91 and 113 square metres. In addition to this space a communal roof top amenity space is provided on the top of the building providing a communal space of 340 square metres which also contains an area designated as potential children's play space. The total amenity space provided in the development is 705.5 m² which is above the required standard of 650 m².

It is also noted that the site is located within 250m of Brook Farm and Wyatt's Farm Park open space.

It is therefore considered to provide an acceptable level of private and communal outdoor amenity space for future occupiers of the development and it is considered that the proposal satisfactorily addresses the previous reason for refusal relating to inadequate amenity provision.

Dwelling sizes and Room Sizes

Policy 3.5 of the Local Plan advises that LDF's should incorporate minimum space standards which comply with Table 3.3 which provides a minimum gross internal floor area for different types of dwellings. Detailed guidance concerning dwelling size and minimum room sizes are set out in the Mayor's London Housing Design Guide. Having regard to these areas, the minimum floor areas of the proposed flats comfortably exceed the minimum standards and the individual room sizes in all of the units would also comply with the Mayor's standards.

Dwelling outlook, daylight/sunlight and privacy

Development plan policy requires that new dwellings are provided with adequate outlook. Other than the 4 one bed units which are east facing over the Marks and Spencer car park, the remaining 18 units are dual or triple aspect in the case of the penthouse flats. Fenestration on the building is in the form of large scale vertical windows which maximise outlook. The application is accompanied by a Daylight and Sunlight assessment. This assessment shows that with the exception of two bedrooms all of the proposed dwellings would comply with the Average Daylight Factor Test outlined in the Building Research Establishment Daylight and Sunlight Guide. In relation to sunlight 4 living rooms and 5 bedrooms will receive less light

than the BRE guidelines however this is inevitable on flatted schemes due to solar orientation. The level of sunlight received by the 4 affected living rooms would receive 14% of available annual sunlight hours and 3% during the winter months which is considered acceptable.

Noise and air quality

The Council's Environmental Health Service have been consulted on this application and have recommended conditions should be imposed requiring details of mechanical ventilation and noise insulation and information regarding any plant to be submitted and approved, in order to ensure appropriate insulation from the noise generated from nearby traffic and neighbouring industrial and business uses. Subject to the attachment of such conditions 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.

Conclusions on the amenities of future occupiers

In summary, the proposal is considered to provide an acceptable standard of amenity for future occupiers and would therefore comply with Local Plan Policy DM02 and the Residential Design Guidance as discussed above.

3.6 Design and character matters:

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

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

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

to influence the future character of the area; and is informed by the surrounding historic environment.

Barnet Local Plan policy CS6 seeks to 'ensure that new development is of an appropriate scale and character for the centre in which it is located'.

The previous scheme (Ref: N/16024/08) which proposed a seven storey development on the site was refused inter alia for the following reason:

'The proposed development would, by reason of its mass, bulk, size and design, be overbearing, visually obtrusive and detrimental to the character and appearance of the area and the street scene contrary to Policies GBEnv1, GBEnv2, D1, D2, D3, D4, D7 and H16 of the Adopted Barnet Unitary Development Plan (2006).'

The application has been designed to overcome the previous reasons for refusal, with the height of the building reduced from 7 to 6 storeys, with the 6th storey set back from the eaves of the building. Due to this setback the top storey will not be immediately visible from street level directly outside the site but will be visible from longer distance vistas. The height of the top storey has been further reduced post submission by means of lowering the height of the ground floor commercial units allowing the overall height of the building to be reduced by 1.1m as well as the 4th floor parapets. This allows the eaves height and the top of the recessed top floor to align with the eaves and ridge of Brook House.

In considering the impact of the proposal on the prevailing townscape it is important to consider views of the site from the south and north. From the north the site is seen against the backdrop of the 5 storey office building at Brook Point, the three storey buildings beyond and also in the context of the 12 storey Northway House located on the opposite side of the road. In views from the south, the application property is located just to the north of 5 storey Brook House and is viewed in the context of this building, with the Marks and Spencer/ Carpet Right/ Halfords Building (1 ½ storeys) and Travelodge Building (4 Storeys) providing the backdrop to the north. While the proposed building is taller than the buildings located further to the north the building carries across the height and mass of Brook Point and as such results in a lesser impact than if this building was sited in isolation and it is not considered that townscape views will be significantly affected.

Notwithstanding the reductions in scale the proposed building will undoubtedly still appear as a large building. Also given the single storey nature of the car wash structures and the previous petrol filling station the proposed building will be significantly larger than existing and previous structures on the site. However in the context of the surroundings and the scale of neighbouring buildings, it is not considered that the proposal would appear out of scale or adversely affect the surrounding townscape.

The design of the proposed building is also significantly altered from the refused scheme, with the previous scheme incorporating projecting balconies, angled elements and a mixture of red brickwork and rendered block work. The current scheme proposes a more clean cut look with large vertical windows, louvered screens, inset balconies and use of lighter coloured brickwork. The frontage and side return of the building is also staggered breaking up the massing of the building. The proposal contains an active frontage in the form of two retail units fronting the High Street to the west. This would help to fill in what is currently a gap on the street frontage and represents a significant improvement over the current use of the site.

Overall it is considered that the scheme has satisfactorily addressed the previous reason for refusal resulting in a well designed building reflective of the scale of its immediate surroundings and in keeping with general urban grain of the street scene. The proposed development is therefore considered to be acceptable in terms of its impact on the character and appearance of the locality in accordance with the aforementioned policies.

3.7 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.

Overlooking and Loss of privacy

The Residential Design Guidance SPD identifies that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to neighbouring gardens, in order to avoid overlooking in new developments. In relation to the application proposal the application site faces towards the High Road (A1000) to the West, the Marks and Spencer/ Carpet Right building to the north, a car park to the east and the adjoining office building to the south. The closest residential properties are located in Chandos Avenue approximately 70m to the south and south-east, with views partly obstructed by the office building at Brook Point.

Due to this orientation the proposal would not result in any loss of privacy to adjoining occupiers located to the north, east and west but could potentially cause mutual overlooking issues in relation to the office building to the south. In order to avoid potential issues, the applicant has suggested the use of obscure glazing and louvers to prevent overlooking of residential living areas. A condition is recommended to secure such provision.

Daylight and sunlight/outlook and visual impact

The proposal is accompanied by a Daylight and Sunlight Report. This report demonstrates that all surrounding residential properties and gardens will continue to receive adequate levels of daylight and sunlight in accordance with the BRE guidelines. It is not considered that the proposal would be overbearing in its visual impact when viewed from residential properties due to the distance separation.

In relation to comments received regarding potential loss of light by an adjoining office. The property in question is Brook Point located approximately 6-9m away to the south on the other side of the vehicular access to Brook Point. It is noted that the BRE guide does not apply to commercial buildings such as offices and each case needs to be assessed on its own merits. The application proposal is located directly to the north of Brook Point and as such would not affect levels of sunlight to this property. In relation to daylight the proposed distance separation of between 6-9m is considered adequate given that the development concerns commercial development fronting a main road. Angled views and light would remain to the north east and west either side of the proposed development and overall the relationship between the building is considered acceptable.

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. The proposal includes mechanical ventilation and conditions have been suggested by Council's Environmental Health Service regarding the operation of this and any other plant to ensure that neighbouring amenity is not affected.

In relation to the concerns expressed by a neighbouring business that the introduction of residential use could potentially result in noise complaints affecting the future operation of an adjoining existing business, namely the haulage company located on the opposite side of the High Road. It is noted that the scheme proposes the provision of mechanical ventilation and sound insulation conditions are also attached to the proposal. It is considered that these measures would limit the potential of future conflict and the scheme is considered acceptable in this regard.

In relation to construction works, a condition has been imposed 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.

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.

3.8 Transport, parking and highways matters:

The site is located on the A1000 High Road, N20 on the edge of Whetstone Town Centre. The A 1000 is part of the Strategic Road Network (SRN) Route and is a bus route. The site is in close proximity to Totteridge and Whetstone underground station and town centre amenities. The site was previously used as a petrol station. The site is adjacent to the private vehicle access to the Marks and Spencer store to the north. There is a turn right lane utilised by vehicles turning into the previous petrol station and into the Marks and Spencer store development.

Several waiting restrictions apply in the vicinity of the site, including no waiting at anytime, however there are no restrictions to parking in sections of the road network in the vicinity of the site. There is a pedestrian crossing island in the A1000 fronting the site, which is used by pedestrians accessing sites including the commercial premises and bus stops on both sides of the A1000 and Totteridge and Whetstone underground station. There is a further pedestrian crossing on the A1000 to the north of the site in close proximity to the proposed development.

The Public Transport Accessibility Level (PTAL) is graded from 1 for poor accessibility to 5/6 for excellent accessibility. The site has a PTAL score of 4 and is therefore within a medium accessibility level area. The site is within walking distance to Totteridge and Whetstone underground station and in close proximity to several bus routes.

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.

Access Arrangements

The previous petrol station use was served by two separate vehicle accesses from the A1000 an entry access at the northern boundary, which is no longer in use, and an exit access shared with the adjacent Brook Point building. The proposal is to maintain the existing shared access at the southern boundary of the site to provide a two way access to the proposed new underground car parks, shared with the existing access to the adjacent Brook Point building.

The proposed development is located on High Road, N20 which is on the Strategic Road Network (SRN). As the site was formerly a Petrol Filling Station the crossovers to the site were heavy duty crossovers. One of the crossovers is being removed and the footway must be reinstated to footway-construction. This will be covered by separate agreements under the Highways Act

Parking provision

The parking standards in the Local Plan recommend a maximum of 1 space per 1 bedroom flat and 1 to 1.5 parking spaces for 2 and 3 bedroom flats and a maximum of one space per 50-30 sqm for non food retail use in a PTAL 4 to 2 areas. This equates to 18 to 31 parking spaces for the residential element of the development and between 5 and 9 parking spaces for the retail element for staff or customer use.

The proposal includes 31 parking spaces for the residential development and 8 parking spaces for the commercial development. Car parking is proposed in a double level basement. The parking provision of 31 spaces for the residential element of the development based on the proposed mix is in accordance with London Borough of Barnet Parking Standards.

The proposed parking provision of 8 spaces for the commercial element of the proposal meets the standards on the London Plan and is acceptable on highways grounds.

The basement car parks are accessed via ramps and the gradient for the ramp are no steeper than 1 in 10 which is acceptable on highways grounds.

Conditions are suggested requiring the provision of 20% active and 20% passive electric car charging points in accordance with London Plan Policy.

Cycle Parking

A total of 32 cycle parking spaces should be provided for the residential element of the development in order to meet the recommendation in the London Plan. For the commercial element of the proposal a total of 2 cycle parking spaces are required. The proposal includes provision of 32 cycle parking spaces for the residential development and 2 spaces for the commercial which is in accordance with the recommendations in the London Plan.

Refuse Collection and Servicing Arrangements

Separate refuse collection points are proposed for the residential and commercial elements of the scheme.

The original proposal included arrangements for refuse collection vehicles to reverse into the site to carry out collections. These arrangements were not acceptable and the proposal has been revised to provide refuse collection being carried out from the public highway. Transport for London (TfL) has commented on this application and recommended that refuse collection should be carried out from an on street location.

In order to allow for refuse vehicles to load safely from the public highways it will be necessary to review the existing road layout in the vicinity of the site. The review will involve a feasibility study for relocation of existing pedestrian crossing facilities at the frontage of the site and any necessary alterations to existing waiting restrictions and road markings. A section 106 contribution of £30,000, consisting of £5,000 feasibility studies cost and up to £25,000 implementation costs, will be required to carry out the feasibility study and implementation of measures identified in this study.

Parking, highways and transport conclusions

Subject to the attachment of appropriate conditions and subject to the applicant entering into a S106 to make an appropriate contribution to highway improvements as specified above, the scheme is considered broadly acceptable, and would not adversely affect the safety and freeflow of vehicles or pedestrians and provides an appropriate level of parking and cycle provision in this location.

3.9 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. Proposals should demonstrate how the principles of inclusive design have been integrated into the development for which consent is sought.

All of the proposed dwellings will be built to lifetime homes standards, and level access and Part M compliant level and door opening widths will be provided to all units and the staircase is also designed to be usable by ambulant disabled persons. 2 units (i.e. 10%) are designed to be fully wheelchair accessible.

3.10 Contaminated land and water quality issues:

The application is accompanied by a Contaminated Land Report. The Environment Agency and the Council's Environmental Health Service have not raised any objections to the proposal subject to the attachment of appropriate conditions.

3.11 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 Metropolitan Police have expressed concerns regarding details of measures to control access to the basement car parking area and for the scheme to be designed to achieve secured by design (SBD) accreditation. This is considered reasonable given the prominent town centre location of the development and a condition requiring the development to achieve SBD accreditation. Subject to this 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.

3.12 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. Residential developments are currently required to achieve a 40% reduction in carbon dioxide emissions when compared to the 2010 Building Regulations. However this target only applies to stage 1 applications received on or after the 1st October 2013. As this application was received in July 2013, the lower 2010-2013 requirement for a 25% reduction applies. 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. 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 council's adopted Sustainable Design and Construction SPD provides that schemes such as this should achieve Code Level 4 or above against the Code for Sustainable Homes.

Carbon dioxide emissions

The application is accompanied by a Sustainability and energy report, which sets out a commitment to achieving level 4 under the Code for Sustainable Homes for the residential element and BREEM Excellent for the Commercial Element. As part of reaching this level under the Code for Sustainable Homes the dwellings proposed will need to achieve an improvement of 25% over the Target Emission Rate under the 2010 Building Regulations. The chosen options include built fabric improvements such as high insulation values, low energy lighting and high efficiency boilers, as well as the installation of photovoltaic panels on the roof of the development, thereby achieving a 25% betterment for the development.

The applicant has submitted an addendum showing that the scheme has incorporated as many energy reduction elements as they can in the confines of the site. The proposed improvement is in accordance with policy and is considered adequate for the scheme to comply with the requirements of policy on reductions in carbon dioxide emissions. A condition is therefore recommended to ensure that the development achieves Code Level 4, BREEM Excellent and this level of carbon dioxide reductions as a minimum. A condition has also been imposed requiring details of the photovoltaic panels to be installed to be submitted and agreed with the Local Planning Authority, in order to ensure an acceptable appearance.

3.13 Community Infrastructure Levy

The Mayor of London is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in Greater London. The Mayor published a schedule for CIL in February 2012 and it came into effect in April 2012 which is set at £35 per sqm on all chargeable development.

The planning permission that will be granted as a result of this application will be liable for Mayoral CIL estimated at a cost of £126,315.

3.14 Barnet's Community Infrastructure Levy

In May 2013 Barnet adopted its own local Community Infrastructure Levy which replaced the Council's SPD's on planning obligations in relation to Health, Education and Library Services contributions to off-set pressure of additional residents as a result of development. Barnet CIL is set at £135 per sqm on all 'chargeable development' in Barnet.

In accordance with the Community Infrastructure Levy (Amendment) Regulations 2012 it is estimated that the development will be liable to pay approximately £487,215 in Barnet CIL contributions.

It is considered that the payment of the above monies satisfactorily addresses the previous reasons for refusal 3 and 4 relating to education and library contributions.

4. COMMENTS ON GROUNDS OF OBJECTIONS

The proposed building would be no higher than the adjoining office building at Brook Point and would be viewed against this backdrop and the larger backdrop of Northway House on the opposite side of the High Road. In this context while the proposed building would appear large it would not appear out of keeping with the surrounding townscape. The proposed design is also considered acceptable, helping to break up the visual mass of the building and provided an attractive building in keeping with the streetscene. Design and Character issues are assessed in section 3.6 of this report

The proposal is located between 6-9 metres from the office building at Brook Point and 70m from the nearest residential properties in Chandos Avenue. The proposal is also accompanied by a Daylight Sunlight Assessment which shows that the proposal would not result in any significant loss of daylight, sunlight or overshadowing to neighbouring residential properties. Obscure glazing and use of louvers are proposed in the south elevation to address potential overlooking to and from Brook Point. Issues to do with impact on amenities of neighbouring properties is covered in section 3.7 of this report.

The level of car parking provision has been assessed by the Council's Highway Officer and Transport for London. The level of provision of 31 spaces for the

residential units and 8 spaces for the commercial units is in accordance with London Plan guidance for development in this PTAL zone.

The existing use of the site for a car wash and the previous use as a petrol filling station generates a higher number of vehicular movements than the proposed use of the site. The proposal has been assessed by the Council's Highway Officer and Transport for London who have advised that the proposed access is satisfactory subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements. Transport and Parking matters are covered in section 3.8 of this report.

The proposal is subject to conditions requiring the provision of soundproofing and the use of mechanical ventilation which would limit the opportunity for future conflict.

The proposal involves the provision of two small non food retail units which are not considered to affect the vitality or viability of other units located in the wider Whetstone Primary Shopping Frontage.

The cumulative impact of the proposal has been taken into account particularly in relation to highway impact. However planning law requires that each application needs to be judged on its own merits and assessed accordingly.

It is considered that the height of the proposal is in keeping with the scale of adjoining buildings, and it is not considered that the density is excessive in this location and sufficient amenity space for the units is provided. The impact of the proposal on the adjoining highway is considered satisfactory subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements.

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.

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 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 and the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report).

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.

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

The proposed development is considered to represent an effective re-use of a brownfield site providing high quality residential accommodation within close proximity of Whetstone town centre and within walking distance of Totteridge and Whetstone Tube station. The proposed building represents a high quality modern architectural design that is appropriate to its context and which will enhance the townscape of the area and contribute to the vitality and viability of the town centre.

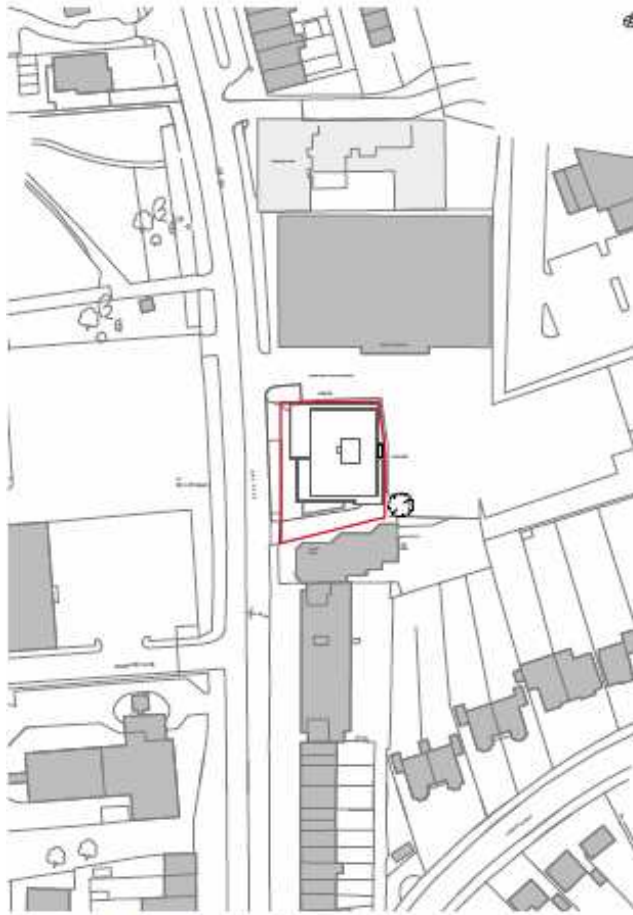
The proposal satisfactorily addresses the reasons of refusal for the previous application (Ref: N/16024/08) for the redevelopment of the site, through the design amendments and reductions in scale. The lack of provision of affordable housing is justified due to site viability and the constraints of the site. The proposal also provides a policy compliant quantity of amenity space and makes contributions to education and libraries through Barnet CIL contributions.

The proposal would accord with the determining policies within The London Plan (2011) and adopted Core Strategy (September 2012) and Development Management Policies DPD (September 2012) in accordance with the NPPF.

The application is therefore recommended for **Approval**, subject to to the applicant entering into a S106 Agreement and Conditions as Outlined Above.

SITE LOCATION PLAN: 1412-1420 High Road, London, N20 9BH

REFERENCE: B/01561/13



Site Location Plan 1:500



Site Location Plan 1:1250

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LOCATION: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB **AGENDA ITEM 8**
REFERENCE: F/02788/14 **Received:** 22 May 2014
WARD(S): Childs Hill **Accepted:** 11 June 2014
Expiry: 06 August 2014

Final Revisions:

APPLICANT: Brondesbury Cricket, Tennis and Squash Club
PROPOSAL: Retention of 8no. x 12 metre high steel masts for cricket/tennis protection netting/fencing.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Tennis Court Boundary Net Specification.

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).

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.

The item has been referred to the Planning Committee following discussion at the Finchley Golders Green Area Committee on 03/09/2014.

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 Government's 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.

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.

Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted in April 2013. This sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

In respect to amenity, extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

The Council adopted a Sustainable Design and Construction SPD in April 2013, 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.

Relevant Planning History:

Site Address: Brondesbury Cricket Tennis & Squash Club, 5A Harman Drive, London, NW2 2EB
Application Number: 03641/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 27/11/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of new single storey building to replace existing tennis shelter.**
Case Officer: David Campbell

Site Address: 5A Harman Drive London NW2 2EB
Application Number: C04254J/06
Application Type: Material Minor Amendment/Vary Condition
Decision: Refuse
Decision Date: 04/10/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Variation to condition 2 (hours of use of floodlighting) of planning permission C04254H/01 dated 03/07/2002 (floodlighting to two tennis courts at rear of 42 - 50 Farm Avenue) to allow use of the floodlights between 9am and 10pm all year around (AMENDED SITE ADDRESS)**
Case Officer: Kevin Waters

Site Address: Brondesbury Cricket, Tennis and Bowls Club Harman Drive NW2
Application Number: C04254A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/07/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of 2 squash courts and store with groundman's flat over and eight parking spaces.**
Case Officer:

Site Address: Brondesbury CT and BC Sports Ground Harman Drive NW2
Application Number: C04254B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 24/04/1974
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension at rear of clubhouse to provide toilets**
Case Officer:

Site Address: BRONDESBUURY CRICKET, TENNIS & BOWLS CLUB HARMAN DRIVE LONDON NW2
Application Number: C04254C
Application Type: Full Application

Decision: Approve with conditions
Decision Date: 25/05/1977
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension**
Case Officer:

Site Address: Brondesbury Cricket Club Harman Drive NW2
Application Number: C04254D
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 13/08/1979
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension.**
Case Officer:

Site Address: Brondesbury Cricket Tennis & Squash Club Harman Drive LONDON NW2
Application Number: C04254G
Application Type: Full Application
Decision: Refuse
Decision Date: 06/10/1993
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of 15 x 6 metre highfloodlighting columns to the four newest allweather tennis courts.**
Case Officer:

Site Address: BRONDESBURY TENNIS CLUB Harman Drive LONDON NW2
Application Number: C04254E
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/01/1989
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey pavilion**
Case Officer:

Site Address: Brondesbury Cricket, Tennis and Squash Club Harman Drive NW2
Application Number: C04254F
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/11/1989
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of single storey wooden chalet to form shelter**
Case Officer:

Site Address: Brondesbury Cricket, Tennis & Squash Club, 5A Harman Drive, London, NW2 2EB
Application Number: F/04431/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 09/03/2012
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of 5No. x 6 metre floodlights and installation of additional luminaires onto existing poles to provide illumination to courts 4 and 7.**

Case Officer: David Campbell

Site Address: University College School Sports Ground, Ranulf Road, London, NW2 2BH
Application Number: F/04029/13
Application Type: ES Screening Opinion
Decision: ES Not Required
Decision Date: 11/09/2013
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Environmental Impact Assessment - Screening Opinion**
Case Officer: James Stone

Site Address: Brondesbury Cricket, Tennis & Squash Club, 5A Harman Drive, London, NW2 2EB
Application Number: F/00480/14
Application Type: Conditions Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details for condition 4 (Photometric tests data) pursuant to planning permission F/04431/11 dated 05/03/12. RETURNED**
Case Officer: Graham Robinson

Site Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB
Application Number: F/00162/14/ENQ
Application Type: Pre-Application Enquiry
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Development of a new indoor tennis court and a new single storey pavilion at Brondesbury Cricket Ground.**
Case Officer: Graham Robinson

Site Address: BRONDESBURY CRICKET TENNIS & SQUASH CLUB, 5A HARMAN DRIVE, LONDON, NW2 2EB
Application Number: F/03540/08
Application Type: Material Minor Amendment/Vary Condition
Decision: Refuse
Decision Date: 03/08/2009
Appeal Decision: Allow subject to conditions
Appeal Decision Date: 03/08/2009
Proposal: **Variation of condition 2 (Hours of use of Flood lighting) of planning permission C04254H/01 dated 03.07.02 to allow use of floodlights to courts Nos 5 + 6 between 09.00-21.30 hours all year around.**
Case Officer: David Campbell

Consultations and Views Expressed:

Neighbours Consulted: 79 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Netting is tall and excessive in height
- Loss of view
- Masts have already been constructed
- Affect the amenity of neighbouring properties
- No evidence to support need for masts
- There has not been adequate research into the safety issues associated with the masts.

Internal /Other Consultations:

N/A

Date of Site Notice: 26 June 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is Brondesbury Cricket, Tennis and Squash Club. The site is accessed from Harman Drive, between no.5 and no.7. There is an access drive that runs between these properties leading to the sports club. The sports club is surrounded by residential properties on Horton Avenue to the west, and Farm Avenue to the north.

Proposal:

The proposals are for the installation of 8no. x 12 metre high steel masts for cricket/tennis protection netting/fencing. It should be noted that the works have already been undertaken and are retrospective.

Planning Considerations:

The main issues are considered to be:

- The impact on the character and appearance of the area
- The impact on neighbouring amenity

The applicant has advised

The impact on the character and appearance of the area

The netting and masts are principally visible from within the sports ground and from the rear gardens and windows of neighbouring residential properties.

Such netting at a height of 12m can reasonably be expected to be seen within a sports ground. Whilst it is acknowledged that the nets are of significant height, it is considered that their slimline design, colour and spaced netting ensure that they do not appear unduly obtrusive within this context.

It is not considered that the proposals are materially harmful to the character and appearance of the streetscene or general locality.

The impact on neighbouring amenity

The masts and netting have been constructed and are visible from the rear windows and gardens of properties on Farm Avenue.

The right to a particular view is not a planning consideration, only whether the visual impact of the mast and nets are acceptable.

Although the masts and nets are visible from the rear gardens of property, it is not considered that their impact is unduly oppressive or dominating as viewed from neighbouring residential properties, given the design of the masts and the distance of them away. They would not cause harmful loss of light or outlook.

The masts are sited approximately 15m from the rear boundaries of properties on Farm Avenue.

Furthermore, the masts have been painted green which helps minimise their visual impact against the backdrop of trees and shrubs. It is however recognised that there would be less screening during winter months. Given the distance of the masts away from the boundary, it is not considered that the visual impact of the mast and netting warrants refusal of the application.

It is not considered that the masts and netting materially harm neighbouring visual or residential amenity.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

Loss of view - *The loss of a view is not a material planning consideration.*

Masts have already been constructed - *Noted, though the proposals must be assessed on their own merits.*

No evidence to support need for masts - *Addressed in main report.*

There has not been adequate research into the safety issues associated with the masts.- *The applicant has provided a technical risk assessment. Although it is acknowledged that this is a desk study it is not considered that further information with regard to this could be reasonably required.*

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: Brondesbury Cricket Tennis And Squash Club,
5A Harman Drive, London, NW2 2EB**

REFERENCE: F/02788/14



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LOCATION: Django Cafe, Scratchwood Park Open Space, Barnet Way,
london NW7 3AL **AGENDA ITEM 9**

REFERENCE: H/03243/14 **Received:** 16 June 2014
Accepted: 25 June 2014

WARD(S): Hale **Expiry:** 20 August 2014

Final Revisions:

APPLICANT: Django Cafe

PROPOSAL: Retention of single storey wrap around extension and proposed reduction in height of front timber wall and introduction of 2no. additional access points to front elevation.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 106/0411/0; 106/0411/01C; 106/0411/02B; 106/0411/02 RevA as amended 05.09.2014; 106/0411/02.

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 The amendments to the extension to the building including reducing the height of the front timber wall and position of polycarbonate over lay shall be carried out within 3 months of the decision notice. These works shall be permanently retained.

- 3 The premises shall only be used for purposes ancillary to the use of the park.

Reason: To protect the amenities of the area.

- 4 The use hereby permitted shall not be open to customers before 7.00 am or after 9.00 pm on any day.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

- 5 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).

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 London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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.

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.

Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). 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 Core Strategy Policies: CS NPPF, CS1,CS5.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02.

Other Material Considerations:

Residential Design Guidance
Sustainable Design and Construction

Relevant Planning History:

Site history for current landparcel :

261946 - Django Cafe, Scratchwood Park Open Space, Barnet Way, london NW7 3AL

W00446C/06 Rebuilding of existing cafe/ toilet facility following demolition of existing building. Approved March 2006

H/01790/09 Rebuilding of cafe/toilet facility following demolition of existing building. Approved July 2009.

Application:	Planning	Number:	H/03496/09
Validated:	24/11/2009	Type:	S73
Status:	DEC	Date:	22/01/2010
Summary:	APC		
Description:	Variation of Condition 2 of planning permission reference H/01790/09 dated 16/07/09 to change hours of operation to: Monday to Sunday (Including Bank		

Holidays) 7am until 9pm.

Consultations and Views Expressed:

Neighbours Consulted: 1 Replies: 0
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

Internal /Other Consultations:

- Green Spaces (Trees) - No comments received.

Date of Site Notice: 03 July 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application relates to a vacant building located within the Scratchwood Open Space. The site is within the Green Belt and access is via the A1.

Proposal:

The application relates to the retention of an existing single storey wrap around extension and proposed reduction in height of front timber wall and introduction of 2 no. access points to front elevation.

Planning Considerations:

Planning permission has previously been granted in 2006 and again in 2009 for the demolition and re-build of a cafe building. The new building has now been erected including a new wraparound extension to provide a covered seating area outside the main building.

The building falls within the designated Greenbelt and as such an assessment on whether the extension as built harms the openness of the Greenbelt needs to be made.

The scale and bulk of the extension to the previously approved building is such that it does not disrupt the openness of the Greenbelt and sits comfortably within its setting. The single storey nature of the extensions and its overall size and scale in

comparison to the existing building is such that it is not considered to result in demonstrable harm.

It is not considered that the wraparound extension harms the openness of the Greenbelt. The plans show that the existing polycarbonate overlay on the elevation of the building will be taken off the outside of the building and placed inside to reduce its visibility and make the extension appear of higher quality than currently built.

The proposal also involves the reduction in the height of the existing wood panelling on the front elevation to give it a more open appearance so it appears more like a veranda with roof than the existing design of the front elevation.

The proposed development is consistent with the Council's Corporate Priorities in relation to Greenspaces. It is considered the cafe building will provide a feeling of greater security and would lessen any chance of vandalism in the Park due to a regular on-site presence. It is considered that it would be beneficial to all park users as it provides a facility for the whole community.

3. COMMENTS ON GROUNDS OF OBJECTIONS

None received.

4. EQUALITIES AND DIVERSITY ISSUES

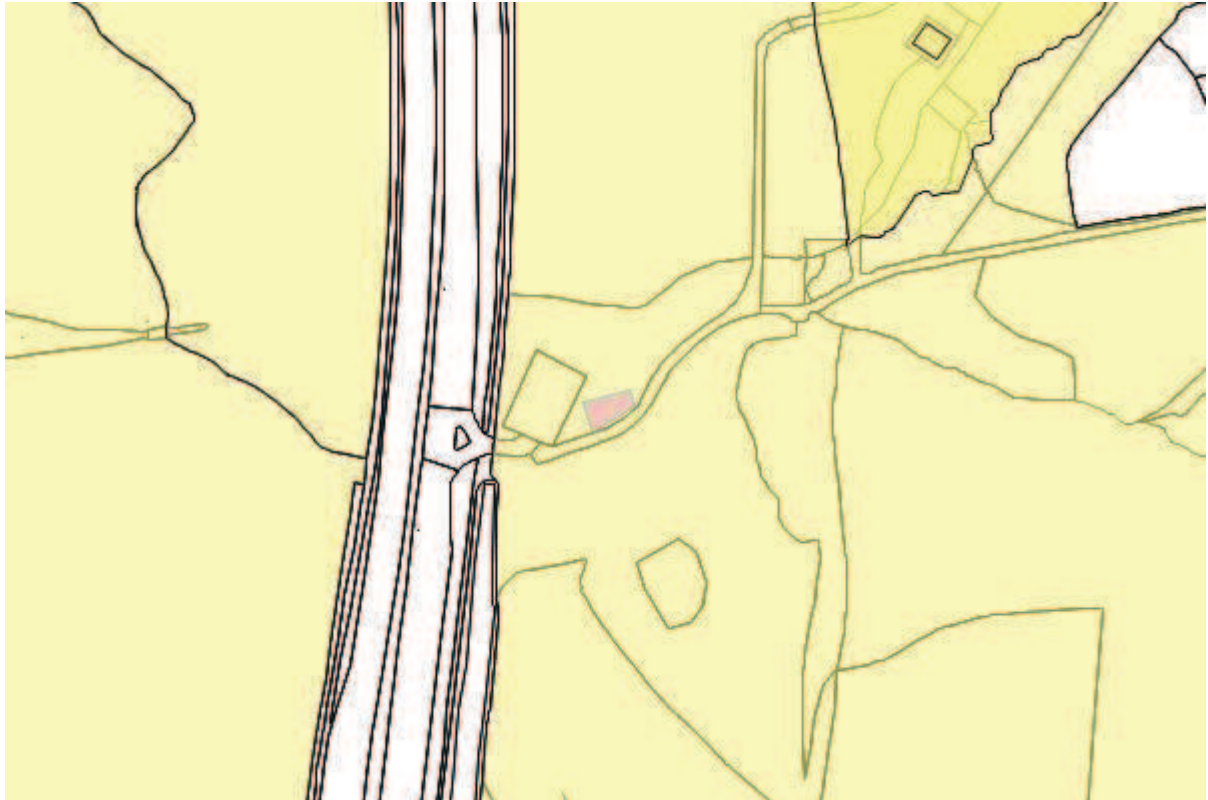
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

It is considered that this proposal would be beneficial to the community and would improve the safety of the area and lessen the risk of vandalism whilst improving facilities for park users. The proposed development is considered to be in keeping with the nature and scale of the existing development on the site and will not have an adverse impact on the open character of the Green Belt. It is therefore recommended that this application is approved accordingly.

SITE LOCATION PLAN: Django Cafe, Scratchwood Park Open Space,
Barnet Way, london NW7 3AL

REFERENCE: H/03243/14



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LOCATION: Child Guidance Centre, East Road, Edgware, Middx, HA8 0AJ
REFERENCE: H/02051/14
WARD: Burnt Oak

AGENDA ITEM 10
Received: 11 April 2014
Accepted: 14 May 2014
Expiry: 13 August 2014

Final Revisions:

APPLICANT: Noam Educational Trust

PROPOSAL: Demolition of existing building and erection of new two-storey primary school with associated parking and landscaping.

Approve Subject to S106

Subject to a Section 106 Agreement

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Requirement to submit Travel Plan** **£5,000**
Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a £5,000 contribution towards the Council's costs of monitoring the implementation of a Travel Plan.
- 4 **Highways Improvement (local to the site)** **£15,000**
A £15,000 contribution towards local highway improvements within the vicinity of the development involving the provision of Zig-Zag lines on the front of the site on East Road
- 5 **Pupil numbers** **£0.00**
No more than 247 children shall be on the school roll at anytime.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Development

Management & Building Control approve the planning application reference: H/02051/14 under delegated powers subject to the following conditions: -

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

Reason:

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 4353/100, Flood risk assessment, existing site layout showing flood plain contour, design and access statement, PL002, PL003, PL004, PL005, PL006, PL007, PL008, PL009, PL010, PL011, PL012, PL013, PL014, PL015, PL016, PL20 – noise assessment, PL021 – Foul Water & Utilities Assessment, PL022 – Energy & Sustainability Report, PL023 – Ground Contamination Risk Assessment Report, PL023 - ventilation & extraction statement, PL024 – Planning 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).

- 3 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.

- 4 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).

- 5 Before development hereby permitted is occupied, parking spaces and turning spaces shown on plan number PL004 shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. 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 parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic 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.

- 6 The approved development shall make provision for cycle parking in accordance with London Plan cycle parking standards and cycle and associated showering facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. 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.

- 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 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

area to comply with Policies 5.13 and 5.14 of the London Plan 2011.

- 9 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).

- 10 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).

- 11 Before the permitted development is occupied a full Construction Logistic Plan (CLP) shall be submitted to and agreed 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.

- 12 Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric

Emissions Inventory.

A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the (units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.3 of the London Plan 2011.

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:-
 - 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.

- 14 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.

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

Reason:

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

- 16 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.

- 17 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).

- 18 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.

- 19 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.

- 20 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.

- 21 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.

- 22 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.

- 23 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.

- 24 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 of 20% active and 20% passive parking spaces for the Electrical Vehicle Charging 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.

- 25 The school start/finish times at Noam Primary School shall be staggered internally between the years / classes.

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.

- 26 No development shall take place until a bat survey has been carried out and if necessary full details of a protected species contingency plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include
- (i) details of surveys to be undertaken prior to and during demolition and construction of the development to determine the possible presence of bats and
 - (ii) details of appropriate mitigation measures and contingency plans (including a lighting plan) should such species be found to be present. The surveys, mitigation and contingency measures shall be implemented in accordance with the approved plan and maintained in accordance with the approved details thereafter.

Reason:

To ensure the development does not harm any protected species which may be present on the site in accordance with policy DM16 of the Adopted Barnet Development Management Policies DPD (2012).

- 27 The Noam Primary School hereby approved, shall be used for no more than 247 pupils per calendar year.

Reason: In order to ensure that there is no adverse impact on the highway in accordance with Development Management policy DM17.

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 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 3 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.
- 4 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.
- 5 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.

- 6 The applicant is advised that any works on public highway required to facilitate the development will need to be included in the Council's agreed works programme and would be subject to priorities and the available resources therefore the time scales cannot be guaranteed.
- 7 The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.
- 8 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.

- 9 You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

The council's supplementary planning document on Sustainable Design and Construction requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and & measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road traffic noise (1988); 5) Department of transport: Calculation of railway noise (1995); 6) Department of transport : Railway Noise and insulation of dwellings.

RECOMMENDATION III:

That if an agreement has not been completed by 17/10/2014, that unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application under delegated powers for the following reasons:

The development does not include a formal undertaking to meet the costs of highway works, the restriction on pupil numbers or the monitoring of a Travel Plan. Without the legal agreement it would be difficult for the Local Planning Authority to assess the school's measures to promote the use of sustainable modes of transport or ensure that there is not an adverse impact on the highway through pedestrian movement. In the absence of such an undertaking the proposal is contrary to Local Plan Policy CS9 and Development Management policy DM17.

1. MATERIAL CONSIDERATIONS

The National Planning Policy Framework 2012 _

The Mayor's London Plan: July 2011 _

Relevant Core Strategy (2012) Policies:

- CS NPPF - National Planning Policy Framework - Presumption in Favour of Sustainable Development
- CS5 - Protecting and Enhancing Barnet's character to create high quality places
- CS6 - Promoting Barnet's Town Centres
- 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

Relevant Development Management (2012) Policies:

DM01 Protecting Barnet's character and amenity
DM02 Development standards
DM03 Accessibility and inclusive design
DM04 Environmental considerations for development
DM11 Development principles for Barnet's town centres
DM12 Maintaining our local centres and parades
DM13 Community and education uses
DM14 New and existing employment space
DM17 Travel impact and parking standards

Supplementary Planning Documents and Guidance .

Sustainable Design and Construction (2013)
Residential Design Guidance (2013)
Planning Obligations (2013)

Mayor's CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £36.04 per sqm on all 'chargeable development' in Barnet.

Barnet CIL

Barnet's Community Infrastructure Levy was approved at Full Council on 16 April 2013. Adoption of the Barnet CIL Charging Schedule is the 1st May 2013. All planning applications decided on or after that date will be subject to the charge at a rate of £135 per sqm on all 'chargeable development' in Barnet.

Relevant Planning History: .

Site Address: Land adjoining Child Guidance Centre, Estate North Road Burnt Oak Edgware

Application Number: W01857U

Application Type: Full Application

Decision: Approve

Decision Date: 28/03/1984

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Use as a ball games area and erection of a 15ft. surrounding chain link fence.

Consultations and Views Expressed:

Neighbours Consulted: 181

Replies: 7

Neighbours Wishing To Speak: 0

Date of site notice: 22 May 2014

Summary of responses:

- It is difficult to access the site from the north road entrance and the proposal when combined with the new housing in the area will increase traffic movements
- The area is not suitable for building a new school, it will present problems in the form of noise, traffic and parking
- Concern that the resultant vehicular movements may be detrimental to surrounding traffic
- Object to the proposed development if it isn't available to multi cultural children
- Support the proposal as the site will be developed/reused

Internal /Other Consultations:

Environmental Health officer – no objection to the proposal subject to conditions

Environment agency – no objection to the proposal subject to bat surveys being carried out. With regard to flood risk they have stated that level for level compensation has been provided for flood storage, providing a net gain in storage of 327m³ for the Silk Stream. Some of the flood storage is to be provided in the undercroft area, though the impact has been shown to be small. You may wish to consider imposing a condition or details within a management plan to prevent the use of the undercroft area from becoming blocked.

Highways department – no objection to the proposal subject to conditions and contributions being provided towards the monitoring of the school travel plan and the establishment of zigzag lines on the front of the site.

Transport for London – no objection to the proposed development subject to conditions.

Council trees department – no objection to the proposed development subject to conditions

Environmental Health - no objection to the proposed development subject to conditions

2. PLANNING APPRAISAL

Site Description and Surroundings: _

The site of approximately 0.43 hectares is accessed off East Road which is in a residential area of mixed higher and lower density housing. The site gently slopes downwards from East Road on the west side towards the Silk Stream on the east

side.

The application site is located in floodzone 2 and 3A.

Proposal

The development comprises the re-development of the currently vacant site of the former Child Guidance Centre. The proposal is for a new one form entry primary school that will cater for pupils between the ages of 4 and 11 years along with a nursery unit for younger children.

The School will be a one form entry primary school with 30 pupils in each class. There will also be a nursery unit with 60 pupils. The accommodation comprises 2,300m². The building accommodation comprises areas for general teaching, storage, activity, dining and assembly, administration and staff facilities and sanitary facilities.

The building would measure a maximum of approximately 11.5 metres tall, 60 metres wide and 45.5 metres deep.

Planning Considerations:

The main considerations are:

- The principle of the proposed development
- The impact on the character and appearance of the property and surrounding area
- The impact on the amenity of neighbouring residents
- The impact of the proposal on highway safety and whether there would be a sufficient parking allocation
- Flood risk
- Sustainability
- Section 106 Contributions
- Other material planning considerations

The principle of the proposed development

The application proposes the erection of a one form entry primary school. Policy DM13: Community and education uses 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. New community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties”*. The site currently contains a building that was formerly used as a child guidance centre. The principle of demolishing the existing building and using the site for educational purposes is therefore considered acceptable subject to the considerations below.

The impact on the character and appearance of the property and surrounding area

The 2012 National Planning Policy Framework states that *“the Government attaches great importance to the design of the built environment. Good design is a key aspect*

of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council "will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design". In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that "development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets... development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused".

The proposal would result in the demolition of the existing building on the site and the erection of a larger purpose built, two storey building for educational use with associated play space and car parking. The existing site contours have been acknowledged by stepping the school levels from the highest point bordering East Road to the lowest point at the eastern corner. In this instance the proposed scale, siting and design of the proposed building would not impact adversely on the character and appearance of the property and surrounding area.

The impact on the amenity of neighbouring residents

Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

The application site is located in proximity to residential properties and adjacent to new residential development on the adjacent site at Merrivale. The proposal would feature play deck areas at first floor level, however, these would look onto the rear of the site, well away from adjoining neighbouring properties. In this instance, the proposed siting and scale of the development would not impact adversely on the amenity of neighbouring properties.

The impact on highway safety and whether there would be a sufficient parking allocation

The site would be accessed via East Road. The proposed primary school site will provide capacity for up to 240 pupils and 40 staff. The proposal would provide 20 car parking spaces. These would serve staff and would include the provision of 2 visitor parking spaces, 2 electric car charging points (active) with 2 additional points for possible future installation (passive), Service access road that provides an entry and exit one way vehicular route. The applicant's statement also indicates that there would be cycle parking for 20 bicycles and scooter storage area for 20 scooters but as these are not indicated on the submitted plans, this could be conditioned in the event of approval.

The applicant's transport statement has stated that the "the school will have a new 5.5m wide access junction with 6m radii and 2m adjacent footways. A minimum 6m road aisle is provided adjacent to the main car park. As part of the proposal a car drop off/collection facility will be formed alongside the car park and the service road that will loop around the extremity of the site. This facility will be provided with an adjacent footway area and will be used by the school to minimise on road parking in

the area during the drop off in the AM and collection during the PM. The service loop road on the eastern side of the site will be closed during the school day to become part of the secured school site only being accessible during school drop-off and collection times. Access to this area will be managed by the school. The applicant has stated that the total drop-off/collection length around the outside of the school site can comfortably cater for 17 No People Carrier /Multi Passenger Vehicles which are typically larger than the average car. Larger delivery vehicles are expected to serve the site from East Road. Deliveries are expected to be restricted between 09:30 to 14:00 to avoid the beginning and end of the school day. The location of the refuse depository is adjacent to the East Road frontage and refuse vehicles will collect from the kerbside using the turning head at the southern end of East Road to turn around which they currently use. Refuse vehicles will not need to enter the site”.

The applicant has submitted a traffic assessment and draft school travel plan. The council’s highways department has stated that there is no objection to the proposed school as it will not impact adversely on highway safety, subject to a £5,000 contribution towards the monitoring of an approved travel plan and £15,000 towards providing zigzag lines across the front of the site.

The applicant's supporting documentation indicate that the site would be used as a one form entry school with a nursery. There would be 30 children per class per primary year, resulting in a total of seven classes for the children aged between 4 and 11. In addition to this there would be 30 children in the proposed nursery. This would result in a total of 240 children at the school. In this instance it is considered necessary that a legal agreement be provided to restrict student numbers to a maximum of 247 children at the school. Subject to the provision of the legal agreement, the proposal is not considered to impact adversely on the adjoining highway.

Flood Risk

The application site is located in flood zone 2 and 3A with the silk stream directly to the rear of the site. The applicant has submitted supporting information to assess the potential for flood risk and demonstrate mitigation measures. The Environment Agency has been consulted and following discussions with the applicant, the response received from the Environment Agency has stated that there is no objection to the proposal. As such, based on the information submitted there is no objection to the proposal on the grounds of flood risk.

Sustainability

The applicant has submitted an Energy and Sustainability Report which indicates that the application site is currently certified at a standard of BREEAM Very Good. The building will utilize photo voltaic panels on its roof. In the event of approval a condition should be attached requiring the building to achieve BREEAM 'very good' standard.

Section 106 Contributions _

The applicant has agreed to provide the following contributions through a legal

agreement:

- £15,000 towards zigzag lines on the front of the site
- £5,000 towards the monitoring of the Travel Plan

Other material planning considerations

There are trees on the site but these are not subject to Tree Preservation Orders. The council's trees department have been consulted and the response received has stated that there is no objection to the proposal on the grounds of trees. However, in the event of approval, conditions should be attached requiring a landscaping plan to be agreed prior to the commencement of development.

The applicant has submitted an ecology assessment which identifies the need for bat surveys on the site prior to the commencement of any development. This should be attached as a condition in the event of approval.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The concerns raised have been addressed in the considerations above.

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

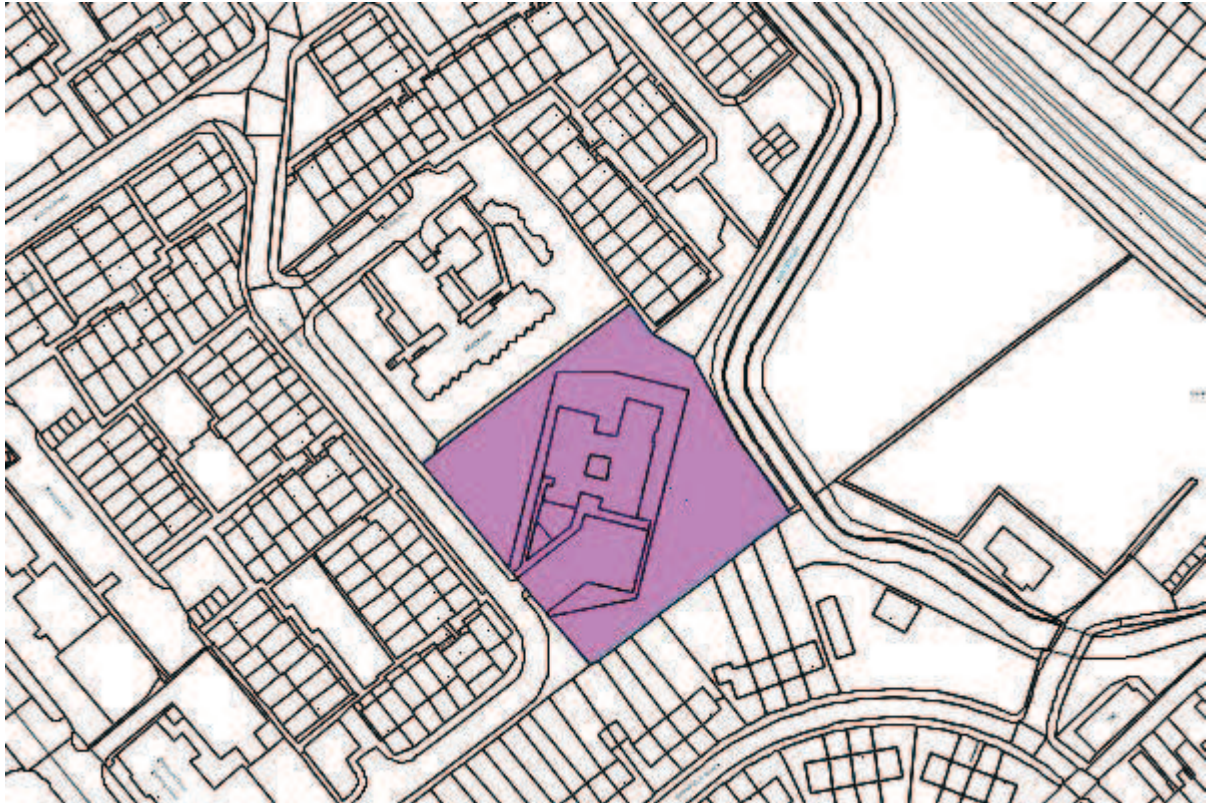
The application is recommended for Approval subject to conditions and the submission of a completed Section 106 legal agreement.

SITE LOCATION PLAN:
Middx, HA8 0AJ

Child Guidance Centre, East Road, Edgware,

REFERENCE:

H/02051/14



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LOCATION: Garage site at Green Lane, London, HA8

AGENDA ITEM 11

REFERENCE: H/04042/14

Received: 26 July 2014

Accepted: 25 July 2014

WARD(S): Edgware

Expiry: 19 September 2014

Final Revisions:

APPLICANT: Barnet Homes

PROPOSAL: Demolition of existing garage blocks and erection on 1no. bungalow and 2no. two storey dwelling houses with associated car parking, cycling storage, refuse and recycling area.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: GA_P_10 Rev. A, GA_P_11 Rev. B, GA_P_01 Rev.C, GA_E_01 Rev. B, GA-E-02 Rev.B, GA-E-03 Rev.C, GA_P_02 Rev.A, Design & Access Statement, GA_P_00 Revision B, Sheet 1 of 2, Sheet 2 of 2, 1417.

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 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 building(s) hereby permitted shall not be extended in any manner whatsoever.

- Insertion of windows in the first floor side elevations or roof of the two storey houses hereby approved.

Reason:

To ensure 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 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 sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

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

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the

Adopted Barnet Core Strategy DPD (2012).

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

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

- 16 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 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 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.

- 19 The development shall be implemented in accordance with the layout shown on the approved plans in all respects and permanently retained thereafter.

Reason: To ensure that the development has an acceptable impact on the amenities of future occupiers in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies 2012.

- 20 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 Green Lane Garages HA8 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).

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 £9,205 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 £35,055 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/whattos>

[bmit/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:

None Relevant

Stonegrove Estate Regeneration

Consultations and Views Expressed:

Neighbours Consulted: 80 Replies: 3
Neighbours Wishing To Speak 0

2 objections and 1 comment were received.

The comment can be summarised as follows:

- Garages are a blight on the landscape
- Garages cause trouble, antisocial behaviour, fires etc.
- Query over whether land adjacent to the access is part of development as this is currently used to park a car.

The objections raised may be summarised as follows:

- The houses obstruct views from neighbouring houses
- Bungalows would be more in keeping with local density
- Loss of privacy
- Loss of light

Internal /Other Consultations:

Highways - Comments will be reported in the addendum to the report.

Date of Site Notice: 07 August 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a garage block on the west side of Green Lane. The site is located in a residential area, with two storey residential dwellings on Green Lane and Kings Drive to the north and west. A footpath links the site to Kings Drive. The site currently is occupied by garages that are understood to be disused.

Proposal:

The proposals are for a pair of two storey dwellinghouses and bungalow.

The dwellinghouses would be laid out as a pair of semi-detached two storey dwellings, with gardens to the south. Access would be provided from Green Lane. The bungalow would be sited to the north of the access.

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 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

The proposals include a two storey pair of semi-detached dwellings and a bungalow.

The proposals would respect the constraints of the site and would not amount to overdevelopment. The surrounding area consists of two storey dwellinghouses and the proposals would be in keeping with this character. The height of the buildings is not considered excessive.

It is not considered that the proposed dwellings would harm the character or appearance of the streetscene or general locality.

Whether the proposals would harm neighbouring amenity

The proposed houses would be 4m from the side boundaries to 124 Kings Drive and 143 Green Lane. The houses would be sited at the rear of the garden at no.143 Green Lane but sited away from the boundary. They would be sited to the rear of no.124 Kings Drive and a distance of from the boundary. No windows are proposed in the flank elevations.

The bungalow would be sited to the rear of no.147 Green Lane and would maintain a distance of 4m from the boundary with no.147 Green Lane. Given the single storey design of the building it would not appear overbearing from neighbouring gardens or cause harmful overshadowing or loss of light.

The proposed buildings would not appear overbearing or visually dominating given the distance away or cause materially harmful loss of light or outlook.

The proposed houses would provide a distance of 11m to the rear boundary with 38 Kings Drive and over 30m to the windows of this property that are at an angle. This would comply with overlooking distances in relation to neighbouring windows and gardens.

The proposed refuse stores would be sited to either side of the houses.

The proposed bungalow would have a view to the rear of the fence to the neighbouring property to the rear. Whilst the distance of 4.5m is relatively short in terms of outlook it is not considered that this would be so harmful as to warrant refusal of the application. It is not considered that there would be harmful overlooking given that the building is at single storey level.

It is noted that the distance between the front living area of the kitchen of the houses and the bathroom front of the bungalow is 13m. This is less than the 21m normally sought to prevent direct overlooking between habitable windows. However, given that the bungalow has a bathroom window no overlooking would result. The bungalow would be sited away from the facing window of the western dwelling within the pair so no direct overlooking would result. There would be an access road between the proposed bungalow and houses. Taking this into consideration it is not considered that any material overlooking of future residents would occur.

The proposed dwellings would comply with standards in the Mayor's London Plan. Approximately 70 square metres of amenity space would be provided for the bungalow and 154 square metres for the houses. Whilst the garden for the bungalow would be comparatively small it would still comply with the requirements of the Supplementary Planning Document on Sustainable Design and Construction in relation to private amenity space.

Whether the proposals would harm highway and pedestrian safety

The proposals make provision for five parking spaces in association with the development. The development would make use of the existing access to Green Lane.

The proposals would accord with policy DM17 of the Adopted Barnet Development Management Policies 2012. This requires that new development provides up to 1 space for 1 bedroom units 1-1.5 spaces for two/three bedroom flats and 1.5-2 spaces for houses. The proposals would comply with these standards.

Refuse storage is provided within the development but a suitable collection point needs to be agreed.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report

Query over whether land adjacent to the access is part of development as this is currently used to park a car. - *It is acknowledged that the existing resident of no.126 Kings Drive, parks their car on a grass verge that is accessed through the site. This does not appear to be a designated parking area and falls outside the site boundary. The applicant has advised that there are no formal access rights over the site.*

The houses obstruct views from neighbouring houses - *The loss of a view is not a material planning consideration. The visual impact is considered in the report.*

Bungalows would be more in keeping with local density - *The density of the scheme is considered appropriate*

4. EQUALITIES AND DIVERSITY ISSUES

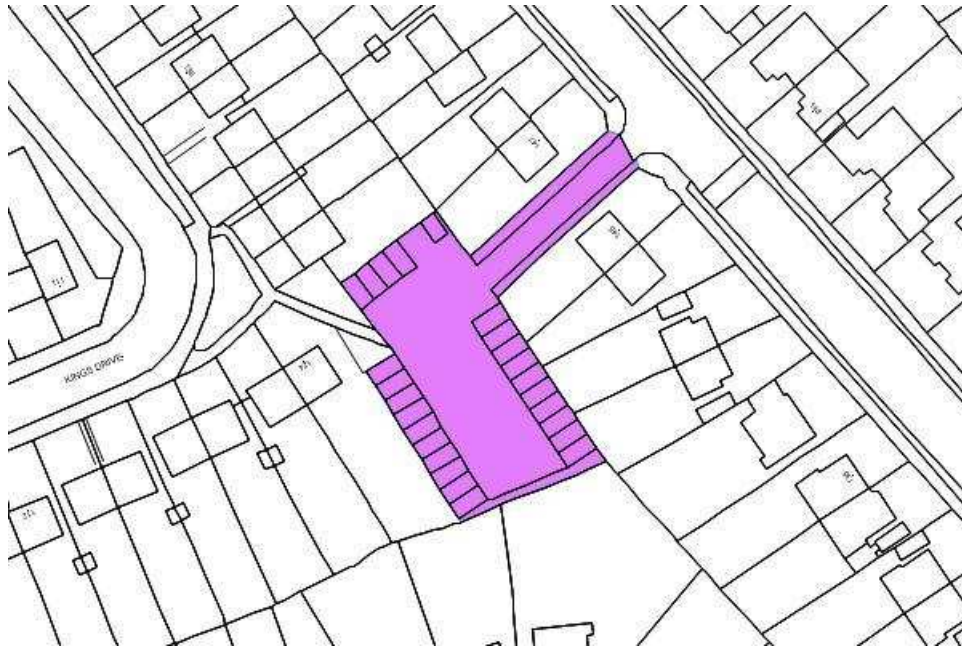
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: Garage site at Green Lane, London, HA8

REFERENCE: H/04042/14



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LOCATION: Land adjacent to Wade Court, Alexandra Road London, N10
2EX **AGENDA ITEM 12**
REFERENCE: B/04000/14 **Received:** 24 July 2014
Accepted: 30 July 2014
WARD(S): Coppetts **Expiry:** 29 October 2014

Final Revisions:

APPLICANT: Barnet Homes

PROPOSAL: Erection of new part 2 part 4 storey building to create 10 no. self-contained flats, including off-street parking spaces, refuse/recycling facilities and cycle stores.

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, LBB-SMP 100, LBB-SMP 101 A, Parking survey by Richard Jackson, LBB-SMP 200 A, LBB-SMP 201, LBB-SMP 202 A, LBB-SMP 050, LBB-SMP 210, LBB-SMP 203 A, LBB-SMP 010, LBB-SMP (0) 9250, Topographical survey, 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).
- 3 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.
- 5 Before the development hereby permitted is occupied the parking spaces/garages shown on Plan LBB SMP 050 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.
- 7 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.

- 9 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.

- 11 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).

- 13 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).

- 15 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).

- 16 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.

- 17 Before the development hereby permitted is occupied, details of the sub-division 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).

- 18 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.

- 19 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).

- 20 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.

- 21 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.

- 22 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.

- 23 The dwelling(s) shall achieve a Code Level 4 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) 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 4 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with 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).

- 24 Prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space 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.

- 25 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).

- 26 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.

- 27 Before the development hereby permitted is occupied, a sustainability and energy statement shall be submitted and the development implemented in accordance with these details and permanently maintained thereafter.

Reason: To ensure that the development is compliant with policies 5.2 and 5.3 of the Mayor's London Plan.

- 28 Before the building hereby permitted is occupied the proposed upper floor window(s) in the north and south flank elevations facing Wade Court, and 116 Alexandra 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).

- 29 Only the proposed area marked as a roof terrace on plan LBB SMP 101 A shall be used as such and no other part of the roof above the second storey to the front of the building shall be used as a balcony or sitting out area at any time.

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

INFORMATIVE(S):

- 2 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.
- 4 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).
- 6 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 £27,545 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 £106,245 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.

8 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.

10 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.

12 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.

The following policies are particularly relevant:

- Policy 3.3 – Increasing Housing Supply
- Policy 3.4 – Optimising Housing Potential
- Policy 3.5 – Quality and Design of Housing Developments
- Policy 3.8 – Housing Choice
- Policy 3.9 – Mixed and Balanced Communities
- Policy 5.2 – Minimising carbon dioxide emissions
- Policy 5.3 – Sustainable design and construction
- Policy 6.12 – Road network capacity
- Policy 7.1 – Building London's Neighbourhoods and Communities
- Policy 7.2 – An Inclusive Environment
- Policy 7.3 – Designing Out Crime
- Policy 7.4 – Local Character
- Policy 7.6 – Architecture

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: 1-6, 10-15 & 19-24 Nicoll Court, Sydney Road, London, N10 2RW
Application Number: B/02930/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 08/10/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Replacement windows with new upvc windows.**
Case Officer: Mary Kearns

Site Address: 116 ALEXANDRA ROAD N10
Application Number: C04418
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 13/06/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of single-storey rear extension.**
Case Officer:

Site Address: 116 Alexandra Road London N10 2EX
Application Number: N14448B/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 11/06/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of garage into habitable room including side extension and associated external alterations with first floor side extension above.**
Case Officer: Martin Westwood

Site Address: 116 Alexandra Road London N10 2EX
Application Number: N14448A/05
Application Type: Full Application
Decision: Refuse
Decision Date: 16/06/2005
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension. Conversion of property into two self-contained flats.**
Case Officer:

Site Address: 116 Alexandra Road London N10 2EX
Application Number: N14448/04
Application Type: Full Application
Decision: Withdrawn

Decision Date: 13/01/2005
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension, first floor side extension. Conversion of property from single dwelling house to 2 self-contained flats. Single storey building in rear garden to provide self-contained unit.**

Case Officer:

Site Address: 1-6, 10-15 and 19-24 Nicoll Court, Sydney Road, London, N10 2RW
Application Number: B/03130/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 23/09/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Removal of existing front doors and screens and replacement with GRP doors in white PVCu frames.**
Case Officer: Mary Kearns

Consultations and Views Expressed:

Neighbours Consulted: 246 Replies: 3
Neighbours Wishing To Speak 0

3 objections were received.

The objections raised may be summarised as follows:

- Loss of sunlight and daylight
- Level of consultation inadequate
- The developers should use a contractor who is part of the Considerate Contractors Scheme.
- The proposals result in loss of parking spaces and increase demand. Where will residents of Wade Court park their cars?

Internal /Other Consultations:

- Environmental Health - Comments will be reported in addendum
- Traffic & Development - Comments will be reported in addendum

Date of Site Notice: 07 August 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is land adjacent to Wade Court. The site is currently occupied by parking spaces.

The surrounding area is residential in character, with Wade Court, a four storey block of flats to the south. To the north are two storey semi-detached houses on Alexandra Road. To the west are three storey blocks of flats on Sydney Road with pitched roofs.

Proposal:

The proposals are for the erection of new part 2 part 4 storey building to create 10 no. self-contained flats, including off-street parking spaces, refuse/recycling facilities and cycle stores.

The proposals would comprise of a single block of flats, two stories on the north side closest to no.116 Alexandra Road; increasing to the south side to three and four stories on the south side nearest Wade Court.

The proposed building would be 11.8m high, and 20.5m wide at its maximum. The height would drop to 6.5m on the two storey element. The building would have a flat roof and be L shaped in layout. It would be 19.2m deep on the side nearest Wade Court. On the side nearest 116 Alexandra Road this would project 1.4m further forward but 12m less deep, a total depth of 8.5m. The proposed building would be constructed in red multi brick with recessed window features.

Further to discussions with the case officer, amendments have been made, namely:

- Reduction by brick dimension of 4.275m to the top floor
- Reduction of top floor unit from 2 bedroom to 1 bedroom flat
- 10 units overall (7 x 1 bedroom, 3 x 2 bedroom)
- New arrangement includes incorporating some of the top floor core lobby into the new 1 Bed unit.
- Addition of balcony to front of building at third floor onto part of roof terrace.

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 provision of additional housing units within the borough is a material consideration.

The item has been referred to Planning Committee given that the applicant is Barnet Homes.

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

The surrounding area is mixed in terms of building sizes and designs and the proposals have been designed in a way to pay sufficient regard to this. The proposed building has been set back on the side nearest Wade Court at the top storey in order to ensure a more acceptable relationship to this building, given its prominence within the street. This would achieve an acceptable visual transition and prevent it from appearing overly dominant. Wade Court is a four storey flat roofed building. The proposed building would be somewhat higher than the existing building and set approximately 1.5m forward as amended. It is considered that this can be accommodated within the streetscene without harm being caused.

On the side nearest no.116 Alexandra Road the building would be set down to two storeys so that it is of similar scale to the neighbouring building.

The building is considered to relate acceptably to the buildings to the rear at Nichol Court and on Sydney Road. The proposals would maintain adequate visual gap. There would also be opportunity to provide green amenity space and soften some parts of the site currently in use as hardstanding. The proposed design features traditional materials such as red multi-brick and contrasting tiles/bricks on the recessed areas.

It is considered that the proposals would not have a materially harmful impact on the character and appearance of the streetscene and general locality.

In summary, it is considered that the size, scale, siting and design of the building and layout of the scheme proposed are such that they would adequately respect the character of the surrounding area. The scheme would make effective and efficient use of previously developed land. The overall design quality of the development responds to the site context. The proposal is therefore considered to comply with the relevant design policies set out above.

Whether the proposals would harm neighbouring and future occupier's amenity

Light/Outlook

The proposed part three and part four storey building would be sited alongside the neighbouring building at Wade Court. It is not considered that it would cause harmful loss of outlook or light as perceived from the front windows at Wade Court. The proposed building would extend some 6m forward of Wade Court at ground, first and second floor levels and 1.75m at third floor, a distance of 5.7m away. To the rear it would extend 4m beyond, a distance of 5.7m away. Taking into account that the building is sited to the north of Wade Court it is not anticipated that there would be a harmful loss of light to neighbouring occupiers.

The building reduces to two storeys in height on the side nearest no.116 Alexandra Road. The building would extend some 1.8m rearwards of no.116 some 5.5m from the boundary with this property. The property at no.116 is located to the north of the site. Given the distance away it is not considered that there would be harmful loss of daylight or outlook.

Given the distance from no.251 and 253 Alexandra Road opposite, it is not considered that there would be harmful loss of daylight or sunlight to the occupiers of these properties, or any harmful visual impact.

Overlooking

Whilst the building would in part fail to meet the 21m overlooking standard to the building to the rear (Nichol Court), this part of the building serves a storage area. All habitable rooms would be sited over 21m away. Windows to the side of the building would need to be obscure glazed to prevent any overlooking.

Furthermore, given the distance of flank windows on the upper stories from the boundary to the north with 116 Alexandra Road, it is not considered that overlooking of the rear garden of this property would result. These windows are capable of being obscure glazed in any event given that they serve landings/ are secondary windows to habitable rooms.

It is not considered that there would be overlooking of properties opposite on Alexandra Road.

Visual Impact

It is noted that the proposals would infill a visual gap that is currently present from the rear of houses on Sydney Road. However, given the distance of the building (over 21m) it is not considered that any visual impact would be harmful.

It is not considered that the proposed building would appear unduly overbearing as viewed from neighbouring residential properties, including the rear gardens of Wade Court, 116 Alexandra Road, houses on Sydney Road or the rear windows of Nichol Court.

Future Amenities

Approximately 165 square metres of amenity space would be provided to the rear of the site. Approximately 82 square metres of balcony are also provided. This would be a total of 247 square metres of amenity space for the development.

The supplementary planning document on Sustainable Design and Construction states that 5 square metres of amenity space should be provided in new development. In the case of the development this would be 175 square metres. The SPD states that:

'For flats, options include provision communally around buildings or on roof or balconies.....In calculating amenity space the following areas will not be counted : shared surfaces, driveways, vehicle parking areas or hard standing, cycle storage areas (dirty storage) footpaths, servicing areas and refuse storage areas. In addition outdoor amenity space which does not have a reasonable level of privacy will not be considered to be usable....Where balconies are provided as part of outdoor amenity space they should provide privacy from neighbouring properties.'

Balconies are provided to the rear of the property. An internal screened wall would be provided which would prevent overlooking to neighbouring properties.

All units would comply with the internal space standards within the Mayor's London Plan.

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.

Whether the proposals would harm highway and pedestrian safety

The proposals would result in the loss of parking spaces. The applicant has provided a parking survey in order to try to address concerns relating to loss of parking spaces. It is understood that the existing spaces are not allocated.

In accordance with policy DM17, between 7 and 12 parking spaces would need to be provided for the new development.

The parking survey suggests that the existing car park is occupied by 12-17 spaces over the period measures. The proposals would include a 27 space car park which would provide 27 spaces in total. On the basis that up to 17 spaces are currently occupied, this provides 10 spaces for the new flats which is compliant with policy. Furthermore, the surrounding roads are not subject to any sort of parking restrictions. There is therefore some capacity for surrounding roads to support parking to a limited extent.

It is not considered that the proposals would result in materially increased parking pressures locally that would result in a harmful impact on highway and pedestrian safety.

Sustainability Issues

The proposals would be required as a major application to meet level 4 of the Code for Sustainable Homes, as well as achieving a reduction of 40% in the Target Emission Rate.

Refuse storage would be sited within an internal refuse storage area fronting Alexandra Road.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Loss of sunlight and daylight - *Addressed in main report*

Level of consultation inadequate - *The residents in question have been sent a consultation letter. The objection relates to the number of letters received by each resident.*

The developers should use a contractor who is part of the Considerate Contractors Scheme. - *This is suggested to the applicant*

The proposals result in loss of parking spaces and increase demand. Where will residents of Wade Court park their cars? - *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.

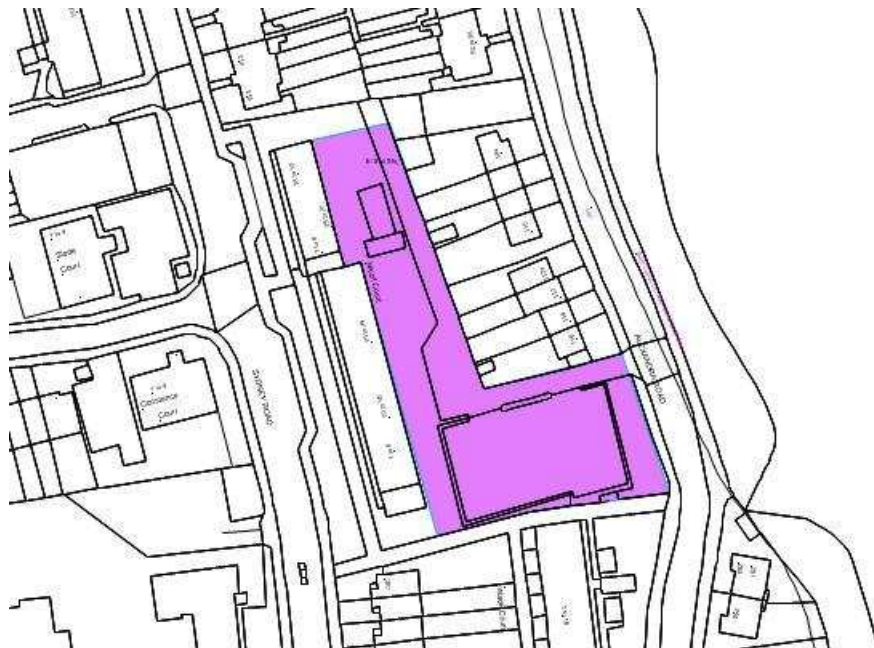
5. CONCLUSION

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

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: Land adjacent to Wade Court, Alexandra Road
London, N10 2EX

REFERENCE: B/04000/14



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	<p>Planning Committee 17 September 2014</p>
<p style="text-align: center;">Title</p>	<p style="text-align: center;">Mill Hill Neighbourhood Plan Area and Forum Application</p>
<p style="text-align: center;">Report of</p>	<p>Martin Cowie – Assistant Director for Strategic Planning and Regeneration</p>
<p style="text-align: center;">Wards</p>	<p>Mill Hill and Hale Wards</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix 1: Application for MHNP Area Appendix 2: Application for MHNP Forum Appendix 3: Responses and Representations Report</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Martin Cowie, martin.cowie@barnet.gov.uk, 0208 359 4514 Nick Lynch, nick.lynch@barnet.gov.uk, 0208359 4211 Rita Brar, rita.brar@barnet.gov.uk, 0208 359 4177</p>

Summary

This report seeks approval for the formal designation of the Mill Hill Neighbourhood Plan Area and Forum. Designation represents the first step for producing a Neighbourhood Plan.

In terms of designation the group must satisfy the Council that it has met a statutory set of basic conditions including membership, constitution and an express purpose of promoting well-being in the neighbourhood area. Officers consider that the Mill Hill applications have met basic conditions. One main issue of concern has been highlighted as a result of the six week formal publicity period. This relates to the inclusion of the Mill Hill Area Action Plan (AAP) as part of the Neighbourhood Forum. The strategic status of the AAP is made clear in Barnet's Local Plan. Any Neighbourhood Plan must be in general conformity with the

strategic policies in the Local Plan. Officers do not consider there is a detrimental impact from inclusion of the AAP area. The Applications can therefore be approved for designation.

Recommendations

- 1. That the Committee approve the designation of the:**
- a) Mill Hill Neighbourhood Plan Area as shown edged black in Appendix 1**
 - b) Mill Hill Neighbourhood Plan Forum as set out in Appendix 2**

1. WHY THIS REPORT IS NEEDED

- 1.1 The Localism Act 2011 introduced a new right for communities in England to undertake Neighbourhood Planning. The Act places duties on local planning authorities to support the preparation of Neighbourhood Plans.
- 1.2 Neighbourhood Plans are statutory planning documents which are prepared by a Parish Council, a community group or an organisation or body known as a “Neighbourhood Forum”. To be designated a neighbourhood forum, the organisation or body should be inclusive and must be made up of a minimum of 21 people who live or work in the area or are elected local authority councillors in the area.
- 1.3 Neighbourhood Plans can establish general planning policies for the development and use of land in a neighbourhood, setting a vision for the future of the area and addressing issues such as the type, design, location and mix of new development. Plans can be detailed, or general, depending on what local people want; and, if appropriate, they can focus on a single planning issue.
- 1.4 Neighbourhood Plans must support growth and should not be used to block development. They must be in general conformity with the strategic policies in the existing development plan (in Barnet this consists of the Local Plan Core Strategy 2012 and the London Plan 2011). They must also comply with other relevant legislation, including EU directives and the Human Rights Act.
- 1.5 In order for a community group to produce a Neighbourhood Plan, they must submit an application to the Council defining their boundary and details of who is involved within the Forum. It is for the community to define the area to be covered by their Neighbourhood Plan and the people who are to be involved in the Forum, although the Council has a role in ensuring that the Forum is engaging with the local community and local stakeholders.
- 1.6 A summary of the process of Neighbourhood Forum designation and Neighbourhood Plan preparation is included in Table 1. It is anticipated that preparation of a full Neighbourhood Plan would take at least two years. This is

likely to be significantly longer depending on the nature of the plan and the capacity of the neighbourhood forum that is leading the process.

2. REASONS FOR DECISIONS

- 2.1 In accordance with requirements of the Neighbourhood Planning Regulations 2012 and Section 61(G) and (F) of the 1990 Town and Country Planning Act , the emerging Mill Hill Neighbourhood Forum has submitted their applications for Neighbourhood Area and Forum designation.
- 2.2 In Summer 2013 interest was first expressed in producing a Neighbourhood Plan in Mill Hill. Through a series of meetings and e-mail exchanges officers have provided support towards designation of the Area and Forum. Mill Hill is the first Neighbourhood Plan to come forward in Barnet.
- 2.3 In accordance with the Localism Act the Council has a duty to support Neighbourhood Planning in terms of the following:
- Designation of Neighbourhood Areas and Forums
 - Advising and supporting Neighbourhood Forums in production of Plans
 - Publicise Neighbourhood Plan proposals
 - Arrange for independent examination
 - Arrange referendums on the Neighbourhood Plan
 - Adopt Neighbourhood Plans, where all requirements have been met.
- 2.4 The proposed MHNP Area (Appendix 1) covers Mill Hill ward and parts of Hale ward. The emerging Neighbourhood Forum (Appendix 2) consider that this area is widely regarded as “Mill Hill” by those who live and work in the area. Following local engagement the proposed boundaries have been subject to a number of changes since Summer 2013.

Mill Hill Neighbourhood Plan Applications

- 2.5 In June 2014, a Mill Hill community group submitted an application to become a Neighbourhood Forum and designate an area to become a Neighbourhood Area under the Neighbourhood Planning Regulations 2012 brought in by the Localism Act. The proposed boundary includes parts of Mill Hill and Hale Wards.
- 2.6 Officers have provided advice on the Applications. As Mill Hill is the first neighbourhood planning application to come forward, the Council is very keen to ensure that different sections of the community are engaged in the process and that the emerging Forum has secured involvement across the whole of their geographic area.
- 2.1 The **MHNP Area** (Appendix 1) includes all of Mill Hale Ward and those parts of Hale ward within the NW7 postal district. The Area map also includes the Mill Hill Area Action Plan (AAP) and the Mill Hill Conservation Area. These planning designations will not be affected by the emerging Neighbourhood Plan proposals. The group believe this is the appropriate area for their

allocated neighbourhood because it is one widely regarded as “Mill Hill” by those who live and work in the area.

- 2.2 The MHNP **Forum Committee** currently comprises 26 representatives of local businesses, residents and Councillors across the 2 wards in the proposed Neighbourhood Area (see Appendix 2). This Committee is considered to be representative of the community with involvement of young, middle and older age groups, of both genders, from different ethnic backgrounds and faiths, all with differing economic means. Mill Hill Neighbourhood Forum has emerged through the Mill Hill Preservation Society, the Mill Hill Residents Association and the Hale Association. The Neighbourhood Forum, while being “independent” is seeking to work closely with these organisations and other local bodies on matters covering the interests of residents and businesses across Mill Hill and Hale (NW7).

Publicity on the MHNP applications for Area and Forum designation

- 2.3 The Council published the applications for the Area and Forum on its website for a period of six weeks from July 15th until August 25th. Hard copies of Applications were available for public inspection at Mill Hill Library and at Barnet House.
- 2.4 In response to the publicity several statutory agencies and regional bodies (English Heritage, the Environment Agency, Natural England, Highways Agency, Transport for London) submitted comments clarifying their roles and responsibilities and highlighted areas of importance for developing a local evidence base. Two local landowners the International Bible Students Association (IBSA) and the Inglis Consortium submitted responses.
- 2.5 The Inglis Consortium is the principal landowner of Millbrook Park and plays a key part in delivery of the 2011 planning consent for 2,170 new homes within the Mill Hill East AAP area. The Inglis Consortium recognises that Neighbourhood Plan policies will not differ from the Mill Hill East AAP and that such policies must be in general conformity with the Local Plan. Nevertheless the Consortium still consider that the inclusion of Millbrook Park and therefore the AAP area within the proposed Neighbourhood Area for Mill Hill would create two area specific plans for the same area and therefore complications will result. No other landowner or developer within the Mill Hill East AAP area (including Transport for London and IBSA) has highlighted this issue.
- 2.6 Officers consider that the relationship between the Local Plan with AAPs as well as Neighbourhood Plans is made very clear in Barnet’s Core Strategy. The Mill Hill East AAP forms an important strategic component of the delivery of Barnet’s Local Plan as well as the London Plan. This clear strategic context will help avoid complications between the Neighbourhood Plan and the Mill Hill East AAP. In addition there are good planning reasons in terms of promoting strong and cohesive communities for integrating the new populations arising within Millbrook Park with the wider area of Mill Hill.

Officers therefore do not consider there is a detrimental impact from inclusion of the AAP area within the proposed Neighbourhood Area.

- 2.7 IBSA who own property on a number of sites within Mill Hill on the Ridgeway including Watch Tower House and IBSA House submitted comments in support of the Application. IBSA highlighted that the future use of such properties are subject to pursuit of relocation opportunities. In response officers have highlighted that the Council will produce a Site Allocations document as part of the Local Plan. Site Allocations provides an opportunity for addressing strategic sites such as Watch Tower House in the Green Belt within the policy framework of the Local Plan Core Strategy. Such strategic matters are addressed through Local Plans rather than Neighbourhood Plans.
- 2.8 The applications for the Mill Hill Neighbourhood Area and Forum have been assessed against the statutory requirements and the responses to the publicity. It is considered that the applications satisfactorily meet all of the statutory requirements. The proposed Forum has secured membership from at least twenty one individuals who live and work in the Area or is an elected member in the Area. They have demonstrated that the membership is drawn from different places in the Neighbourhood Area as well as being from different sections of the community and the application and the constitution submitted shows that the purpose of the Forum reflects the character of the Area. Therefore it is recommended that the applications to designate the Mill Hill Neighbourhood Area and Forum are approved.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 The alternative option is not to support production of a Neighbourhood Plan for Mill Hill. In response to the Neighbourhood Area application the Council is required to designate an Area, although it may when there is sufficient justification, amend the proposed boundaries of the Neighbourhood Area. It is also open to the Council to refuse to designate a Neighbourhood Forum. The Council must set out clear reasons for any refusal. The proposed Forum and Neighbourhood Area are supported by the local community and elected members for Mill Hill and Hale.

4. POST DECISION IMPLEMENTATION

- 4.1 If approved, the Neighbourhood Planning Forum will be able to develop a Neighbourhood Plan or a Neighbourhood Development Order in line with the Localism Act and Regulations. Once complete, the Plan must be submitted to the Council for public examination and voted on in a local referendum before they can be brought into legal effect by Council resolution.
- 4.2 If a Neighbourhood Plan is proposed, the Forum is expected to have produced and adopted the Plan within 5 years. The designation expires after that time period or earlier if the Council considers that the Forum is not meeting the conditions by which it was designated. The Council can withdraw

the Forum's designation (with reasons) at any time if it is considered that it is no longer meeting the conditions of designation.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The three strategic objectives of the 2013-16 Corporate Plan are embedded within the concept of Neighbourhood Plans.

- promote responsible growth, development and success across the borough. *The Neighbourhood Plan will provide a local dimension in Mill Hill which reflects our boroughwide Local Plan priorities*
- support families and individuals that need it promoting independence, learning and well-being. *A basic condition for the Neighbourhood Forum is that it promotes or improves well-being*
- improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study. *The Neighbourhood Plan will give local people more influence over the future of the Mill Hill Neighbourhood Area.*

5.1.2 The MHNP has an important role to play in the delivery of Barnet's Health and Well Being Strategy 2012-15. The production of the MHNP will contribute to building resilience and well-being in families and communities within Mill Hill.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Mill Hill is the first Neighbourhood Plan application to arise in Barnet and there is therefore an element of uncertainty with respect to the financial impact upon the Council.

5.2.2 To date the primary cost to the Council associated with the MHNP application has been officer support time. This has been absorbed by the Planning Policy Team and thus contained within existing budgets. No specific allocation of Council resources has been approved to support expenditure relating to production of Neighbourhood Plans.

5.2.3 Financial support for local planning authorities in areas where Neighbourhood Plans are emerging is currently available from CLG. At present this amounts to £30,000 for non parished areas such as London Boroughs and is payable in instalments as the Neighbourhood Plan progresses to adoption. The first payment of £5,000 will be made following Neighbourhood Area and Forum designation. The second payment of £5,000 will be made following submission of the Neighbourhood Plan for examination. The third payment of £20,000 will be made on successful completion of the examination. This is to support funding of a referendum. Claims are made retrospectively and there is no guarantee that this funding will continue.

5.2.4 Local planning authorities are not required to financially support production of Neighbourhood Plans. According to CLG estimates in 2011 the cost to a Forum of producing a Neighbourhood Plan is between £17,000 and £63,000. Support for Forums is available from CLG's Neighbourhood Planning programme in form of :

- direct support – advice and support, with average value of £9,500
- grant payments – up to £7,000 per Neighbourhood Area

5.2.5 Neighbourhood Plans may also impact on decisions relating to the allocation of CIL (Community Infrastructure Levy). With benefit of an adopted Neighbourhood Plan an area can access 25% of CIL if it is generated as a consequence of the implementation of the Neighbourhood Plan. This money will be retained by the Council but must be spent in accordance with local infrastructure priorities as highlighted in the Neighbourhood Plan.

5.3 Legal and Constitutional References

5.3.1 The Neighbourhood Planning (General) Regulations 2012 set out the procedures for designating an organisation or body as a Neighbourhood Forum. These include specifying:

- the content of an application (Reg. 8)
- what the local planning authority must do to publicise both the application and any designation of a Neighbourhood Forum (Regs 9 and 10)

5.3.2 The Council can designate an organisation or body as a Neighbourhood Forum if it meets the following **Basic Conditions** (s61F, Town and Country Planning Act 1990):

- (i) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the Neighbourhood Area concerned;
- (ii) membership is open to individuals living, or working, in the Neighbourhood Area concerned and Councillors representing that area;
- (iii) there are at least 21 members of whom:
 - lives in the neighbourhood concerned;
 - works there; or
 - is an elected member of the Council representing that area.
- (iv) there is a written constitution; and
- (v) meets any other prescribed conditions.

5.3.3 Only one Forum can be designated for a Neighbourhood Area. It is open to a Forum to voluntarily withdraw its designation. Otherwise the designation expires after five years. The Council may withdraw this designation earlier if it considers that the Forum is no longer meeting:

- the conditions by which it was designated.

- any other criteria that the Council were required to have regard to when making the designation.

5.3.4 In accordance with section 61G(2) and Schedule 4C(5)(1) of the 1990 Act, the Council should aim to designate the area applied for. It is able to refuse a designation if it considers that a specified area was not an appropriate area to be designated as a neighbourhood area and must set out reasons for doing so. If the Council refuses an application for designation of a neighbourhood area, then section 61G (5) of the 1990 Act requires that it must exercise its power of designation so as to secure that some or all of the specified area forms part of one or more designated neighbourhood areas.

5.3.5 Council Constitution, Responsibility for Functions, Annex A sets out the terms of reference of the Planning Committee including 'Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning'.

5.4 Risk Management

5.4.1 Neighbourhood Planning raises a number of potential risks for the Council to consider. This includes : capacity of communities to maintain momentum on Neighbourhood Plan production; demands on Council resources to support Neighbourhood Planning and fulfil legal duties; the risk that Neighbourhood Plans could fail at final referendum stage, resulting in community disillusionment with the process.

5.4.2 Neighbourhood Plans may require a Strategic Environmental Assessment during preparation, depending on their focus and content. This will need to be assessed on a case by case basis.

5.5 Equalities and Diversity

5.5.1 The Forum preparing the Plan have the opportunity to engage properly with the wider community right through the plan-preparation process, to make sure it genuinely represents the local area. The Council has encouraged the emerging Mill Hill Forum to ensure membership reflects the character and diversity of the local population.

5.5.2 The requirement for equalities impact assessment needs to be considered on a case by case basis as further proposals for Neighbourhood Plans come forward.

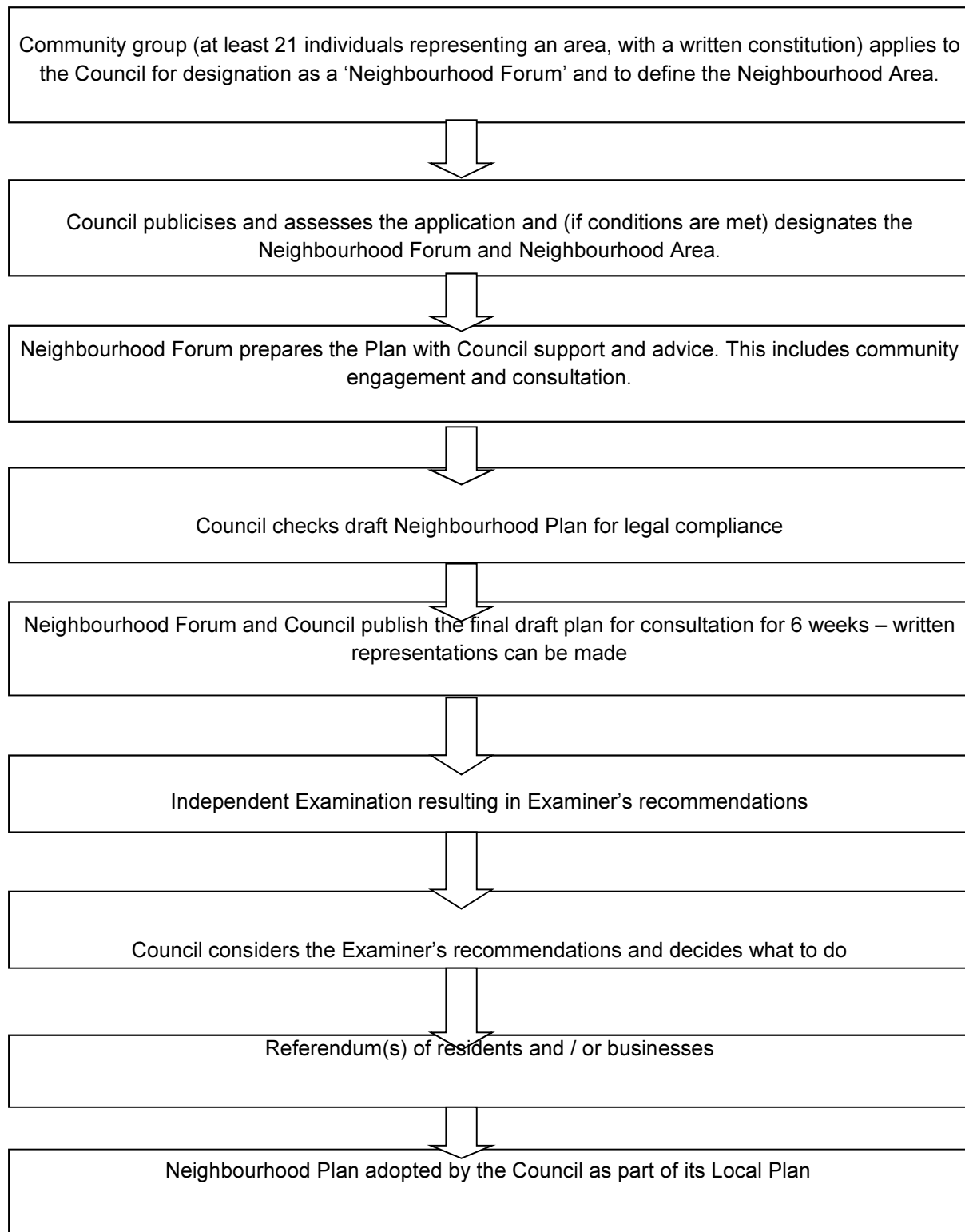
5.6 Consultation and Engagement

5.7 The Council has a duty to consult on the emerging Neighbourhood Plan and inform public accordingly.

6. BACKGROUND PAPERS

- 6.1 Council, 11 September 2012 (Decision item 4.1) approved the Local Plan Core Strategy and Development Management Policies for adoption.
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=6671&Ver=4>

Table 1: Summary of the Neighbourhood Plan preparation process



Document 1

Application for Neighbourhood Area designation

Introduction

This application for Neighbourhood Area designation is submitted to the London Borough of Barnet under the Neighbourhood Planning (General) Regulations 2012. In the accompanying **Document 2** there is an application for Neighbourhood Forum designation for the Mill Hill Neighbourhood Forum

Mill Hill Neighbourhood Forum wants to submit for consideration an application for designation of a Neighbourhood Area. The Neighbourhood Planning (General) Regulations 2012 state that where a relevant body submits an application for designation of a Neighbourhood Area to the local planning authority it must include:

- 1) *a map which identifies the area to which the area application relates;*
- 2) *a statement explaining why this area is considered appropriate to be designated as a Neighbourhood Area; and*
- 3) *a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.*

This application addresses these requirements as follows:

Application

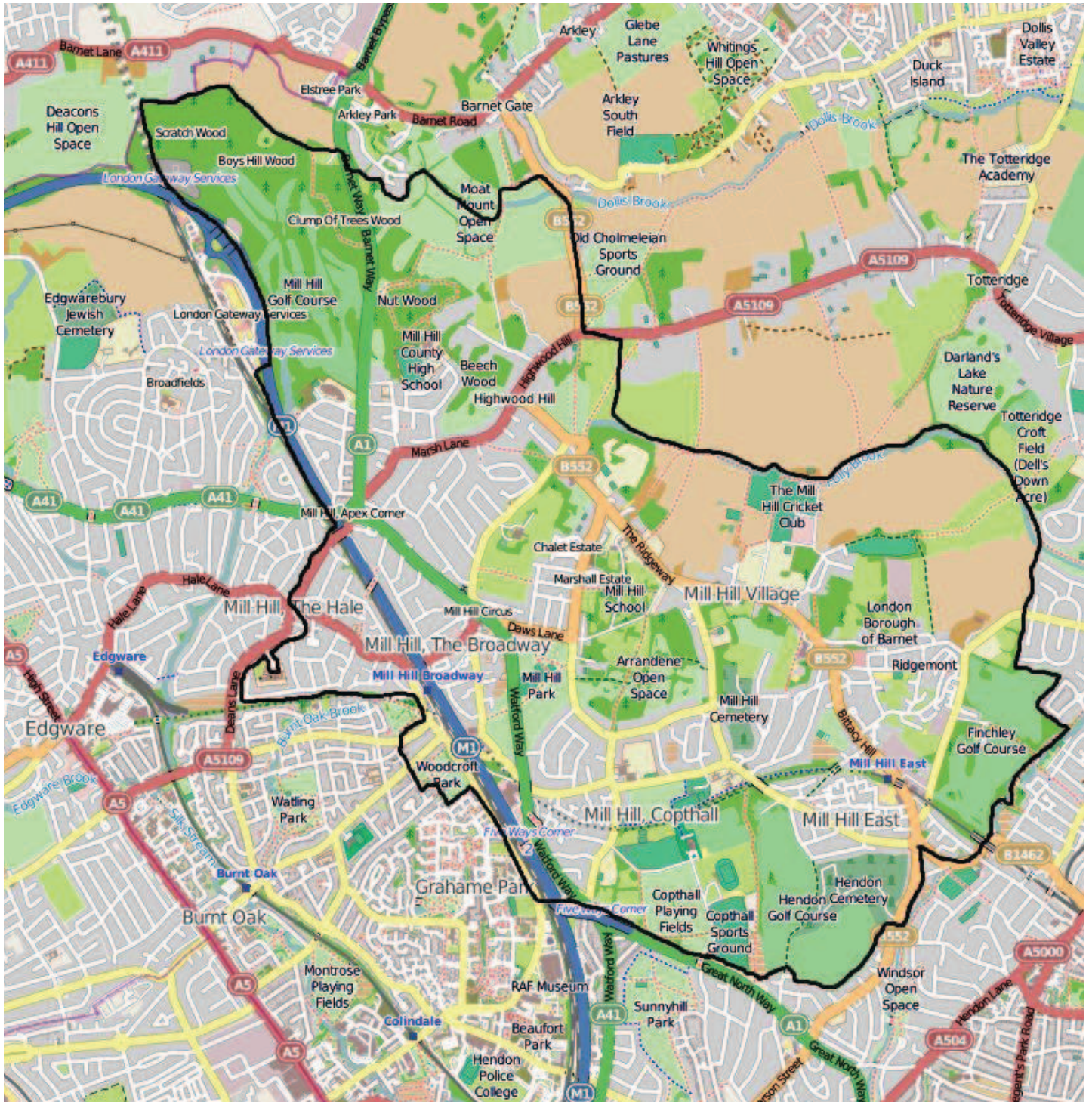
Addressing points 1) and 2) above, The map below shows the proposed Mill Hill Neighbourhood Area as covering the whole of Mill Hill Ward and the NW7 Postal codes within Hale Ward.

A statement is included that explains why it is important to designate this area as a Neighbourhood Area.

It is worth noting that we considered a smaller area based simply around Mill Hill Broadway, but this was rejected as it became obvious that the principal users of Mill Hill Broadway, live throughout NW7 and there needs to be an integrated plan for the whole of NW7 to effectively take the area forward. Our initial committee meetings determined that a piecemeal plan for a part thereof, would not be appropriate, and would not be supported by residents who wanted any plan (NDP) to be holistic. The committee (see Neighbourhood Forum application) has therefore been selected from people living across NW7. In our deliberations we found that NW7 actually is present in 8 different wards and for this reason the very fringes of NW7, where it roams into Underhill, Colindale, Burnt Oak, West Finchley, Totteridge and Finchley Church End, have not been included in our Area for Designation. Further the proposed area is able to be described with ease and provides local recognition/understanding.

Hence, the Neighbourhood Area application covers the wards of Mill Hill and the NW7 post codes within Hale ward. It is understood, through consultation, that the residents/businesses within HA post codes in Hale Ward, associate themselves with Edgware rather than Mill Hill. Notably the Hale Association and one of the Hale Councillors confirmed our findings in this regard. A subsequent conversation with another Hale Councillor further agreed this area view. We have distributed 1500 paper copies and many additional electronic copies of the publication attached as Appendix A, and discussed the proposed area designation with many local residents and business owners. We have not received a single negative comment during these discussions regarding our proposition! People have been really supportive, and agree that this activity really needs to take place for the future benefit of Mill Hill overall.

Map of proposed Mill Hill Neighbourhood Forum Area



Many actually see Mill Hill as being divided currently into three areas; namely Mill Hill Broadway, Mill Hill East and Mill Hill Village. Through this initiative we hope to bring these three parts back together where ever possible for community cohesion, and economic development. The development of an integrated plan is critical if we are to achieve this.

The proposed area for the Neighbourhood Area includes Mill Hill Broadway (“the Town Centre”), Hale Lane, Flower Lane, Daws Lane, and Pentavia Retail Park off the Watford Way. The area is characterised by a mix of residential, commercial and retail, and includes the Granard Business Centre and the Mill Hill Industrial Estate / Bunns Lane Works in Bunns Lane. The Midland Main Line railway, the M1 motorway and the A1/A41 trunk route run through the area. The proposed Neighbourhood Area benefits from many open spaces, Green Belt land, and a Conservation Area

Mill Hill Broadway is the main hub of the proposed Neighbourhood Area, with a wide shopping offer and a strong historic identity. This is a suburban district, which developed from the 1890s onwards, and especially in the early part of the 20th century, after the arrival of the Midland Railway station in 1868. The Broadway itself is now an important local retail area with numerous shops and cafes and transport links. Central London can be reached in 20 minutes.

Changing Landscape

The majority of Barnet’s growth is focused to the West of the Borough and includes 2500 new dwellings in the Mill Hill East Area Action Plan. It is not our desire to change or amend the MHEAAP. We do however intend to include the new residents as they occupy the Millbrook Park site, in our consultation exercises, in an attempt to provide where possible access to the amenities they need to help them enjoy their lives within the wider community across Mill Hill and Hale (NW7).

We will see huge developments in Colindale & Cricklewood and a major expansion of Brent Cross shopping centre. Additionally Edgware, Wembley (LB Brent, but close-by) and Chipping Barnet shopping centres are being upgraded extensively. With much happening in neighbouring areas all around Mill Hill, we need through the Neighbourhood Plan to attract investment into our area, without relying on others to do it for us! The arrival of Saracens RFC was considered a mixed blessing initially but they are largely seen as a good new asset in Mill Hill ward and their contribution to the wider community is being realised across NW7. This is an example of how the right investment can benefit all.

The National Institute for Medical Research (a 40 acre site to be vacant in its current purpose by 2016) and Watchtower House are identified in Barnet’s 2006 UDP as Major Developed sites in the Green Belt where exceptional, limited infilling or redevelopment may take place. Through our Neighbourhood Plan we will work to ensure that any such developments are sympathetic to the special character of Mill Hill, and reflect the interests of the local community.

There will be many other development proposals to consider and the Neighbourhood Plan will provide a local planning framework which will guide local development. In developing the Mill Hill Neighbourhood Plan we will work with developers to help them to build new facilities that are distinctive, which will improve and not detract from the character of this leafy North London suburb, and provide appropriate infrastructure to support their developments successful integration into the area.

It is clear that Mill Hill Town Centre is not a specific priority for attention within the London Borough of Barnet’s Local Plan-Core Strategy or the Mayor’s’ London Plan. While this may be understandable in some aspects, it is the objective of this Forum is to supplement these plans with the specific requirements of the residents of Mill Hill and Hale (NW7), and to ensure the area has the ability to compete commercially and flourish as an attractive neighbourhood into the future. We recognise, the need to harmonise with the NPPF, The Mayor’s’ London Plan and Barnet’s Local Plan-Core Strategy and the requirement to clarify the needs of local people in an integrated Neighbourhood Development Plan (NDP).

Summary

These existing characteristics and the pressures for change need to be considered across Mill Hill ward and the NW7 parts of Hale ward, in order to create a strategy to manage future growth in a way which enhances the role of the town centre, while maintaining the special character of the area and benefitting local residents and businesses, into the future. Mill Hill is a relatively affluent area and the proposed Neighbourhood Area and Forum, needs to better serve the requirements of the residents

across Mill Hill and Hale (NW7) for retail, leisure, employment, housing, transportation (including parking) health, education, recreation, visual amenity and other elements of community infrastructure and including events for all to enjoy. The Neighbourhood Area needs to attract investment to deliver the necessary developments to meet these objectives. We want this future growth to be supported by appropriate infrastructure which will, in the future, be attractive to all residents, right across the designated area and we hope to make it easy for all to enjoy their multi-cultural community to the full.

Our Neighbourhood Forum will strive to address the issues highlighted above (and in other reports/opinions published recently regarding the future of Suburban Town Centres,) such that in consultation with the residents and businesses of Mill Hill and Hale (NW7) we can together build a better and sustainable place for all to enjoy.

Relevant Body

Addressing point 3 above, this application is submitted on behalf of the proposed Mill Hill Neighbourhood Forum, a relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act. The proposed Mill Hill Neighbourhood Forum is a body established for the express purpose of promoting and improving the social, economic and environmental well-being of the proposed Neighbourhood Area.

Mill Hill Neighbourhood Forum has been formed through discussions with the Mill Hill Preservation Society (MHPS) and from such concepts; interest was raised through other organisations, including the Mill Hill Residents Association (MHRA), and the Hale Association. The Neighbourhood Forum, while being “independent” will work closely with these organisations and other local bodies on matters covering the interests of residents and businesses across Mill Hill and Hale (NW7). The idea of the Mill Hill Neighbourhood Forum has been discussed with members of these organisations in their public meetings and our brochure has been distributed to their members. Consistently the feedback received, has been very positive and all have agreed in the need to produce an integrated and holistic plan for NW7.

The Forum Committee

As a consequence, individuals, who have a passion for developing Mill Hill for the benefit of the community, have come together to form the Forum Committee. Additionally we have the support of Saracens RFC (based in Mill Hill ward) and their Stadium Director is one of the Forum’s committee members.

The Forum Committee currently comprises 26 representatives of local businesses, residents and councillors across the 2 wards in the proposed neighbourhood area. This committee is representative of the Community at large since it includes, young, middle and older age groups, of both genders, from different ethnic backgrounds and faiths, all with differing economic means. A map showing where the Committee Members live is provided in our Forum application (Document 2).

Forum Membership

Further through the membership of the MHPS (900 approximately) and the MHRA (300 members), after eliminating duplication, we already have an additional 1000 members of the proposed Neighbourhood Forum. Membership of the Neighbourhood Forum will be open to all residents and to businesses operating in Mill Hill and Hale (NW7) together with other interested bodies to be determined.

Recent activities

We have produced a “brochure” (as Appendix A attached) in which we explain the concept of a Neighbourhood Forum including the processes we will perform. The brochure outlines the direction of the Neighbourhood Forum and shows the boundaries of the proposed Neighbourhood Area, This is available as a .pdf file for electronic communications. Additionally we have printed 1500 copies of a folding A5 size document (with the same text) that can be handed to Residents, Business Owners and other interested parties within our proposed Neighbourhood Area. There has been a marked reluctance amongst

business owners and public bodies alike to engage with us, to tell us their future plans, while we do not have a legal standing. We have not detected that this reaction is in anyway negative; more that it is a demonstration of healthy scepticism as several alternative approaches to consultation have been tried in the past and the concept of Neighbourhood Planning is unfamiliar/unproven yet. Most have however indicated their willingness to engage, when we are formally designated as a Neighbourhood Forum by the Local Council. Meetings to discuss this activity have also been held with Matthew Offord MP for Hendon Constituency (which includes NW7) and with Andrew Dismore GLA Member for Barnet.

We have built a website at www.millhillforum.org.uk which will set out our progress as we create the Neighbourhood Development Plan. This will include minutes of Forum meetings, scheme appraisals, consultation efforts etc.

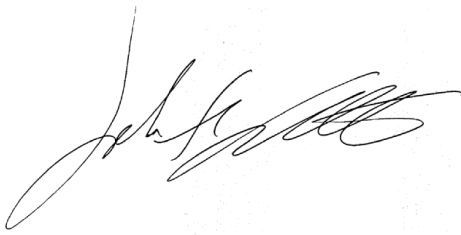
We are also active in a consultation process with major influencers in the area and this will carry on throughout the summer. All have been extremely supportive to date!

Benefit to London Borough of Barnet

Finally we believe the MHNF Committee and members will serve as a very useful independent "Focus Group" available to Council Officers and Developers for consultation on their thinking!

This Neighbourhood Area application is accompanied by an application for Neighbourhood Forum status.

Signed on behalf of **Mill Hill Neighbourhood Forum:**



Name & Position

John H Gillett

Chairman-Designate

Date: **9th June 2014**

APPENDIX A

Brochure

Mill Hill - Welcome to our Neighbourhood



Mill Hill, NW7 in the London Borough of Barnet, is nine miles (14.3 km) north-west of Charing Cross, and is a most desirable place to live and work. Residents benefit from the many green spaces including parks, playing fields, and woods and many examples of architectural splendour; **all of which we cherish!** We have direct access from Mill Hill Broadway mainline station to London, St. Pancras in 15 minutes or from Mill Hill East Northern Line station to Euston in 23 minutes. We have good links to airports at Luton, Stansted, Gatwick, London City and Heathrow and to the road networks through the A1/A41, M1 & M25.

In addition to the numerous green spaces, a wealth of local shops, delis, cafés and restaurants are within easy reach at Mill Hill Broadway. Nearby leisure facilities include three Golf clubs, several Gyms and Sports grounds, including Saracens Rugby Football Club. Mill Hill's schools are renowned for academic excellence.

However, changes are happening all around us and Mill Hill needs to evolve to address the changing needs of our residents and our businesses, going forward. Unless we take action now, **decline is likely** and we need to take charge ourselves, because otherwise we cannot expect the right outcomes to just happen!

The Mill Hill Neighbourhood Forum, has been formed to address these issues.

We will consult with residents and business owners, to address their needs relating to the built and open environment. While principally addressing planning matters, we will consider these within the context of demands for, retail, leisure, employment, housing, transportation (including parking), health care, education, recreation, visual amenity, and community infrastructure, paying attention to reducing our carbon footprint, notably around Mill Hill Broadway Town Centre.

Let us introduce ourselves!

The Forum Committee currently comprises 21 representatives of local businesses, and residents. It is actively supported by one Local Councillor from each of the two wards: Mill Hill & Hale.

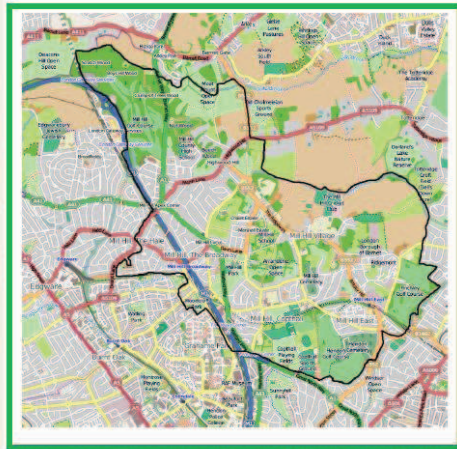
We all have a passion for Mill Hill!

The committee is independent and representative of the Community at large, since it includes, young, middle & older age groups, of both genders, from different ethnic backgrounds and faiths.

Membership of the Forum is open to all residents who live, and all businesses that are based, within the designated area.

(Please see Map alongside)

We want to know your issues about planning and what you see as missing in Mill Hill. We will then try to draw consensus from your inputs, in order to build the Neighbourhood Development Plan (NDP).



The proposed area for our Neighbourhood Development Plan is shown above within the black line. It includes Mill Hill Ward and the NW7 addresses within Hale Ward. There are currently more than 13,000 dwellings within this area, with an additional 2000 new homes being built at Millbrook Park, Mill Hill East over the next 10 years.

We aim to ensure that new development reflects the distinctive suburban qualities of Mill Hill. We will encourage investment to bring the right developments from which the community will benefit.



Your input is really important and we encourage you to please, send us your thoughts, and support us in this important initiative.

Contact us at:

Chairman@MILLHILLFORUM.org.uk



Page 1



Of course a lot is happening in Mill Hill, but not apparently when you search on Google. We will look at developing a "portal" to accurately report all Community activities so that you know what you can enjoy and where you can go for goods and services.

We need to embrace emerging technologies, to, for example make it really easy for people to communicate with each other and with all information sources.

We need to take advantage of developments to reduce our carbon footprint, and to minimise noise and air pollution.

Page 2

So what is a Neighbourhood Forum?

The idea of giving local people more influence over their local environment was established under the Localism Act 2011. Local communities are now able to produce Neighbourhood Plans for their neighbourhood, putting in place a vision and policies for the future development of the area.

A Neighbourhood Plan

is a community-led framework for guiding the future development, regeneration and conservation of an area. A neighbourhood plan is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It may also deal with a wide range of social, economic and environmental issues (such as housing, employment, heritage and transport).

A Neighbourhood Plan will be part of the statutory development plan for the area, if successful at referendum. This statutory status gives Neighbourhood Plans far more weight than some other local documents, such as parish plans, community plans and village design statements.

A Neighbourhood Plan must comply with European and national legislation and must have appropriate regard to national policy and be in general conformity with Barnet's Local Plan and the London Plan.

Neighbourhood Plans do have real legal force!

Your Neighbourhood Forum: "Not just another talking shop!"

Your Neighbourhood Plan, like hundreds of others across England, will be led by an authorised, independent and open, local community organisation, which is formally constituted as a Neighbourhood Forum. This means your community representatives will write the plan themselves in close co-operation with the Council's planning team. The Neighbourhood Plan will carry more weight as a consideration in future planning decisions, effectively giving the local community more influence and control, over the development of their area.



We want your input please, every step of the way!

- We will be building a Community based, Neighbourhood Plan over the next 18-24 months, for the future development of Mill Hill. The NDP will seek to ensure that local residents and businesses benefit from future development. We know it will be hard work and there will need to be compromises in order to satisfy the majority. Please join in and participate to help shape the future of Mill Hill
- Send us an e-mail if you would like to be updated regularly with our progress and hopefully you will attend our events.
- If you have experience in Urban planning and time to help our Committee volunteers, do please get in touch.

Contact us at: Chairman@MILLHILLFORUM.org.uk



Document 2

Mill Hill Neighbourhood Forum (MHNF) submits for consideration, this application for designation as a Neighbourhood Forum.

Introduction

The Neighbourhood Planning (General) Regulations 2012 state that, where an organisation or body submits a Neighbourhood Forum application to the local planning authority, it must include:

- a) the name of the proposed neighbourhood forum*
- b) a copy of the written constitution of the proposed neighbourhood forum*
- c) the name of the neighbourhood area to which the application relates and a map which identifies the area*
- d) contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10*
- e) a statement setting out how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.*

Application

This application addresses these requirements as follows:

- a) The name of the proposed forum is the Mill Hill Neighbourhood Forum (MHNF)
- b) The Constitution for the Forum, as agreed by members of the Forum Committee is shown as Document 3
- c) The Mill Hill Neighbourhood Forum application relates to Mill Hill ward and the NW7 postal codes from within Hale Ward. An application for Neighbourhood Area designation accompanies this neighbourhood forum application. A map is shown as Appendix 1 of Document 1 and in the Constitution, Document 3
- d) The principal contact details for the proposed Forum are as follows:

John H Gillett
Designated Chairman

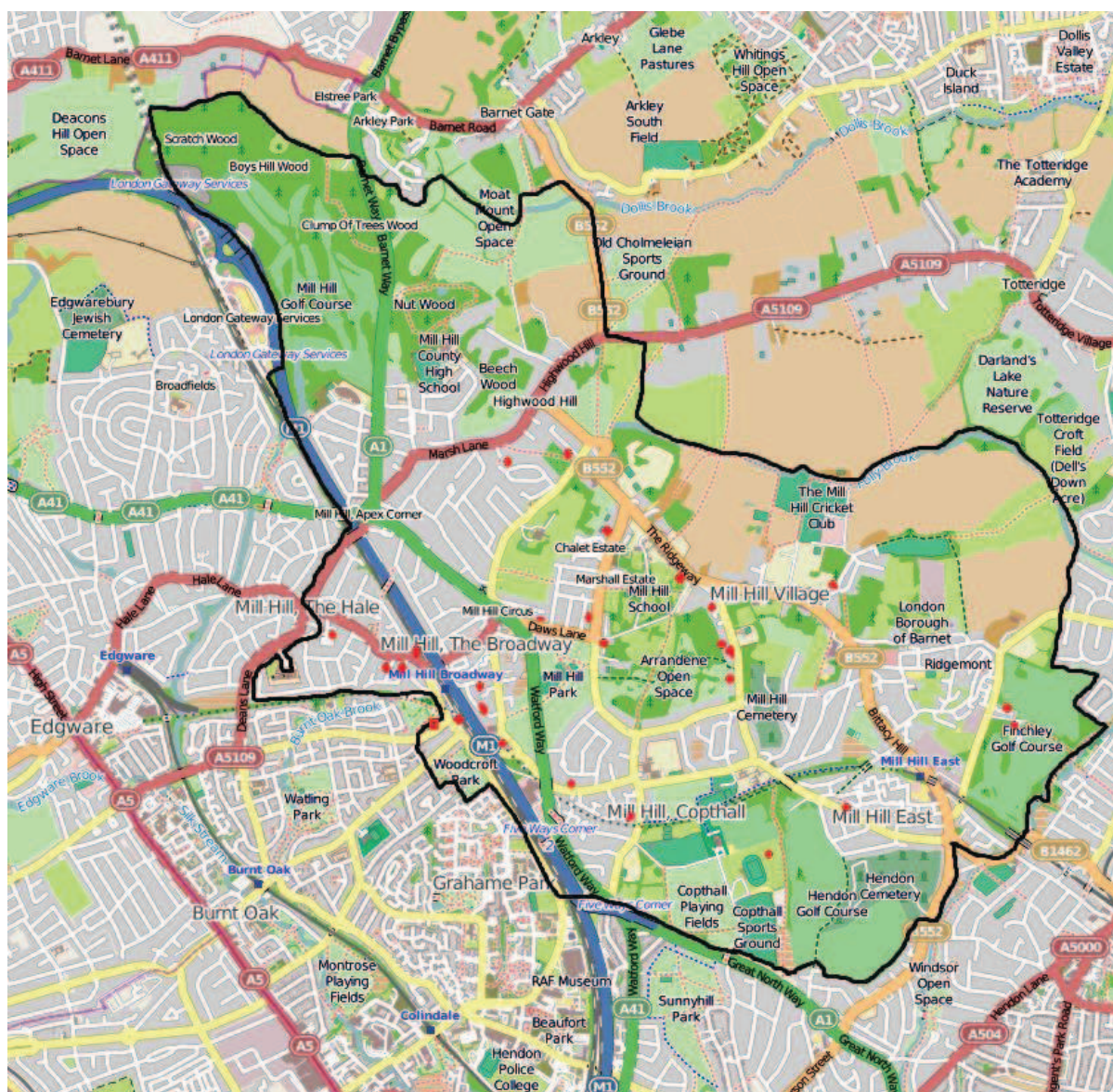
(Contact E-Mail address is chairman@millhillforum.org.uk)

- e) MHNF has been created and will conduct itself in accordance with Section 61F (5) of the 1990 Act.

The **Forum Committee** currently comprises 28 representatives of local businesses, residents and councillors across the 2 wards in the proposed neighbourhood area. This committee is representative of the Community at large since it includes, young, middle and older age groups, of both genders, from different ethnic backgrounds and faiths, all with differing economic means.

Mill Hill Neighbourhood Forum

Map of proposed Mill Hill Neighbourhood Forum Area
(showing location of Forum Committee Members in Red dots)



The red dots on the map above show the location of the Forum Committee Members spread across the proposed designated area, which is shown inside the black line:

The Forum committee members are listed by name and primary experience relative to this activity:

	First Name	Surname	Comments	POSTCODE
1	John	Gillett	MHPS (Cmte) SME Company Director	NW7 2RS
2	Gordon	Banks	Saracens Stadium Director	NW4 1RL
3	Tom	Davey	Hale Councillor,	NW7 2AA
4	Suri	Khatri	Mill Hill Councillor	NW7 1DP
5	Richard	Logue	Chair MHRA. PM-IT Network Rail	NW74BY
6	Clive	Blass	Retail Design Consultant	NW7 3PJ
7	Chris	High	Surveyor	NW7 2RS

Mill Hill Neighbourhood Forum

8	Philip	Morris	Developer/Operator Business Design Centre Islington	NW7 2RA
9	Samson	Simberg	Architectural Assistant	NW7 2JP
10	David	Farbey	Marketing (MHPS Committee)	NW7 1PS
11	Bonnie	Overlander	Retail, Supply Chain specialist	NW7 4NY
12	Zoe	Samuelson	Small Business Owner	NW7 1RD
13	Katie	Gillett	EA – Property Investment Co	NW7 2RS
14	Jonathan	Cumming	IT Support Professional	NW7 4DY
15	Adrian	Freeman	Surveyor	NW7 1PY
16	Susan	Connolly	Housing Association Director	NW7 2DU
17	Roger	Tichbourne	Landowner & operator Mill Hill Music Complex	NW7 2AJ
18	Peter	Neal	Landscape Architect. (MHPS committee)	NW7 2SH
19	Paul	Edwards	Accountant, MHRA Treasurer	NW7 1QY
20	Christina	Rowlands-Wong	Community Leisure Consultant	NW7 4ES
21	Cheryl	Farrow	Architect	NW7 3NX
22	Saul	Marine	Solicitor	NW7 3SA
23	Val	Duschinsky	Mill Hill Councillor	NW7 2AS
24	Ann	Bunyard	Secretary/Administrator	NW7 2AB
25	Stuart	Kershaw	Marketing and Property Management Professional	NW71EN
26	Alasdair	Hill	Teacher (was Lib Dem candidate)	NW7 4SN
27	Kitty	Lyons	Hale Councillor	N32NJ
28	Sian	John	Business Management & IT Professional (was labour candidate MH)	NW7 2AY

Mill Hill Neighbourhood Forum has been formed through discussions with the Mill Hill Preservation Society (MHPS) and from such concepts; interest was raised through other organisations, including the Mill Hill Residents Association (MHRA), and the Hale Association. The Neighbourhood Forum, while being “independent” will work closely with these organisations and other local bodies on matters covering the interests of residents and businesses across Mill Hill and Hale (NW7). The idea of the Mill Hill Neighbourhood Forum has been discussed with members of these organisations in their public meetings and our brochure has been distributed to their members. Consistently the feedback received, has been very positive and all have agreed in the need to produce an integrated and holistic plan for NW7.

As a consequence, individuals, who have a passion for developing Mill Hill for the benefit of the community, have come together to form the Forum Committee. Additionally we have the support of Saracens RFC (based in Mill Hill ward) and their Stadium Director is one of the Forum’s committee members.

Forum Membership

Further through the membership of the MHPS (900 approximately) and the MHRA (300 members), after eliminating duplication, we already have potentially 1000 members of the proposed Neighbourhood Forum. Membership of the Neighbourhood Forum will be open to all residents and to businesses operating in Mill Hill and Hale (NW7) together with other interested bodies, to be determined.

Consultation

We have reviewed the Mill Hill & Hale Ward profiles and the recently produced Place Profiles as provided by London Borough of Barnet. We recognise that across the two wards there are 13060 households and we have deduced that approximately 10,000 households currently exist in the Mill Hill Ward and the NW7 postcodes of Hale Ward. A Place Profile for our specific designated area has been requested. It is our intention to fully engage with all of these households and the businesses in NW7 to encourage their input to the plan. Many local businesses have expressed an interest in becoming members of the Neighbourhood Forum, once we are adopted by the London Borough of Barnet.

We will write to them once we are adopted with a structured questionnaire to best understand from the responses, the issues, ideas, needs and wants. Events will be run at chosen venues across NW7 in an attempt to get further input and once we have a prioritised list of potential projects we will again request feedback from the Community.

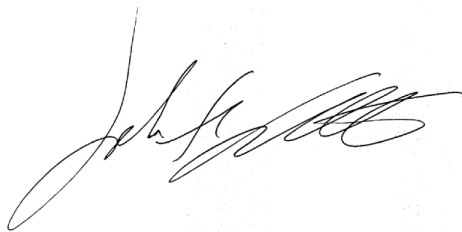
The Neighbourhood Development Plan (NDP)

Our plan will then be documented and will of course be subject to independent scrutiny and finally a referendum. We are conscious that we have to manage expectations, not promise what cannot necessarily be delivered and that we will still not be able to please all of the people all of the time. There will need to be some compromises, but the overriding aim will be to improve NW7 for the benefit of all.

Through this process we believe that we will be able to signpost what developments are required and where such developments will be appropriate, thus making it easier for developers to invest in meeting the needs of the community, safe in the knowledge that they will get a more immediate return on their investments.

Finally, we believe the MHNF Committee and members will serve as a very useful independent "Focus Group" available to Council Officers and Developers for consultation on their thinking!

Signed on behalf of **Mill Hill Neighbourhood Forum (MHNF)**



Name & Position: **John H Gillett, Chairman (Designated)**

Date: 4th July 2014

The proposed **Constitution** for the **Mill Hill Neighbourhood Forum**, is provided as Document 3.

Ref.	Section	Comments	Council's Response
1	English Heritage General comment	<p>The Regulations require English Heritage, as a statutory agency, be consulted on Neighbourhood Plan where the Neighbourhood Forum or Parish Council consider our interest to be affected by the Plan. As English Heritage's remit is advice on proposals affecting the historic environment our comments relate to the implications of the proposed boundary for designated and undesignated heritage assets.</p> <p>The area covered by the proposed Neighbourhood Plan includes a number of important designated heritage assets including the Mill Hill Conservation Area, for which we note the Council produced a detailed <i>Character Appraisal Statement</i> in 2008, and over 50 listed buildings/structures.</p> <p>While the area incorporates numerous heritage assets, the proposed boundary does not raise significant issues for English Heritage. We do not therefore wish to comment in great detail at this stage. We can however offer the following advice and observations:</p> <p>English Heritage is keen to encourage the opportunity to review the local evidence base and promote policies for the positive management of heritage assets as part of the Neighbourhood Planning Process. In developing a robust evidence base, upon which to develop policies which sustain and enhance the positive elements of local character, and their settings, we would encourage the Neighbourhood Forum to identify those areas of which require updating or further analysis.</p>	<p>We welcome these comments from English Heritage.</p> <p>The advice on developing the local evidence base with regard to heritage assets and producing policy for positively managing such assets will be forwarded to the MHNP Forum.</p>

			<p>We would also suggest consulting the Greater London Archaeological Advisory Service, Heritage Environment Record as a primary resource for the identification of heritage assets glher@english-heritage.org.uk. The HER should be able to provide details of not only any designated heritage assets but also locally-important buildings, archaeological remains and landscapes. It may also be useful to involve local voluntary groups such as local Civic Societies or local historic groups in the production of the Neighbourhood Plan.</p> <p>Further guidance on techniques for identifying and managing character and heritage assets are available on English Heritage's website which includes links to the following publications: Good Practice Guide for Local Listing; Understanding Place: An Introduction; and Streets for All. These documents can be viewed at: http://www.englishheritage.org.uk/professional/advice/hpg/historicenvironment/neighbourhoodplanning/</p> <p>In the event of agreement to the designate the proposed boundary and Neighbourhood Forum, we would be happy to comment further on the developing plan.</p>	
2	Environment Agency	General comment	<p>We are a statutory consultee in the SEA process and aim to reduce flood risk and protect and enhance the water environment. We have no objection to the formation of a Neighbourhood Forum. However, based on our review of the draft plan, we think there are environmental constraints that should be acknowledged and addressed within the</p>	<p>We welcome these comments from the Environment Agency.</p> <p>The advice on managing flood risk and water quality and involvement in the development of any Strategic Environment Assessment / Sustainability</p>

		<p>plan. We have identified that the neighbourhood plan is affected by the following environmental constraints:</p> <p>Flood risk The area covered by the Neighbourhood Plan includes land that falls within flood zones 2 and 3. Development should be directed away from these areas. All development should comply with the requirements of the National Planning Policy Framework (NPPF), the Planning Practice Guide and the London Plan: Policy 5.13.</p> <p>Main rivers The following watercourses (designated as 'main rivers') run adjacent to or through the Mill Hill Neighbourhood Plan area.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dollis Brook <input type="checkbox"/> Folly Brook <input type="checkbox"/> Hendon Cemetery Drain <input type="checkbox"/> Oakhampton Road Drain <p>These watercourses are currently failing to reach good ecological status/potential under the Water Framework Directive (WFD) for reasons including, but not limited to; heavy modification and poor ecological and biological status.</p> <p>Developments within or adjacent to a watercourse should not cause further deterioration and should seek to improve the water quality based on the recommendations of the Thames River Basin Management Plan. An assessment of the potential impacts of the neighbourhood plan local watercourses under WFD should be included within any SEA/SA appraisal.</p>	<p>Appraisal of the Neighbourhood Plan will be forwarded to the MHNP Forum.</p>
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			<p>For your information we have published joint advice with Natural England, English Heritage and the Forestry Commission on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf</p> <p>If you have any questions please contact me on 0203 263 8054 or email me at northlondonplanning@environment-agency.gov.uk quoting the reference at the beginning of this letter.</p>	
3	Highways Agency	General comment	<p>Further to your email regarding the Mill Hill Neighbourhood Plan Applications, the Highways Agency confirms that we have no comment.</p> <p>The HA is an executive agency of the Department for Transport (DfT). We are responsible for operating, maintaining and improving England's strategic road network (SRN) on behalf of the Secretary of State for Transport. The HA will be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN.</p>	<p>We welcome these comments from the Highways Agency.</p> <p>Clarification on the responsibilities of the Highways Agency will be forwarded to the MHNP Forum.</p>
4	Transport for London	General comment	<p>TfL has no objection to the establishment of the Neighbourhood Area and Forum in this area promoted by the Mill Hill Forum. TfL does however, have a number of assets and operations within the area including Mill Hill East Underground station, operating bus services, bus stops and stands and roads including the A41 and A1 that</p>	<p>We welcome these comments from Transport for London and look forward to the publication of their neighbourhood planning protocol</p> <p>Clarification on the responsibilities of Transport for London and the development of the</p>

		<p>form part of the Transport for London Road Network (TLRN).</p> <p>The Neighbourhood Planning (General) Regulations 2012 state that consultation will occur through all stages of the neighbourhood planning process with 'people who live, work or carry on business in the area'. Given its very nature, as a transport operator, employer and owner of land, assets and infrastructure across London, TfL would request consultation throughout the neighbourhood planning process.</p> <p>TfL has an interest in facilitating the neighbourhood planning process and to ensure that any local transport aspirations are achievable and compliant with the London Plan and the Mayor's Transport Strategy. In addition this provides an opportunity for TfL to ensure investment is targeted appropriately in relation to neighbourhood plans and that infrastructure which is fundamental to transport operations can be protected to ensure service reliability. TfL is also a landowner and developer.</p> <p>With that in mind, TfL is in the process of developing a protocol to govern its involvement in the neighbourhood planning process and liaison with London Boroughs and neighbourhood forums.</p> <p>TfL therefore encourages the organisation to contact us should their plans or proposals impact on TfL's assets or operations through the development of their plan in order to assist in the development of policies. Information on TfL's assets operations and proposals can be shared</p>	<p>neighbourhood planning protocol will be forwarded to the MHNP Forum.</p>
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5	Natural England	General comment	<p>through this process.</p> <p>National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment. http://www.naturalengland.org.uk/publications/nca/default.aspx</p> <p>Protected species You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.</p> <p>Natural England Standing Advice Local Wildlife Sites You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the</p>	We welcome these comments from Natural England. Clarification on the responsibilities of Natural England and advice on developing a local evidence base will be forwarded to the MHNP Forum.
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		<p>local wildlife site.</p> <p>Best Most Versatile Agricultural Land</p> <p>Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Para 112 of the NPPF states that:</p> <p><i>‘Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality’.</i></p> <p>General mapped information on soil types is available as ‘Soilscapes’ on the www.magic.gov.uk and also from the Landis website; http://www.landis.org.uk/index.cfm which contains more information about obtaining soil data. Opportunities for enhancing the natural environment</p> <p>Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.</p> <p>Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the</p>	
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			<p>incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again at consultations@naturalengland.org.uk</p>	
6	IBSA (International Bible Students Association)	General comment	<p>We wish to commend the applications on a number of points:</p> <ul style="list-style-type: none"> - The proposed Neighbourhood Area has been justified soundly in relation to its ward coverage, where the principal users of Mill Hill Broadway reside, and its local recognition. - The Neighbourhood Forum Committee composition appears sound in terms of its diversity, membership location and relevant expertise. - The application for Neighbourhood Area status demonstrates a strategic awareness of both existing and future development opportunities in the designated area. Whilst reviewing the supporting documentation we have noted that permissible developments within Major Developed Sites in the Green Belt are to be addressed in the Neighbourhood Plan. Watch Tower House is one of the sites mentioned, so it follows that we will take particular interest in this document as it progresses through the consultation stages. <p>As you may be aware, the future use of Watch Tower House, IBSA House and other IBSA owned property is as</p>	<p>We welcome these comments from IBSA.</p> <p>The Council welcomes IBSAs positive comments with regard to working with the Neighbourhood Forum in terms of realising its aspirations for its sites in Mill Hill.</p> <p>The Council will produce a Site Allocations document as part of the Local Plan. This is an opportunity for addressing strategic sites such as Watch Tower House in the Green Belt within the policy framework of the Local Plan Core Strategy. We look forward to IBSA submitting their sites as part of our initial 'call for sites' exercise.</p>

			<p>yet undetermined, as relocation opportunities are being actively pursued. You may have inferred such, bearing in mind past consultations with IBSA regarding the former Inglis Barracks development area. Discussions were eventually curtailed as the full extent of IBSA requirements could not be realised within the already approved outline application for development of the site.</p> <p>With this relocation requirement in mind, major change is highly likely in the current use patterns of IBSA property, and in particular Watch Tower House and IBSA House. When this is aligned with the potential vacation of the National Institute for Medical Research site by 2016, it is clear that future planning policy documents will likely need to accord alternative uses to these sites.</p>	
7	The Inglis Consortium	Area application	<p>The Inglis Consortium (the IC) is the principal landowner and, alongside the phase developers, is responsible for the delivery of the masterplanning of the Millbrook Park site.</p> <p>The Inglis Consortium recognises that consideration has been had to the Millbrook Park site and the Mill Hill East Area Action Plan (AAP) that guided the original outline consent, and continues to guide the delivery of the site as the phases come forward. We note the specific reference made to this within the application and that it is not the Neighbourhood Forum's intention to amend the AAP. However, the IC would request that the Neighbourhood Forum reconsider the current boundary as defined by Appendix 1 to exclude the Millbrook Park site for the reasons set out below.</p>	<p>Officers consider that the relationship between the Local Plan with AAPs as well as Neighbourhood Plans is made very clear in Barnet's Core Strategy. The Mill Hill East AAP forms an important strategic component of the delivery of Barnet's Local Plan as well as the London Plan. This clear strategic context will help avoid complications between the Neighbourhood Plan and the Mill Hill East AAP. In addition there are good planning reasons in terms of promoting strong and cohesive communities for integrating the new populations arising within Millbrook Park with the wider area of Mill Hill. Officers therefore do not consider there is a detrimental impact from inclusion of the AAP area</p>

		<p>The purpose of defining a neighbourhood area is to establish a foundation for the preparation of a Neighbourhood Plan for that area. Once formally adopted, the Neighbourhood Plan will become a statutory plan for that designated area. The preparation of a Neighbourhood Plan must be in accordance with national policies and the Borough's Local Plan.</p> <p>The Millbrook Park site has already been through a similar process following the adoption of the Mill Hill East Area Action Plan. The Mill Hill East AAP forms part of an up to date Local Plan and is site specific to Millbrook Park. The addition of a Neighbourhood Plan to cover the area would result in complications as there would be two area specific plans covering the same area. It would not be possible for Neighbourhood Plan policies to differ from the AAP. If proposed Neighbourhood Plan policies were to conflict with the Local Plan, the Neighbourhood Plan would be rendered unsound. Therefore, a Neighbourhood Plan covering Millbrook Park could only repeat policy already identified within the AAP for this area. Accordingly, there is no need for a Neighbourhood Plan to cover the Millbrook Park site. Although the IC requests that it is not included within the Mill Hill Neighbourhood Area designation, as a key stakeholder and landowner, it would like to express its support as a 'neighbour' to the area designation and emerging Neighbourhood Plan.</p> <p>We trust that this representation is helpful and will be taken into consideration in the progression of the Neighbourhood Area designation and Plan. The IC is happy to meet with the Mill Hill Neighbourhood Forum to discuss this</p>	<p>within the proposed Neighbourhood Area.</p>
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			representation and the request to remove the site from the area designation as currently proposed.	
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