

**MEETING**

**PLANNING COMMITTEE**

**DATE AND TIME**

**THURSDAY 27TH NOVEMBER, 2014**

**AT 7.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ**

**TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)**

Chairman: Councillor Melvin Cohen  
Vice Chairman: Councillor Wendy Prentice

**Councillors**

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

**Substitute Members**

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

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

**Andrew Nathan – Head of Governance**

Governance Services contact: Maria Lugangira 020 8359 2761

Media Relations contact: Sue Cocker 020 8359 7039

**ASSURANCE GROUP**

## ORDER OF BUSINESS

| Item No | Title of Report  | Pages   |
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| 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.      | Reports of the Assistant Director of Planning and Development Management and Building Control: |         |
|         | <b>Colindale Ward</b>  |         |
| 8.      | Building F1, F2, F8, F9 Beaufort Park, Aerodrome Road, NW9 - H/04672/19                        | 7 - 42  |
|         | <b>Hendon Ward</b>   |         |
| 9.      | Middlesex University, The Burroughs, London, NW4 4BT - H/04180/14                              | 43 - 62 |
|         | <b>Underhill Ward</b>  |         |
| 10.     | Cottage Farm, Mays Lane, Barnet, Herts, EN5 2AQ - B/04041/14                                   | 63 - 76 |
| 11.     | Any Item(s) that the Chairman decides are urgent   |         |

### FACILITIES FOR PEOPLE WITH DISABILITIES

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## Decisions of the Planning Committee

29 October 2014

Members Present:-

AGENDA ITEM 1

Councillor Melvin Cohen (Chairman)  
Councillor Wendy Prentice (Vice-Chairman)

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

### 1. MINUTES OF THE LAST MEETING

RESOLVED - That the minutes of the meeting held on 17 September 2014 be approved as a correct record.

### 2. ABSENCE OF MEMBERS

There were none.

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

| Member                    | Item   | Interest declared   |
|---------------------------|--|---|
| Councillor Claire Farrier | The Larches, Rectory Lane, Edgware, Middx, HA8 7LF | A non-pecuniary interest as Councillor Farrier is acquainted with a member of the meeting house adjacent to the property, and has previously heard the views of Linda Edwards prior to the application being submitted. |

### 4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

### 5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

There were none.

### 6. MEMBERS' ITEMS (IF ANY)

There were none.

**7. LONDON ACADEMY, SPUR ROAD, EDGWARE, MIDDX, HA8 8BT - H/04121/14**

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) completion of the section 106 agreement, ii) the conditions set out in the report and (iii) the updates contained with the addendum.

**8. BARNET AND SOUTHGATE COLLEGE, GRAHAME PARK WAY, COLINDALE, NW9 5RA - H/03551/14**

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

The Committee having heard representations from Mr Layi Adeoye, Mr Andrew Dismore AM, Councillor Nagus Narenthira and Mr Simon Miles, agent for the applicant;

**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, (iii) the conditions set out in the report and (vi) the updates contained with the addendum.

Votes were recorded as follows:

|             |   |
|-------------|---|
| For         | 6 |
| Against     | 5 |
| Abstentions | 0 |

**9. FORMER HENDON FOOTBALL CLUB, CLAREMONT ROAD, LONDON, NW2 1AE -H/02747/14**

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

The Committee having heard representations from Ms Luisa Vallejo, Ms Gina Emmanuel, and Mr Steven Gough, agent for the applicant;

**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 (iii) the updates contained with the addendum.

Votes were recorded as follows:

|             |   |
|-------------|---|
| For         | 9 |
| Against     | 2 |
| Abstentions | 0 |

**10. THE LARCHES, RECTORY LANE, EDGWARE, MIDDX, HA8 7LF - H/04468/14**

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

The Committee;

**RESOLVED TO APPROVE the application** (being a reversal of Officer's recommendation), subject to (i) completion of the section 106 agreement, and ii) the conditions and informatives.

**11. 1412 - 1420 HIGH ROAD, N20 9BH - OAKLEIGH WARD**

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

The Committee having heard representations from Mr Thomas Gladstone, Mr Robert Newton, and Mr John Jarvis, agent for the applicant;

**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 (iii) the updates contained with the addendum.

Votes were recorded as follows:

|             |   |
|-------------|---|
| For         | 7 |
| Against     | 4 |
| Abstentions | 0 |

**12. LAND ADJACENT TO WADE COURT, ALEXANDRA ROAD, LONDON, N10 - B/04000/14**

Having considered the report the Committee;

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

**13. MIDDLESEX UNIVERSITY - H0148014**

Having considered the report 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.

Votes were recorded as follows:

|             |   |
|-------------|---|
| For         | 6 |
| Against     | 4 |
| Abstentions | 1 |

**14. BUILDING C7 TO C10, BEAUFORT PARK, AERODROME ROAD, NW9 - H/04184/14**

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.

Votes were recorded as follows:

|             |   |
|-------------|---|
| For         | 9 |
| Against     | 2 |
| Abstentions | 0 |

**THE CHAIRPERSON EXTENDED THE PERIOD FOR THE TRANSACTION OF BUSINESS TO 10.30PM**

**15. WEST HENDON ESTATE, NW9 - H/03991/14**

The Committee noted that a member of the public present at the meeting was refused permission to speak as she was not a registered speaker in accordance with the Public Participation and Engagement rules set out in the Constitution.

The Committee;

**RESOLVED TO APPROVE** a Deed of Variation to the Section 106 Agreement attached to planning permission H/01054/13 to secure the changes set out in the recommendation of the report.

Votes were recorded as follows:

|             |   |
|-------------|---|
| For         | 7 |
| Against     | 2 |
| Abstentions | 2 |

**16. MOTION TO EXCLUDE THE PRESS AND PUBLIC**

That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 12A of the Act (as amended):



The Chairman noted that the item to be considered was exempt under paragraphs 3 and 6 of Schedule 12A of the Local Governments Act 1972 as amended, and not paragraphs 1 and 2 of the Act as was stated on the cover of the published report.

**17. 35A WOODSTOCK AVENUE**

Having considered the report the Committee;

**RESOLVED** - to agree to the modification of the Planning Permission (appendix A) under Section 97 of the Town & Country Planning Act 1990 (as amended), as set out in recommendation 1 of the report.

Votes were recorded as follows:

|             |   |
|-------------|---|
| For         | 8 |
| Against     | 0 |
| Abstentions | 3 |

The meeting finished at 10.20 pm

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**LOCATION:** Building F1, F2, F8, F9, Beaufort Park, Aerodrome Road, NW9

**REFERENCE:** H/04672/14      **Received:** 01 Sep 2014  
**Accepted:** 05 Sep 2014

**WARD:** Colindale      **Expiry:** 05 Dec 2014      **AGENDA ITEM 8**

**APPLICANT:** St George Central London Ltd

**PROPOSAL:** Approval of reserved matters in respect of the design, appearance, and landscaping of building F1, F2, F8 & F9 comprising 383 new homes, with associated landscaping and car parking pursuant to condition 6 of outline planning permission W00198AA/04

### **APPLICATION SUMMARY**

The application is to consider the reserved matters 'design', 'external appearance' and 'landscaping' for blocks F1, F2, F8 and F9 comprising 383 new homes pursuant to condition 6 of planning permission W/00198/AA/04 dated 08/04/05. Previous reserved matters approvals exist for this plot. Compared with the previous reserved matters approval the key changes are to the external appearance and associated adjustments to the internal layout.

In April 2005 Outline Planning Permission (Ref W00198AA/04) was granted for the residential-led mixed use redevelopment of the former RAF East Camp site (now known under the development name of Beaufort Park), following completion of a Section 106 Agreement. The outline consent allows for 2,800 residential homes and approximately 7,850sqm of non-residential and commercial floorspace. A subsequent full planning application was approved in 2009 for an additional 190 homes and 799sqm of non-residential accommodation on the site of the former Listed Watch Tower building which was relocated to the RAF Museum directly to the north of the development. Consequently, the total number of homes approved at Beaufort Park is 2,990 with 8,649sqm of non-residential floorspace.

The outline permission established an overall masterplan which is divided into phases. Detailed designs have been approved for each of the phases through Reserved Matters. A number of phases have been completed and occupied whilst several are presently being constructed. The development is now close to being 50% complete.

Reserved Matters for Block F were previously approved in March 2010 (ref: H/00123/10). In the Reserved Matters approval, Blocks F1, F2, F8 and F9 consisted of 349 homes. The change in unit numbers in the current application is due to design and layout changes.

A separate approval for blocks F3 to F7 was granted in February 2014 (Ref: H/05373/13).

The current application represents the next substantive phase of the Beaufort Park development which is a key development site in the Colindale area. The details submitted are considered to be in accordance with the parameters established by the 2005 outline consent including the EIA. The design would provide a high quality residential environment with an improved appearance compared to earlier phases and yet, still contributing to a cohesive character for the site overall. No significant new, additional or cumulative impacts are identified including any potential impacts to the amenity of neighbours or future occupiers. Nor are there any impacts identified in transport and parking terms. The scheme also makes provision for waste and recycling, as well as energy efficiency/sustainability and landscaping/biodiversity. The application is recommended for approval subject to appropriately worded conditions.

## **RECOMMENDATION**

### **Approve the application subject to conditions:**

#### **1. Approved plans**

The development hereby permitted shall be carried out in accordance with the following approved plans: Prefix: 30213: A-D3-F01-001-01; A-D3-F01-002-01; A-F1-F9-01-000-01; A-F-05-N3-01; A-F-05-S3-01; A-F-04-101-01; A-F-03-003-004-01; A-F-03-005-01; A-F1-F9-05-N3-01; A-F1-F9-05-S3-01; Planning Statement by GVA dated Sep 2014; Design and Access Statement produced by Broadway Malyan dated Aug 2014 (Ref: 30213); Indicative Proposed CGIs document produced by Broadway Malyan dated Aug 2014 (Ref: 30213); URS correspondence dated 29 Aug 2014

Further information:

Drawing prefix: 30213: L-F1-2-8-90-002-02; L-F1-2-8-90-003-02; L-F1-2-8-90-001-02; A-F-03-010-02; A-F-03-009-02; A-F-03-008-02; A-F-03-006-02; A-F-03-002-02; A-F-03-001-02; A-F-03-000-02; A-F1-F9-05-W1-02; A-05-BLOCK F-S2-02; A-05-F1-F9-S1-02; A-F1-F9-05-N2-02; A-F1-F9-05-N1-02; A-F1-F9-05-E1-02; A-F-05-S2-02; A-F-05-S1-02; A-F-05-N2-02; A-F-05-N1-02; A-F-05-W1-02; A-F-05-E1-02; SK-11.08-Wheelchair Provision; SK-11.07-Wheelchair Provision; SK-11.06-Lifetime Homes; SK-11.05-Lifetime Homes; SK-11.04-Lifetime Homes; SK-11.03- Cycling Store Detail; SK-11.02-Cycling and Circulation; SK-11.01-Pedestrian Access – Lifetime Homes Provision; SK-8.08-Building F2 North & West Elevations; SK-8.09-3-Plan and Elevation Study; SK-8.09-02-Plan and Elevation Study; SK-8.09-01-Plan and Elevation Study; SK-8.07-Pop-up Pods; SK-8.06-Entrance-Street; SK-8.05-Entrance-Podium; SK-8.04-Parkscape Entrance; SK-8.03-Window Bay; SK-8.02-Balcony Type 2; SK-8.01-Balcony Type 1; Energist report (Undated); Updated Anstey Horne report dated 14 Nov 2014; Additional Supplementary Information document produced by Broadway Malyan dated Nov 2013 (Doc ref: 30213); Updated URS correspondence dated 30 Oct 2014; Illustrative wire line drawings prefix 30213: A-F-03-106-02; A-F-03-108-02; A-F-03-109-02; A-F-03-110-02; A-F-03-101-02; A-F-03-103-104-01; A-F-03-105-01; A-F-03-107-01; A-F-03-100-02; A-F-03-102-02; A-F1-F9-05-N2-A-02; A-05-Block F-S2-A-02; A-F1-F9-05-N1-A-02; A-05-F1-F9-S1-A-02; A-F1-F9-05-W1-A-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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

**2. Car Parking Management Plan (CPMP)**

Notwithstanding the details shown on the plans otherwise approved, at commencement a CPMP shall be submitted, which includes details on the following items:

- a) Submit swept paths for cars manoeuvring into spaces that are considered narrow;
- b) Provide electric car charging points, not less than 24 (10%) active and 24 (10%) passive spaces;
- c) Charging points to be converted from passive to active, in response to the demand. The applicant must monitor the demand;
- d) Height restrictions, if any;
- e) Submit details for parking space(s) associated with servicing/deliveries; and
- f) Parking controls.

The provisions referred to above as well as the 23 designated disabled parking spaces shall be provided in accordance with the scheme hereby approved.

Thereafter, the facilities shall be maintained in good working order and shall not thereafter be used for any purpose other than parking and turning of vehicles associated with this development.

Reason:

In accordance with the 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.

**3. Cycle Parking**

Notwithstanding the details shown on the plans otherwise approved, at commencement, details of cycle stand types and secure storage areas shall be submitted for the approval in writing of the local planning authority.

Thereafter, the cycle parking and cycle storage areas shall be maintained in good working order and made available to residents at all times for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

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.

#### **4. Privacy screens and obscure balcony balustrade returns**

Notwithstanding the details shown on the plans otherwise approved Block F1, F2, F8 and F9 shall not be occupied until details are submitted to and approved in writing by the Local Planning Authority which specify the details of the privacy screens to terraces and balconies and obscure glazed return balustrading to balconies.

Before the blocks are occupied the development shall be implemented in full accordance with the approved details and shall be permanently retained thereafter.

##### Reason:

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

#### **5. Digital/satellite television equipment**

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

##### Reason:

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

#### **6. Telecomms 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 development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

##### Reason:

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

## **Informatives:**

The informative that it is recommended to be included on the decision notice is set out in Appendix 2 of this report, being a summary of the relevant development plan policies taken into account in making this decision.

### **1. MATERIAL CONSIDERATIONS**

#### **1.1 Key Relevant Planning Policy**

##### Introduction

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

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

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

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

##### National Planning Policy Framework

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.

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

### The Mayor's London Plan July 2011 and updates

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

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

- 1.1 (Delivering the strategic vision and objectives for London)
- 2.2 (London and the wider metropolitan area)
- 2.6 (Outer London: vision and strategy)
- 2.8 (Outer London: transport)
- 2.13 (Opportunity Areas and Intensification Areas)
- 2.18 (Green Infrastructure: the network of open and green spaces)
- 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)
- 3.7 (Large residential developments)
- 3.8 (Housing choice)
- 3.9 (Mixed and balanced communities)
- 5.1 (Climate change mitigation)
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable design and construction)
- 5.6 (Decentralised energy in development proposals)
- 5.7 (Renewable energy)
- 5.9 (Overheating and cooling)
- 5.10 (Urban greening)
- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.15 (Water use and supplies)
- 5.17 (Waste capacity)
- 5.21 (Contaminated land)
- 6.1 (Strategic approach)
- 6.3 (Assessing effects of development on transport capacity)
- 6.7 (Better streets and surface transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.13 (Parking)
- 7.1 (Building London's neighbourhoods and communities)
- 7.2 (An inclusive environment)
- 7.3 (Designing out crime)
- 7.4 (Local character)
- 7.5 (Public realm)



- 7.6 (Architecture)
- 7.7 (Location and design of tall and large buildings)
- 7.8 (Heritage assets and archaeology)
- 7.13 (Safety, security and resilience to emergency)
- 7.14 (Improving air quality)
- 7.15 (Reducing noise and enhancing soundscapes)
- 7.18 (Protecting local open space and addressing local deficiency)
- 7.19 (Biodiversity and access to nature)
- 7.21 (Trees and woodlands)
- 8.1 (Implementation)
- 8.2 (Planning obligations)

It is further noted that 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.

#### **Core Strategy DPD (2012):**

Policies 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)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

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 DPD (2012):**

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall buildings)

DM06 (Barnet's heritage and conservation)

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

DM10 (Affordable housing contributions)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

### Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

The Residential Design Guidance SPD (April 2013)  
Sustainable Design and Construction SPD (April 2014)

### Colindale Area Action Plan (CAAP)

The Colindale Area Action Plan (CAAP) was adopted in March 2010. This provides a planning policy and design framework to guide and inform the development and regeneration of Colindale up to 2021 in response to the London Plan's designation as an Opportunity Area. The CAAP postdates the 2005 outline planning consent for Beaufort Park. The plan therefore recognises the outline planning consent that has been approved for the site and identifies the site for 3,000 new homes and a mixture of other uses including community, retail and employment.

The CAAP contains guidance on sustainable development and identifies a number of key infrastructure improvements needed to support the delivery of growth in Colindale. It identifies four character areas, the 'Corridors of Change', which identify specific development sites and set specific policy objectives to be achieved from redevelopment. Beaufort Park falls within the Aerodrome Road Corridor of Change. It also sets out general policies and standards for new developments in the area. Policies relevant to this application include:

- 2.0 (Colindale Opportunity Area)
- 3.1 (Improving connectivity in Colindale)
- 3.2 (Walking and cycling)
- 3.5 (Parking)
- 3.6 (Travel plans and sustainable travel)
- 4.2 (Aerodrome Road corridor of change)
- 5.1 (Urban design in Colindale)
- 5.2 (Buildings for Life and Lifetime Homes)
- 5.3 (Building heights)
- 5.4 (Internal building design)
- 5.5 (Open space and biodiversity in Colindale)
- 5.6 (Children's play space and young people's recreation facilities)
- 6.1 (Energy hierarchy)
- 6.2 (CHP and district heating system)
- 6.3 (Creating sustainable buildings)
- 6.4 (Flood risk)
- 6.5 (Surface water run-off)
- 6.6 (Waste management)
- 7.1 (Housing in Colindale)
- 7.2 (Affordable housing)

## 1.2 Key Relevant Planning History

| Application Ref.     | Description of Development   | Decision and Date     |
|----------------------|--|-----------------------|
| <b>W/00198/AA/04</b> | Redevelopment of site comprising 2800 residential units (Class C3), approximately 7850sqm of retail (Class A1), financial and professional services (Class A2), food and drink (Class A3), business (Class B1), leisure and community (Class D1 and D2) uses and driving test centre (sui generis) with associated landscaped open space, car parking and access arrangements. | Granted<br>08/04/2005 |
| <b>W00198BT/07</b>   | Erection of 190 residential units, 799sqm of commercial floorspace - use classes A1 - A5 and B1 and associated access and car parking (blocks C3, C4 and C15).   | Granted<br>14/08/2009 |
| <b>W/00198/BR/07</b> | Listed building consent for dismantling of Watchtower Building to enable its reconstruction on the adjoining RAF Museum Site.  | Granted<br>14/08/2009 |
| <b>W02247AF/07</b>   | Part reconstruction of listed Watchtower Building adjoining the Grahame-White Hangar on RAF Museum Site, Grahame Way, for use as exhibition space.   | Granted<br>14/08/2009 |
| <b>W02247AE/07</b>   | Listed Building consent for works to the Grahame-White Hangar including creation of a link with the reconstructed Watchtower Building and provision of support for Watchtower Building roof  | Granted<br>14/08/2009 |
| <b>H/00123/10</b>    | Reserved matters application seeking approval for i) design of the buildings, including floor areas, height and massing; ii) external appearance; iii) Landscaping; in relation to Block F comprising 533 residential units pursuant to Condition 6 of outline planning permission reference W00198AA/04 dated 08/04/05.   | Granted<br>18/03/2010 |
| <b>H/05373/13</b>    | Reserved matters application seeking approval for appearance, layout and design in relation to buildings F3 to F7 comprising 177 homes with associated car parking and landscaping, pursuant to condition 6 of outline permission W00198AA/04 dated 08/04/05.  | Granted<br>13/02/2014 |

## 1.3 Public Consultations and Views Expressed

### Public Consultation

**1516** local residents were consulted by letter. The application was advertised in the local press on 11.09.2014 and site notices were put up on site on 11.09.2014. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

**No** responses were received from residents or associations or societies.

### Consultation Responses from Statutory Consultees and Other Bodies

#### **Environment Agency:**

No objection subject to approval of drainage conditions attached to the outline

planning permission.

**Natural England:**

No comments to make in respect of the reserved matters application because there are no significant changes as compared to the scheme considered at outline stage. Although NE notes that the local planning authority would need to have had consideration for protected species and biodiversity enhancements as part of its assessment of the scheme.

**London Fire Brigade:**

Satisfied with the fire fighting access for the proposals.

**English Heritage Greater Archaeological Advisory Service (EH GLAAS):**

No objection

**Highways Agency:**

No objection

**TfL:**

- Content with the level of car parking provisions however, recommend that 20%/20% passive/active electric vehicle charging spaces are provided
- Recommend that cycle parking should be increased from 253 to current GLA standards
- Also querying the amount of parking shown on the drawings

In addition, the following consultees were notified of the application but did not respond: Barnet NHS, EH, GLA, Met Police, National Grid, TW, Transco

Internal Consultation responses

**Urban Design & Heritage:**

No comments to make noting the extensive pre-application negotiations to improve the appearance of the scheme over earlier phases.

**Environmental Health:**

No comments to make on the reserved matters application as there are no changes in the design, external appearance or landscaping that would change the consideration of noise, air quality or contaminated land at the time of the outline planning permission.

**Highways team:**

Recommends appropriately worded conditions in respect of details of car parking management and bicycle stand and storage design.

**Trees and Landscape:**

Satisfied with adjustments made to the landscape layout and planting details given earlier phases, it being noted that the final detailed landscape design is subject to approval under condition 22 of the outline permission.

**Building Control:**

No concerns identified it being noted that LFB have not raised any issues with the scheme in regards to fire safety. Separately, the Building Control team

note that they are in discussions with St George and LFB regarding the approval of fire fighting arrangements for Blocks F3-F7.

In addition, the following consultees were notified of the application but did not respond: Green spaces, Housing, Waste, and Strategic.

## **2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**

### **2.1 Site Description and Surroundings**

This application relates to blocks F1, F2, F8 & F9 which form part of the overall F block, half of which has been approved separately as affordable housing for which enabling work has commenced (Ref: H/05373/14). In general, F-block is a perimeter style block with raised podium courtyard amenity spaces in the middle and car parking below. This style of development is characteristic of Beaufort Park.

F-block has a frontage to internal unadopted roads of the site and the public amenity space, 'the square'. These blocks cover an area of 8,902sqm.

The current application is part of the wider redevelopment known as Beaufort Park which is 10.2ha of brownfield land, bound by the Midland Mainline railway and M1 motorway to the east, Aerodrome Road to the south, the RAF Museum to the north and Middlesex University Platt Hall and Writtle House to the west.

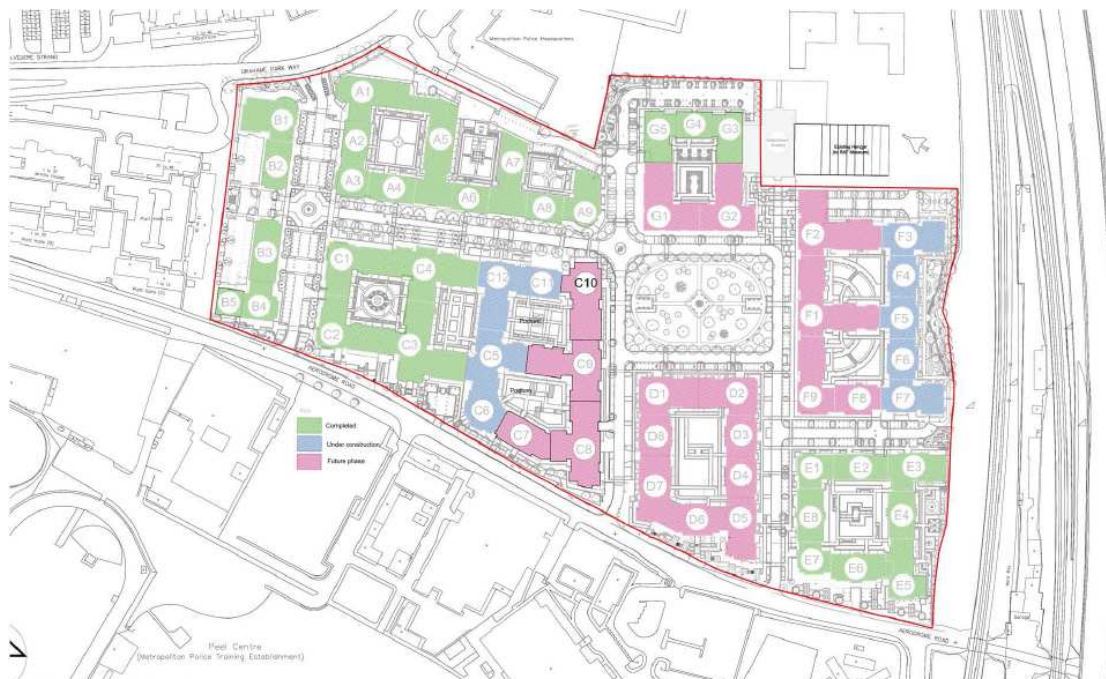
The area surrounding the application site contains a mixture of uses and building forms. Colindale underground station is about 10 minutes walk to the west. A number of other significant developments are under construction in the vicinity including the regeneration of the Grahame Park estate to the north, the redevelopment of the former Colindale Hospital adjacent to Colindale Tube Station to the west as well as a current application to redevelopment the Peel Centre (Metropolitan Police training establishment) site to the south.

### **2.2 Approved Beaufort Park redevelopment**

In April 2005 outline permission (Ref W00198AA/04) was granted for the residential-led mixed-use redevelopment of the former RAF East Camp site (now known as Beaufort Park), following completion of a Section 106 agreement securing community and infrastructure benefits. The outline consent allows for 2,800 residential homes and approximately 7,850sqm of non-residential and commercial floorspace. A subsequent full planning application was approved in 2009 for an additional 190 homes and 799sqm of non-residential accommodation on the site of the Listed Watch Tower building, which was relocated to the RAF Museum directly to the north of the development (see history section for application details). The total number of homes approved for Beaufort Park is therefore 2,990 with 8,649sqm of non-residential floorspace.

The outline permission established a Masterplan for the development which is divided into phases. Detailed designs have been approved for each of the phases through Reserved Matters. A number of phases have been completed

and others are under construction. The development is now close to being 50% complete. The Design and Access Statement indicates which blocks are completed, namely A, B, E as well as parts of C and G. Current construction includes parts of C and parts of F. Future construction comprises the remainder of C and F blocks (current application) as well as D and G blocks.



Source: Design and Access Statement

Further in respect of the s106 planning agreement associated with the outline approval, it is noted that the approvals for other blocks will deliver the full affordable housing obligations for Beaufort Park. The remaining affordable housing obligations will be met when blocks F3-7 are constructed (Ref: H/05373/13 approved 13.02.2014). As such, the current F-block application is not required to provide any affordable units.

### **2.3 Description of the Proposed Development**

The current application seeks reserved matters approval for design, appearance and landscaping for blocks F1, F2, F8 and F9 accordance with the condition 6 of the outline permission for Beaufort Park in 2005 (LBB Ref: W00198AA/04).

Condition 6 of the outline permission identifies reserved matters as being the following:

- Design of the buildings, including floor areas, height and massing;
- External appearance; and
- Landscaping (including trees to be removed and new landscaping proposed).

It should be noted that the landscape details submitted are to set the broad principles for the landscaping (including tree planting). However, as with previous submissions, the specific details of the landscaping will be submitted

at a later date pursuant to a separate approval of details application in accordance with condition 22 of the outline permission.

The proposal is for a development which includes 383 units distributed across a series of blocks between 5 and 10 storeys (16.3m – 31m). Within the block are 2 levels of parking at ground and first floor, accommodating a total 234 cars (of which 23 are for people with a disability), designated motorcycle parking areas at ground and first floor (exact number of spaces unspecified), 253 secure bicycle parking spaces as well as refuse and recycling storage. Atop the parking are 2 separate podium courtyards providing a total of 1,716sqm of communal amenity space for the exclusive use of the occupiers. This is in addition to 4,198sqm of private amenity space provided in the form of balconies or terraces for each flat. There is additional soft landscaping around the building perimeter including mature street tree planting. On the street edge are car parking spaces for 15 cars and 1 servicing bay. A total of 5 bicycle parking stands are provided adjacent the square. Depending on the final design of the stands e.g. Sheffield styles, each stand may have the ability to accommodate 2 no. bicycles.

### **3. PLANNING CONSIDERATIONS**

#### **3.1 Relationship to the 2005 outline planning permission**

The outline application approved the 'siting', 'access' and 'design' for a redevelopment involving 2,800 dwellings as well as 7,850sqm non-residential floorspace along with associated landscaped open space, car parking and access arrangements. As detailed in section 2.2 above, further applications were approved in 2009 which involved the relocation of the listed Watchtower to the neighbouring RAF museum site allowing the provision of a further 190 residential units, increasing the total dwellings approved to 2,990 and the non-residential floorspace to 8,649sqm.

The various conditions of the April 2005 outline permission direct the subsequent reserved matters applications, the following of which are noted as particularly relevant.

Condition 3 states: that

*"3. All applications for reserved matters shall be made to the local Planning Authority before the expiration of 10 years from the date of this permission..."*

As such, despite the age of the outline approval and even though there have been previous reserved matters applications approved for F block, reserved matters applications are being submitted in this period.

Conditions 4, 7 and 8 set the key 'siting', 'access' and 'design' parameters in which the development will come forward by specifying the key drawings, documents and floorspace quantum that a future reserved matters application will need to accord with:

*"4. No development shall take place unless in accordance with the Approved Drawings:*

|  |                      |
|--|----------------------|
| <i>Proposed Massing Plan</i>                 | <i>21425/PL05B</i>   |
| <i>Proposed Masterplan</i>                   | <i>21425/PL06B</i>   |
| <i>Land Use 1 – Ground Level Uses</i>        | <i>21425/PL08A</i>   |
| <i>Land Use 2 – Podium Level Uses</i>        | <i>21425/PL08A</i>   |
| <i>Land Use 3 – Typical Upper Floor Uses</i> | <i>21425/PL10A</i>   |
| <i>Land Use 4 – Open Space</i>               | <i>2145/PL11A</i>    |
| <i>Amenity Space</i>                         | <i>21425/PL20...</i> |

*“7. Reserved matters applications shall be made in accordance with the following documents unless otherwise agreed with the Local Planning Authority:*

- i) Environmental Statement (May 2004) as supplemented with further information in respect of visual impact and education impact (Nov 2004)*
- ii) Planning and Design Statement (April 2004)*
- iii) Sustainability Statement (June 2003)*
- iv) Supplementary Design Statement (April 2004)...*

*“8. The maximum number of dwellings and floor space in each respective use granted by this permission shall be:*

|   |                    |
|---|--------------------|
| <i>Class A1/A2 (Shops)</i>                        | <i>2,323sqm</i>    |
| <i>(Including 1,393.5sqm food store)</i>          |                    |
| <i>Class A3 (Food and Drink)</i>                  | <i>2,322sqm</i>    |
| <i>Class B1(a) (Office)</i>                       | <i>464.5sqm</i>    |
| <i>Class D1/D2 (Non-Residential Institutions)</i> | <i>2,461.85sqm</i> |
| <i>Residential units:</i>                         | <i>2,800</i>       |
| <i>Sui Generis (Driving Test Centre)</i>          | <i>278.7sqm...</i> |

[NB: Condition 8 floorspace totals varied as a consequence of the additional 190 dwellings and additional non-residential floorspace facilitated by the relocating the watchtower to the RAF museum site.]

Condition 5 provides an element of flexibility in the final design being considered at reserved matters, given that the scheme had been the subject of an Environmental Impact Assessment (EIA):

*“5. No variation to the approved plans shall be made which in the reasonable opinion of the Council creates new environmental impacts which exceed the range and scale of those assessed and measured in the EIA dated June 2004 and/or which the Council considers may require further or additional mitigation measures...”*

Condition 6 then specifies what is being considered as part of reserved matters:

*“6. The development of each phase shall not commence until layouts, plans/sections and elevations for that part of the development, detailing:*

- i) Design of the buildings, including floor areas, height and massing;*
- ii) External appearance;*



- iii) *Landscaping (including trees to be removed and new landscaping proposed);*

*(Referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority. The relevant part of the development shall in all aspects be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority..."*

There are further compliance conditions and conditions requiring the approval of details in the outline permission which further direct the final form of the development. Considerations encountered in the course of the reserved matters applications not previously addressed at outline may form additional conditions of approval if necessary.

It should be noted the outline scheme also secured a s106 planning agreement for various obligations, both monetary and in-kind, to mitigate the impacts of the development and thereby making it acceptable in accordance with Circular 05/05. The s106 agreement has been varied in the time since the outline was granted, the most notable being the adjustment to the affordable housing delivery as detailed earlier in section 2.2 of this report.

Therefore, it is in this context that the current application for the reserved matters 'design', 'appearance' and 'landscaping' of block F1, F2, F8 and F9 is being considered along with other material planning considerations.

### **3.2 Environmental Impact Assessment (EIA)**

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'Regulations'), EU Directive 85/337/EEC (as amended), Circular 02/99 as well as the National Planning Practice Guidance (2014).

Regulation 7 of the Regulations requires local planning authorities to adopt an Environmental Impact Assessment (EIA) screening opinion in respect of a proposed development, where it appears that:

- (a) an application which is before them for determination is a Schedule 1 application or a Schedule 2 application; and
- (b) the development in question has not been the subject of a screening opinion or screening direction; and
- (c) The application is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of the Regulations.

Regulation 8 of Regulations to requires local planning authorities whether or not the environmental information already before them (i.e. the ES submitted with the 2005 outline application) is adequate to assess the environmental effects of the development:

- 1) This regulation applies where it appears to the relevant planning authority that—
  - a) An application which is before them for determination— .

- i) is a subsequent application in relation to Schedule 1 or Schedule 2 development;
  - ii) has not itself been the subject of a screening opinion or screening direction; and .
  - iii) is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations; and
- b) either— .
- i) the original application was accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations; or .
  - ii) the application is for the approval of a matter where the approval is required by or under a condition to which planning permission deemed by section 10(1) of the Crossrail Act 2008(1) is subject.

### Relationship with the 2005 outline consent

Beaufort Park is EIA development. The outline application was supported by and environmental statement (ES) which assessed the following potential effects: Sunlight and daylighting; transport; socio economic; townscape and visual appraisal; contamination and ground conditions; archaeology and historic built environment; Water resources; Local air quality; noise and vibration; and ecology.

In respect of condition 5 of the outline consent, the current reserved matters application is supported by a letter from the environmental consultant URS, to confirm that the current proposal for blocks F1, F2, F8 and F9 does not give rise to any different or further likely significant environmental effects, both individually and cumulatively. Furthermore, that the Environmental Statement (ES) that accompanied the outline application remains the valid and appropriate EIA and no further EIA information is required.

The letter specifically provides a view in relation to the implications of the proposed changes to the design (as compared to the outline as well as previous reserved matters applications) in relation to Built Heritage (i.e. relationship and upon the setting and special interest of the listed Watchtower and Grahame White Factory which were relocated to the RAF Museum site nearby) assessment as well as sunlight and daylight. It is noted that supporting information includes CGIs by architect Broadway Malyan) and an assessment of daylight, sunlight and overshadowing (BRE assessment by consultant Anstey Horne).

Although the elevations are different in appearance to the illustrative information supplied at outline stage as well as the previous reserved matters, the type and quantum of development proposed as well as its height, scale, layout and built form relationships in the current application are still considered to accord with the outline permission.

Furthermore, the current reserved matters application is not considered to give rise to any significant new or different impacts, individually or cumulatively, beyond the parameters considered at outline stage to warrant an update to the ES.

This is the same conclusion that was reached as part of the consideration of earlier reserved matters, because changes were not considered to be significant nor give rise to any new, additional, or cumulative impacts to warrant an updated or new ES.

#### EIA screening opinion

Although no formal screening opinion for EIA has been sought for the reserved matters application, the council has screened the application in the course of the assessment according to the Regulations to confirm that no EIA is required in addition to the ES already undertaken at the outline application stage. Also, that the further environmental information detailing the effect on levels of daylight, sunlight and overshadowing is sufficient to consider the current design.

It should be further noted that in pursuance to the Regulations, the proposed development does not fall within 'Schedule 1' development. Instead, the development is considered to constitute the Schedule 2 development namely, an 'urban development project' in accordance with Section 10(b) of Schedule 2 of the Regulations. The threshold identified for such projects is an area exceeding 0.5ha. The site is not located in a sensitive area as defined in the regulations.

In summary, it is considered that the previous EIA at outline provides a sufficient assessment of environmental effects to enable consideration of this reserved matters application for Blocks F1, F2, F8 and F9. It is considered that the new design of these blocks would not generate any new significant environmental effects over and above those already considered. Therefore, it is considered that the proposals do not constitute an EIA development and as such an Environmental Statement is not required to be submitted with the application.

### **3.3 Principle**

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

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

The Colindale Area Action Plan (CAAP) provides site specific guidance for development sites in the area, as well as more general guidance on the Council's expectations of schemes coming forward in Colindale. The CAAP identifies the site as part of the 'Aerodrome Road Corridor of Change' and as benefitting from (outline) planning permission. Along with other key sites

identified, Beaufort Park is intended to bring forward the largest and most significant phase of growth in Colindale and which will transform the suburb.

The Spatial Plan (CAAP Figure 4.3) shows the area of F-block as contributing to new housing provision, whilst the internal roadways framing the block seek to improve pedestrian and bicycle routes and connectivity.

#### Relationship to the 2005 outline consent

As part of a residential-lead, mixed-use redevelopment of the site, the proposal is contributing to residential (Class C3) floorspace as well as fulfilling the requirements for supporting infrastructure including car parking and amenity space.

#### Density

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

The CAAP Policy 4.2(b) refers to a density range of between 120-150 dwellings per hectare (dph) depending on accessibility and proximity to the improved public transport interchange (Colindale Underground Station).

It is noted that the original outline planning permission of 2005 pre-dates the adoption of the CAAP and approved a density of 280dph. The current application for reserved matters does not alter the density across the wider site.

#### Landuse mix

The landuse mix is unchanged from previous reserved matters applications and accords with the outline permissions being a residential-lead (Class C3) phase, as well as supporting parking and amenity space.

### **3.4 Housing Quality**

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch 3 'London's People', and Ch 7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

#### Relationship to the 2005 outline consent

The parameters approved at outline direct what can be brought forward at reserved matters. The corollary is the outline is a factor in the quality of housing that will be finally delivered.

#### Unit 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 to address housing need (Barnet Development Management Policies DPD policy DM08). 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. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

The table below compares the unit mix between the most recently approved reserved matters approval and the current proposal.

| <b>F1, F2, F8 &amp; F9 mix comparison</b> |          |           |           |          |            |
|---|----------|-----------|-----------|----------|------------|
| Scheme                                    | Private  |           |           |          | Total      |
|   | studio   | 1         | 2         | 3        |            |
| Approved                                  | 70 (20%) | 64 (18%)  | 183 (53%) | 32 (9%)  | 349 (100%) |
| Proposed                                  | 84 (22%) | 100 (26%) | 162 (42%) | 37 (10%) | 383 (100%) |

Source: St George further information

The unit mix broadly accords with the previous in terms of proportions of different sized flats and is therefore considered acceptable.

### Floorspace standards

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

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

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

The submitted plans demonstrate that the majority of flats exceed these minimum standards. The individual dimensions and room sizes within the flats would comply with the standards set out in Annex 1 of the London Housing SPG.

The only exceptions to this are 46 no. EPWS (Entry Point Workers Studio) dwellings which range in floor area between 27.33sqm to 34.69sqm. Although they fall below the minimum floorspace standard for 1-bed 1-person occupancy, they were agreed as part of the outline permission as fulfilling a housing need, being specifically defined in the s106 planning agreement as follows:

#### ***“Entry Point Workers Studio***

*means a unit which typically measures 26m2 provided without grant funding and at less than average price of a London residential property on the date of the first sale to an individual owner or occupier”*

The inclusion of this size of unit is only considered acceptable on the basis that it is an explicit requirement in the s106 agreement and was considered acceptable at the outline stage.

As such, all housing meets the minimum floorspace standards required.

#### Lifetime Homes and wheelchair housing standards

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should comply with Lifetime Homes standards with 10% wheelchair home compliance, as per London Plan policy 3.8.

It should be noted however that the outline planning consent only requires a minimum of 10% of housing to be to Lifetime Homes standard and condition 17 requires 10% of housing to be designed as accessible to wheelchair users.

Annotated drawings and supporting information are supplied with the current application detailing how the Lifetime Homes criteria have been met for a total of 275 (72%) of dwellings. Similarly in relation to wheelchair housing, the drawings supplied with the application demonstrate how 39 (10%) of dwellings will accommodate a wheelchair user. In the case of both criteria, the units are distributed throughout the blocks and floors of the development and a range of unit sizes are represented. The provision is considered acceptable on the basis that it complies with the conditions of the outline planning consent.

#### Amenity space and playspace provision

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

All of the flats proposed have private balconies or terraces, all of which would meet the SPD minimum width requirement of 1.5 metres, therefore comprising usable amenity space. The blocks also have podium gardens. The table below sets out the amount of amenity space provided.

| <b>Amenity Space: Provision</b>              | <b>Amount (sqm)</b> |
|--|---------------------|
| Private open space on balconies and terraces | 4,198               |
| Communal podium courtyards                   | 1,716               |
| <b>Total space</b>                           | <b>5,914</b>        |

The table below summarises the scheme's performance compared with the overall requirement of the Barnet Residential Design Guide of 5sqm per habitable room. Also, the GLA standard of 5sqm of balcony space for every 1-2 person dwelling with an extra 1sqm for each additional occupant.

| <b>Amenity Space: Compliance</b> | <b>Requirement (sqm)</b> | <b>Scheme Provision (sqm)</b> |
|----------------------------------|--------------------------|-------------------------------|
| LBB Standard                     | 4,590                    | 5,914                         |
| GLA Standard                     | 2,387                    | 5,914                         |

The figures demonstrate that the scheme would exceed the requirements. In addition, it is noted that the spaces would be fully accessible, would receive light, natural surveillance and the podium terraces have the added potential to accommodate soft planting and other features (seating etc).

### **3.5 Design**

High quality design underpins the sustainable development imperative of the NPPF 2012, as well as London Plan (2011) chapter 7 'London's Living Places and Spaces', in particular policies 7.6 'Architecture' and 7.7 'Location and Design of Tall and Large Buildings'. In addition, Barnet Core Strategy DPD (2012) policies CS NPPF, CS1 and CS5 as well as Development Management Policies DPD (2012) DM01, DM02, DM03, DM05 as well as CAAP policies 4.2, 5.1, and 5.3.

#### Relationship to the 2005 outline consent

The final design of individual blocks would be for the reserved matters applications in accordance with condition 6 as well as separate conditions requiring approval of details of materials (condition 18), landscaping (condition 22) and open space (conditions 25 & 26).

In the nine years since the outline application, the design of elevations has evolved in the course of successive reserved matters applications. This is in part due to architectural fashion, urban design guidance as well as other factors. Earlier phases are already occupied and the scheme is approaching 50% completion. With the principle public open space (the square) having been completed, the internal roads established and the frontage of Aerodrome Road evolving, as well as the majority of ground floor non-residential space constructed, the scheme is on the cusp of delivering the latter half of buildings to finally complete the transformation of this site. It is noted that condition 3 states that all reserved matters applications shall be made before the expiration of 10 years from the date of the outline permission, the 10 year anniversary being 08 April 2015. As such, the final stage in the design evolution across the site will be fixed in the coming year.

The latter phases and blocks will contribute significant features from an urban design perspective. In particular, the framing of the principle amenity space with buildings.

Pre-application discussions during summer 2014 considered the appearance of the blocks. The intent of the applicant's team has been to further improve the quality of the architecture and indeed, the materials, reflecting Barnet officer input to secure a greater amount of face brick in later phases whereas, the earliest phases contained a higher proportion of rendered elevations, and the improved design quality of features such as window and doorway openings and balcony treatments. Changing approaches to design including the latest guidance published by Design for Homes and Urban Design London in November 2012 'A New London Housing Vernacular' have guided the evolution of this block and later stages of Beaufort Park which are still to come.

The architectural composition of individual blocks has been revised as well as how they appear as a group, framing key focal points such as the square.

Drawing on robust architectural principles of providing a *base, middle* and *top* as well as establishing a rhythm of consistent features, which provide attractive buildings and help break down the overall scale of the blocks.

Overall, a balance is struck in the architecture between detailing and simplicity as well as between differentiation and uniformity. In addition, the design employs a limited pallet of durable materials, seeking to reflect current best practice in architectural and urban design that is appropriate and relevant to London (region-wide level), Barnet (Borough-wide level) and Colindale (neighbourhood level). At the same time, the design is cohesive with the earlier phases of Beaufort Park, particularly building C7 to C10 approved 29.10.2014 (Ref: H/04184/14), and accords with the parameters established by the outline consent. The key aspects of the design approach are considered in more detail below.

#### Height, bulk, scale and massing

In respect of building heights, the proposal reflects the previous approval and proposes blocks of between 5 and 10 storeys. However, establishing a uniform parapet has evened out the previous layer-cake effect of height and massing (as seen in the previous approved scheme), whilst maintaining the same overall scale.

The envelope broadly accords with the last reserved matters approval other than in the following areas:

- Establishing a consistent parapet with recessed upper floors across all blocks to improve the character and appearance of the blocks, particularly in the way they will frame the square
- Redistributing building bulk in the rear of Block F1 to improve the level of light received to the podium amenity space

The overall effect is that the development does not appear any greater or lesser in bulk, size and scale as compared to the previous approval nor any more prominent or recessive with the locality context. In plan form, the blocks follow similar massing and building lines albeit that there is a greater consistency and uniformity to the building setback. Building setbacks are maintained to achieve the same quality to the podium courtyards, the internal roads and landscape/pedestrian verges as well as the public realm frontage with Aerodrome Road.

#### Layout

The internal and external layout reflects the previous approval. It comprises four residential cores accessed at ground floor from the surrounding streets, with lifts and stairwells providing access to the flats from internalised corridors. The access point to the parking area is in the same location as the approved scheme and as approved in the previous reserved matters for blocks F3 to F7.

#### Character, appearance and conservation

As discussed above, the elevations have evolved in line with best practice and it is considered to result in an improvement in the character and appearance over earlier phases. Supporting CGIs have been submitted to show the proposed development in the context of the surrounding area. In



respect of conservation, F-block is separated from the listed Watchtower and Grahame White Factory which are located on the nearby RAF Museum site, such that there is not considered to be any effect to the setting or special interest of these listed buildings. The character and appearance of proposal in relation to the surrounding area is considered acceptable.

#### Safety, security and crime mitigation

The points of access and entry, residential cores, provision of amenity areas, defensible separation between public and private areas as well as the design of the internal streets reflect the previous approvals. This scheme and earlier phases have involved input and advice from the Metropolitan Police Crime Prevention Design Advisor.

### **3.6 Amenity**

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2011 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD.

#### Relationship to the 2005 outline consent

The outline permission established the uses and their arrangement on site, thereby setting parameters for the final detailed design, relationships and consequently, amenity for occupiers and neighbours. In relation to the outline permission, Conditions 19 (overlooking and overshadowing), 29 to 32 (noise), condition 41 (restriction on uses with a use class) all deal with matters relating to protecting amenity.

#### Privacy, overlooking and outlook

The following aspects of the scheme are relevant:

- In relation to privacy and overlooking between this block and neighbouring block E (constructed) and block D (future), the recommended 21m window-to-window separation is achieved;
- Similarly for internal courtyard-facing flats, variable separations of 30.4m or greater are achieved, thereby exceeding the recommended 21m;
- At ground floor, defensible planting is provided between private amenity terraces and the pedestrian footpath and points of entry which is acceptable and furthermore, consistent with previous approvals;
- Reflective of the previous approvals, podium courtyard facing units in the corners of the blocks have tight relationships. Obscure glazing screens are required to achieve an acceptable level of privacy between balconies, terraces and windows. The applicant has been encouraged in pre-application discussions to use obscure glazed balcony balustrades on the side returns to improve the amenity for users. An appropriately worded condition is recommended for the provision of obscure screening and balustrade returns;
- The height, scale, massing and layout of the proposal broadly follows the previous approval and as such, any detailed change to the building is not considered to result in any significant change or loss of outlook to occupiers or to surrounding neighbours; and

- There are no other neighbours outside of the Beaufort Park development site who would be affected in terms of loss of privacy, increased overlooking or loss of outlook.

#### Noise and general disturbance

No new, different or cumulative noise impacts to occupiers and neighbours will result from the proposal compared to the outline and which are already covered by appropriately worded conditions. This includes impacts associated with construction and operational phases of the development. In respect of the internal arrangements including the layout of flats and the location of habitable rooms and positioning of services and communal circulation, these generally reflect the previous approval with levels of sound proofing and isolation separately controlled by the Building Regulations. As such, there are no noise impacts identified, notwithstanding that any excessive and unreasonable noise is covered by the Environmental Protection Act 1990.

#### Air quality

Similarly, there are no new, different or cumulative air quality impacts resulting from this proposal than was considered at outline stage. Furthermore, the changes to the external elevations are not considered to alter air movement and wind conditions compared to the previously approved scheme, it being noted that soft landscape planting is likely to have an ameliorating effect at ground floor and podium level. Also, a similar ameliorating effect is likely for balconies as facilitated by their solid (glass) balustrading.

#### Daylight, sunlight and overshadowing

The application is supported by a BRE daylight, sunlight and overshadowing assessment produced by Anstey Horne consultants. It considers the relative difference in impact between the approved and proposed scheme in terms of daylight, sunlight and overshadowing for the following:

- Neighbours i.e. D-block (not yet constructed), G-block (not yet constructed); E-block (occupied);
- Future occupiers of the subject application F1, F2, F8 and F9 as well as the separate blocks F3 to F7 (not yet constructed);
- The shadowing effect to the communal amenity podiums; and
- The shadowing effect to the principal; public amenity space, the square.

The following tests were undertaken:

- Vertical Sky Component (VSC) – A measure of the amount of skylight available at the centre of a habitable room window and also, the amount of direct skylight received inside the corresponding habitable room. The BRE guide states that daylighting may be affected if the VSC calculation is less than 27% or less than 0.8 times its former value;
- Daylight Distribution (DD) – A measure that calculates the amount of area of a habitable rooms which receives direct skylight and how much does not. The BRE guide recommends that the minimum DD values should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%);
- Annual Probable Sunlight Hours (APSH) – Is a measure of the average number of hours per year in which direct sunlight is received by a window. The BRE guide states that rooms may be affected if they

- receive less than 25% APSH for the year and 5% APSH for the winter;
- Average Daylight Factor (ADF) – Is a measure of the daylight received inside a habitable room. The BRE guide recommends that the minimum ADF values should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%); and
- Shadowing: The BRE guide recommends that at least half the area of an amenity space should receive at least 2hrs of sunlight on the equinox (21 March).

The results were as follows:

- VSC: Of the 418 neighbour windows tested, 174 (42%) comply whilst the remaining 244 (58%) may notice a change in the level of lighting;
- DD: Of the 305 neighbour windows tested, 89 (29%) comply whilst the remaining 216 (71%) may notice a change in the level of lighting. Although, in the case of the rooms which don't comply, the reduction in floor area receiving direct sunlight compared to the approved scheme is very minor in practice;
- APSH: Of the 107 neighbour windows tested, 79 (74%) comply whilst the remaining 28 (26%) may notice a change in the level of lighting across the whole year. In respect of winter months 80 (75%) comply whilst the remaining 27 (25%) may notice a change in the level of lighting;
- ADF: Of the 299 neighbour windows tested, 50 (17%) comply whilst 249 (83%) may notice a change in the level of light. Although, in the case of rooms which don't comply, the reduction in daylight receiving compared to the approved scheme is very minor in practice;
- ADF: 80 and 81 rooms were tested in the consented and proposed F-block scheme respectively. Compared to the approved scheme an additional 6 (8%) meet the criteria and as such, less properties may notice a change in the level of light;
- Shadowing – the square: There would be a slight increase (2.8%) in overshadowing as a consequence of the proposed scheme, with well over the minimum area (78.4%) receiving the required amount;
- Shadowing – north podium amenity courtyards: An increase (14%) in the amount of shadowing experienced as a consequence of the proposed scheme, with the majority of the podium being in shadow; and
- Shadowing – south podium amenity courtyards: An increase (19.96%) in the amount of shadowing experienced as a consequence of the proposed scheme, with more than half the podium being in shadow.

Based on the results of the above tests, the proposed scheme will not result in significant change in the available light for neighbours or for the square when compared to the extant reserved matters approved that is already in place. However, there would be some additional reduction in light for occupiers of the subject blocks F1, F2, F8 and F9 as well as an increase in the shadowing of the podium amenity courtyards as compared with the consent scheme. Nevertheless, the overall affect accords with the level of light and shadowing of the approved scheme.

Furthermore, it should be noted that the Building Research Establishment (BRE) document is intended as a guide which is reflective of expectations for

daylight, sunlight and overshadowing levels in a conventional suburban context. Therefore, it would be unreasonable to strictly apply the guidance in this case, given the site is within a London Plan Opportunity Area which is intended to undergo transformation to deliver a substantial proportion of the housing growth in the Colindale area in accordance with the CAAP.

#### Construction impacts

The construction of these blocks is not considered to give rise to any no new, different or cumulative impacts compared with any other phase. Notwithstanding, the impacts of construction will be mitigated through the construction management plan required by conditions 39 and 40.

### **3.7 Transport, highways and parking**

The NPPF 'sustainable development' imperative involves amongst other things, improvements to conditions for travel (para 9) as well as actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling (para 19). Sustainable development is the focus of London Plan Chapter 4 'Promoting Sustainable Transport'. The importance of the transport and parking implications of development, particularly the appropriate approach for Outer London is addressed in London Plan 2011 policy 2.8 and generally in Chapter 6 'London's Transport' including policies 6.3, 6.9, 6.10 and 6.13. In addition, Barnet Core Strategy DPD 2012 Policy CS9, Development Management Policies DPD 2012 policy DM17 and CAAP policies 3.1, 3.2, 3.5 and 4.2.

#### Relationship to the 2005 outline consent

At the time of the outline application, the transport, highway and parking implications of the entire development including cumulative effects, were considered in the Transport Assessment. As such, the scale and effect of traffic generation, traffic movement and levels of car parking as well as the impact on public transport and measures to connectivity and permeability for cyclists and pedestrians were all considered. Various conditions of approval deal with construction vehicle access (Condition 12), travel plan coordination and strategy (Condition 13), waste storage collection (Condition 38), and Construction management (Conditions 39 & 40).

This leaves the detailed provision for individual blocks to be considered at reserved matters stage, for which condition 11 specifies the relevant considerations. Particularly relevant to this application is confirmation of the level of provision and the design of parking areas (cars, motorcycles, bicycles) as well as servicing arrangements including loading bays and waste storage and collection. Also, the design of the routes, movement and safety of routes through and around these blocks. It should be noted that in transport aspects, the current proposal is very similar to the consent scheme. Key aspects are discussed in more detail below.

#### Servicing and parking provision

The following various provisions are made for servicing and parking:

- Servicing: The ground floor plans show a servicing and an appropriately worded condition is recommended to secure this provision;
- Car parking: A total of 234 spaces equivalent to a ratio of 0.61:1 is

proposed which broadly accords with the 0.7:1 ratio agreed with the council based on the parking surveys since the 2005 outline permission. Note that 23 spaces are designated for people with a disability. An appropriately worded condition is recommended to ensure the final detailed design is a workable parking arrangement;

- Motorcycle parking: Although there is no Barnet criteria for motorcycle parking, space is set aside at ground and first floors for this purpose; and
- Bicycle parking:
- A total of 253 spaces are proposed in secure stores (plus 5 bicycle stands for visitors in the curtilage). However, there are concerns about the current style of racking system and the design of the secure stores. The type of cycle stands recommended are Sheffield or Josta varieties which are much easier and convenient for cyclists of all abilities to use, thereby encouraging the uptake of cycling as compared to the racking system initially proposed in the application. An improved design for the bicycle stores to make manoeuvring bicycles easy and convenient is required. An appropriately worded condition is recommended to secure this revised provision; and
- Although TfL have objected to the number of spaces, it is noted that a 0.5:1 ratio of bicycle parking for private residential units has been agreed as part of the travel plan for Beaufort Park. This application provides a cycle parking ratio of 0.66:1. Given that the level of bicycle parking has been previously considered through the travel plan and this scheme broadly accords with the ratio, any alteration based on demand could be considered in the future through a variation to the travel plan. It is also noted that this ratio is equivalent to the recent approval for C-block (Ref: H/04184/14).

#### Vehicular routes, movement and safety

Subject to conditions of approval from the council's highways officer, the arrangements for car parking, motorcycle parking and bicycle parking will be suitably accommodated in the ground and first floor parking areas behind the building line and underneath the podium. It is noted that the ramps linking the ground and first floor parking areas were already approved as part of the most recent reserved matters for Blocks F3 to F7 (Ref: H/05373/13). This leaves for consideration the circulation areas around the parking for the subject blocks which is acceptable. No safety issues are identified in the layout.

#### Pedestrian and bicycle routes, movement and safety

The detailed design of blocks F1, F2, F8 and F9 allows for ground floor treatments that maintain suitable pedestrian footways to enhance connectivity. The pedestrian environment includes suitable soft landscaping, mature tree planting and the provision of bicycle stands. These provisions are made whilst not compromising on necessary ground floor amenity terraces for flats as well as intervening defensible planting.

Inside the parking areas, appropriate arrangements are made for both pedestrians and cyclist circulation areas to points of access and egress.

### **3.8 Waste and Recycling**

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2011 Chapter 5 'London's Response to Climate Change' policy 5.17 seeks suitable waste and recycling storage provision in new developments as does the Barnet Core Strategy DPD 2012 policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill. This is reiterated by CAAP policy 6.6.

#### Relationship to the 2005 outline consent

The outline consent includes condition 38 requiring the approval of the storage and collection arrangements for waste and recycling before occupation.

For the Beaufort Park development, a management company is responsible for transporting the waste and recycling bins from the individual storage rooms at the ground floor of each block to a central collection point in block A. At this central point there is the opportunity for compaction of waste in advance of collection by LB Barnet Waste or other 3<sup>rd</sup> party handler.

#### Current application

The current proposal will utilise this existing arrangement. Storage rooms are located at ground floor. A chute system will enable convenient disposal of refuse however, recyclables (paper, glass, metals and plastics) need to be taken down to the storage rooms by residents. The storage rooms are distributed throughout the ground floor in locations convenient to the core access for each block. The management company would then be responsible for moving the 1100 Litre Eurobins out of the storage rooms and transporting them to the central location of A-block for collection day.

In addition, the applicant indicates that kitchens would provide the facility for waste/recycling separation with individual containers for different wastes housed in an accessible cupboard.

### **3.9 Energy, Sustainability, and Resources**

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

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

Residential developments are required to achieve a reduction in carbon dioxide emissions. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change

mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes.

#### Relationship to the 2005 outline consent

An on-site energy centre was not proposed as part of the original outline consent and the development preceded any decentralised energy system availability in the Colindale area. Condition 37 of the outline consent requires the residential component of the scheme to achieve a 'very good' BRE Eco-homes standard.

Further sustainability-related matters formed conditions of approval of the outline, including on-site drainage works and surface water management (conditions 9 and 10).

#### Current application

The application is supported by a report from the consultant Energist detailing how the equivalent Eco-homes standards would be met (noting that the Eco-homes accreditation system no longer exists):

#### Energy:

- Minimising carbon dioxide emission rates to typically 25-30kgCO<sub>2</sub>/m<sup>2</sup>
- Minimising heat loss through building design to less than the 1.1 standard
- Using energy efficient white goods and lighting
- Providing secure drying spaces

#### Transport:

- Provision of cycle storage
- Inherent proximity to public transport and services would also accrue points towards a 'very good' rating

#### Pollution:

- Reducing flooding risk and damage through design that reduces and delays run-off entering the sewer and watercourses

#### Materials:

- Building materials selection using the BRE 'Green Guide'
- Providing recycling facilities within dwellings

#### Water:

- Water-saving fittings installed in kitchens and bathrooms

#### Ecology:

- No impacts identified to require mitigation

#### Health/wellbeing:

- Provision of amenity space

### Management:

- 'Home User Guide' for all new residents
- Adoption of the 'Considerate Constructors Scheme'
- Adopting the guidance of the Met Police Crime Prevention Design Advisor

In addition 24 (10%) passive and 24 (10%) active electric car charging points will be secure through an appropriately worded condition.

The application complies with the requirements of condition 37 and in accordance with the outline consent.

### **3.10 Landscaping and biodiversity**

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2011 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

#### Relationship to the 2005 outline consent

'Landscaping' is a reserved matter with the detailed design of future landscaping and tree protection further controlled by conditions 22, 23 and 24. In addition, open space and playspace provision are controlled by conditions 25 and 26.

Although the Beaufort Park site is not identified as a Site of Importance for Nature Conservation (SINC) nor are there any species of importance identified, condition 34 requires a bat roost survey before any demolition as a precaution. This reflects the comment from NE about the considerations that should be (and were) had by the council in considering the implications of the development.

#### Current application

As with earlier phases, although there are no green roofs or bat and bird boxes proposed as part of this application, the scheme does contribute areas of soft landscaping, including mature tree planting which could contribute towards enhancing biodiversity subject to the selection a suitable indigenous species.

The 2 communal podium amenity spaces are made up of mostly soft landscaping, including lawn herbaceous planting areas, with pathways and seating areas in between. At ground floor, all street frontages have soft landscape areas which include mature tree planting. This is in addition to the provision of the public square and other landscaped areas of the site which make a contribution to biodiversity.

## **4. EQUALITY 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; and
- sexual orientation.

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

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

10% of the flats will be wheelchair accessible and/or able to be modified to accommodate a wheelchair occupier.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

23 dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

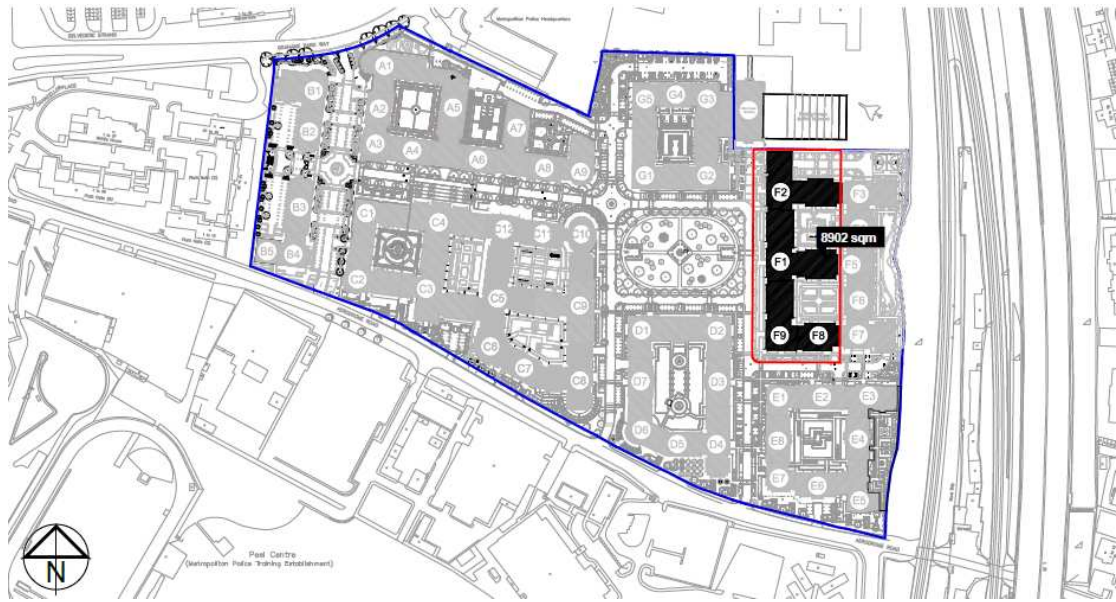
## **7. CONCLUSION**

The application is to consider the reserved matters ‘design’, ‘external appearance’ and ‘landscaping’ for blocks F1, F2, F8 and F9 comprising 383 new homes pursuant to condition 6 of planning permission W/00198/AA/04 dated 08/04/05. Compared with the previous reserved matters approval the key changes are to the external appearance and associated adjustments to the internal layout. Blocks F1, F2, F8 and F9 are not required to deliver any affordable housing as a consequence of this being approved in other blocks of Beaufort Park.

The current application represents the next phase of the Beaufort Park development project that will bring significant changes and benefits to the Colindale area. The details submitted are considered to be in accordance with the parameters established by the outline consent including the EIA. The design would provide a high quality residential environment with an improved appearance compared to earlier phases and yet, still contributing to a cohesive character for the site overall. No significant new, additional or cumulative impacts are identified including any potential impacts to the amenity neighbours or future occupiers. Nor are there any impacts identified in transport and parking terms. The scheme is also makes provision for waste and recycling, as well as energy efficiency/sustainability and landscaping/biodiversity. The application is recommended for approval subject to appropriately worded conditions.

# APPENDIX 1: PLANS OF THE PROPOSED DEVELOPMENT

## Site layout and context as proposed



## APPENDIX 2: INFORMATIVES

1. A summary of the development plan (London Plan 2011, Barnet Core Strategy 2012 and Development Management Policies DPD 2012) policies relevant to this decision is set below:

### **The London Plan (2011)**

- 1.1 (Delivering the strategic vision and objectives for London)
- 2.2 (London and the wider metropolitan area)
- 2.6 (Outer London: vision and strategy)
- 2.8 (Outer London: transport)
- 2.13 (Opportunity Areas and Intensification Areas)
- 2.18 (Green Infrastructure: the network of open and green spaces)
- 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)
- 3.7 (Large residential developments)
- 3.8 (Housing choice)
- 3.9 (Mixed and balanced communities)
- 5.1 (Climate change mitigation)
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable design and construction)
- 5.6 (Decentralised energy in development proposals)
- 5.7 (Renewable energy)
- 5.9 (Overheating and cooling)
- 5.10 (Urban greening)
- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.15 (Water use and supplies)
- 5.17 (Waste capacity)
- 5.21 (Contaminated land)
- 6.1 (Strategic approach)
- 6.3 (Assessing effects of development on transport capacity)
- 6.7 (Better streets and surface transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.13 (Parking)
- 7.1 (Building London's neighbourhoods and communities)
- 7.2 (An inclusive environment)
- 7.3 (Designing out crime)
- 7.4 (Local character)
- 7.5 (Public realm)
- 7.6 (Architecture)
- 7.7 (Location and design of tall and large buildings)
- 7.8 (Heritage assets and archaeology)
- 7.13 (Safety, security and resilience to emergency)
- 7.14 (Improving air quality)
- 7.15 (Reducing noise and enhancing soundscapes)
- 7.18 (Protecting local open space and addressing local deficiency)

- 7.19 (Biodiversity and access to nature)
- 7.21 (Trees and woodlands)
- 8.1 (Implementation)
- 8.2 (Planning obligations)

### **Core Strategy DPD (2012)**

Policies 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)
- CS7 (Enhancing and protecting Barnet's open spaces)
- CS8 (Promoting a strong and prosperous Barnet)
- CS9 (Providing safe, effective and efficient travel)
- 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 DPD (2012)**

- DM01 (Protecting Barnet's character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM05 (Tall buildings)
- DM06 (Barnet's heritage and conservation)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM15 (Green belt and open spaces)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

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**LOCATION:** Middlesex University, The Burroughs, London, NW4 4BT

**REFERENCE:** H/04180/14

**Received:** 01 August 2014

**Accepted:** 05 August 2014

**WARD:** Hendon

**Expiry:** 04 November 2014 **AGENDA ITEM 9**

**Final  
Revisions:**

**APPLICANT:** Middlesex University

**PROPOSAL:** Erection of 1no. 5 storey building for educational purposes, ancillary uses and associated servicing, including hard and soft landscaping. Provision of 2no. disabled parking spaces and cycle storage facilities.

**APPROVE SUBJECT TO SECTION 106**

**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** **£5,000.00**  
Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan.

**RECOMMENDATION II:**

That upon completion of the agreement the Assistant Director of Development Management & Building Control approve the planning application reference: H/04180/14 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 13001-02-21, 13001-02- 22, 13001-02-23, 13001-02-24, 13001-02-25, 13001-02-26, 13001-02-27, 13001-02-28, 13001-02-29, 13001-02-30, 13001-02-31, 13001-02-32, 13001-02-33, 13001-02-34, 13001-02-35, 13001-02-36A, 13001-02-37A, 13001-02-38, 13001-02-42, 13001-02-48, Veal Associates Background Noise Mechanical Plant Noise Emissions Report, Design and Access Statement, Ecology Consultancy Breeam Assessment, Sustainability Statement July 2014, Waste Reduction and Management Strategy.

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 vehicle and cycle parking spaces shown on drawings 13001-01-22 and 13001-02-33 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. Prior to first occupation of the building, a lighting strategy shall be submitted to and approved in writing by the Local Planning Authority, which shall include measures to mitigate light spill from the building. The building shall be occupied in accordance with the approved strategy thereafter.

Reason:

To minimise the visual impact of the building on the appearance of the area and the amenities of occupiers of neighbouring residential properties, in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

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 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).

7. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

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).

8. 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.

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

Reason:

To ensure a satisfactory appearance to the development 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).

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

Reason:

To ensure a satisfactory appearance to the development 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.

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

Reason:

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

12. 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.

13. The non-residential development is required to meet the BREEAM environmental standard 'excellent' as specified in the application documents. Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

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

14. No development shall take place until details of a construction management plan have been submitted to and approved in writing by the local planning authority.

Reason:

To safeguard residential amenity in accordance with policy DM17 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.
2. A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
3. 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 14/01/2015, that unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application H/04180/14 under delegated powers for the following reasons:

The development does not include a formal undertaking to meet the costs of the traffic assessment scheme. Without the Travel Plan it would be difficult for the Local Planning Authority to assess the university's measures to promote the use of sustainable modes of transport. In the absence of such an undertaking the proposal is contrary to policy DM17 of the Local Plan Development Management Policies (Adopted) 2012 and contrary to Policies CS9 of the Local Plan Core Strategy (Adopted) 2012.

#### 1. MATERIAL CONSIDERATIONS

##### National Planning Policy Framework

##### The Mayor's London Plan July 2011

##### 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, DM13, DM17

##### Relevant Supplementary Planning Documents:

Supplementary Planning Document (SPD): Sustainable Design and Construction

##### Relevant Planning History:

|                     |   |                      |                 |
|---------------------|---|----------------------|-----------------|
| <b>Application:</b> | Planning  | <b>Number:</b>       | H/00023/11      |
| <b>Validated:</b>   | 23/12/2010  | <b>Type:</b>         | APF             |
| <b>Status:</b>      | DEC   | <b>Date:</b>         | 14/02/2011      |
| <b>Summary:</b>     | APC   | <b>Case Officer:</b> | Graham Robinson |
| <b>Description:</b> | Demolition of the ground floor infill part of 'link' building which connects the Town Hall Extension to the Town Hall Annex to create a pedestrian link from The Burroughs to the new Middlesex University Art, Design and Media Building and Hendon Grove. Associated internal and external alterations. |                      |                 |

|                     |   |                      |                 |
|---------------------|---|----------------------|-----------------|
| <b>Application:</b> | Planning  | <b>Number:</b>       | H/00024/11      |
| <b>Validated:</b>   | 23/12/2010  | <b>Type:</b>         | LBC             |
| <b>Status:</b>      | DEC   | <b>Date:</b>         | 14/02/2011      |
| <b>Summary:</b>     | APC   | <b>Case Officer:</b> | Graham Robinson |
| <b>Description:</b> | Demolition of the ground floor infill part of 'link' building which connects the Town Hall Extension to the Town Hall Annex to create a pedestrian link from The Burroughs to the new Middlesex University Art, Design and Media Building and Hendon Grove. Associated internal and external alterations. |                      |                 |

**Application:** Planning **Number:** H/00033/14/LIC  
**Validated:** 27/08/2014 **Type:** LIC  
**Status:** DEC **Date:** 23/09/2014  
**Summary:** EXM **Case Officer:** Elizabeth Thomas  
**Description:** The removal and replacement of 3 no. existing antennas for 3 no. tri-band antennas along with 1 no. 300mm dish, 2 no. additional equipment cabinets and ancillary development thereto.

**Application:** Planning **Number:** H/00055/13/LIC  
**Validated:** 17/05/2013 **Type:** LIC  
**Status:** DEC **Date:** 13/06/2013  
**Summary:** NEX **Case Officer:** Malachy McGovern  
**Description:** Installation of 1no. 300mm dish antenna. (Telecommunications installation)

**Application:** Planning **Number:** H/00290/10  
**Validated:** 25/01/2010 **Type:** S73  
**Status:** DEC **Date:** 07/04/2010  
**Summary:** APC **Case Officer:** Graham Robinson  
**Description:** Variation of condition 10 (Times of use) of planning permission reference W00229/BF/01 dated 15-10-02 to be varied to 'The building hereby approved shall be open for use 24 hours per day and not at all on Bank or Public Holidays'.

**Application:** Planning **Number:** H/00627/13  
**Validated:** 22/02/2013 **Type:** APF  
**Status:** DEC **Date:** 18/07/2013  
**Summary:** APC **Case Officer:** Graham Robinson  
**Description:** Construction of a 2-storey detached building to provide an additional 690 sqm of teaching space with associated access, paths, steps and landscape works.

**Application:** Planning **Number:** H/00628/13  
**Validated:** 22/02/2013 **Type:** APF  
**Status:** DEC **Date:** 15/07/2013  
**Summary:** APC **Case Officer:** Graham Robinson  
**Description:** Construction of two-storey extension to the Williams Building to provide an additional 495sqm of teaching space.

**Application:** Planning **Number:** H/00826/11  
**Validated:** 11/03/2011 **Type:** APF  
**Status:** DEC **Date:** 06/05/2011  
**Summary:** APC **Case Officer:** Graham Robinson  
**Description:** Two storey infill extension to Real Tennis Court building to provide changing and refreshment facilities and multi-purpose recreational/teaching space, access terrace and ramp.

**Application:** Planning **Number:** H/00951/12  
**Validated:** 09/03/2012 **Type:** HSE  
**Status:** DEC **Date:** 24/07/2012  
**Summary:** APC **Case Officer:** Graham Robinson  
**Description:** Part single, part two storey rear extension.

**Application:** Planning **Number:** H/00996/14  
**Validated:** 28/02/2014 **Type:** APF  
**Status:** DEC **Date:** 25/04/2014  
**Summary:** APC **Case Officer:** Aahsanur Rahman  
**Description:** Erection of a single storey building for use as a nursery.

**Application:** Planning **Number:** H/01627/11  
**Validated:** 08/04/2011 **Type:** CON  
**Status:** DEC **Date:** 21/06/2011  
**Summary:** AP **Case Officer:** Graham Robinson  
**Description:** Submission of details of conditions 2 (Parking Details), 8 (Contaminated Land - Part

2), 11 (Disability Access), 23 (Environmental Standard Non-Residential), 24 (Energy Efficiency Measures) and 32 (Cycle Storage Facilities) pursuant to planning permission reference H/04475/08 dated 02/09/2009.

|                     |  |                      |                  |
|---------------------|--|----------------------|------------------|
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/01678/11       |
| <b>Validated:</b>   | 10/05/2011   | <b>Type:</b>         | HSE              |
| <b>Status:</b>      | APD  | <b>Date:</b>         | 13/12/2011       |
| <b>Summary:</b>     | INV  | <b>Case Officer:</b> | Graham Robinson  |
| <b>Description:</b> | Part single, part two storey rear extension.   |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/01912/08       |
| <b>Validated:</b>   | 12/06/2008   | <b>Type:</b>         | APF              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 07/08/2008       |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Louise Doran     |
| <b>Description:</b> | Demolition of existing ramp, balustrade and entrance door at south entrance of college building. Erection of new steps, ramp, automatic door and entrance canopy. Demolition of existing dwarf wall, fence and brick post. Erection of new fence and gate. |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/02124/09       |
| <b>Validated:</b>   | 18/06/2009   | <b>Type:</b>         | ADV              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 12/08/2009       |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Graham Robinson  |
| <b>Description:</b> | Erection of 4x non illuminated signs and 1x non illuminated totem around site.   |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/02816/14       |
| <b>Validated:</b>   | 10/06/2014   | <b>Type:</b>         | APF              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 10/09/2014       |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Aahsanur Rahman  |
| <b>Description:</b> | Installation of 6 portakabins for temporary class rooms.   |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03020/13       |
| <b>Validated:</b>   | 17/07/2013   | <b>Type:</b>         | APF              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 11/09/2013       |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Elizabeth Thomas |
| <b>Description:</b> | Installation of gate, screen and bench seating.  |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03190/08       |
| <b>Validated:</b>   | 10/09/2008   | <b>Type:</b>         | CON              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 26/01/2009       |
| <b>Summary:</b>     | AP   | <b>Case Officer:</b> | Louise Doran     |
| <b>Description:</b> | Submission of details of condition 2 (materials) and condition 3 (tree protection and fencing) pursuant to planning permission H/01912/08 dated 07/08/08.  |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03525/10       |
| <b>Validated:</b>   | 23/08/2010   | <b>Type:</b>         | CON              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 08/10/2010       |
| <b>Summary:</b>     | AP   | <b>Case Officer:</b> | Graham Robinson  |
| <b>Description:</b> | Submission of details of Condition 4 (materials) pursuant to planning permission H/04475/08.   |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03632/11       |
| <b>Validated:</b>   | 26/08/2011   | <b>Type:</b>         | APF              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 10/02/2012       |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Deirdre Jackman  |
| <b>Description:</b> | Two storey rear extension to Church House and construction of a single storey detached building for use as a Scout Hut, following demolition of existing Scout Hut and extension.  |                      |                  |
|                     |  |                      |                  |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03717/11       |
| <b>Validated:</b>   | 26/08/2011   | <b>Type:</b>         | CAC              |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 21/03/2012       |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Deirdre Jackman  |
| <b>Description:</b> | Demolition of existing Scout Building and extension.   |                      |                  |

|                     |  |                      |                 |
|---------------------|--|----------------------|-----------------|
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03980/09      |
| <b>Validated:</b>   | 19/11/2009   | <b>Type:</b>         | ADV             |
| <b>Status:</b>      | WDN  | <b>Date:</b>         | 14/01/2010      |
| <b>Summary:</b>     | WIT  | <b>Case Officer:</b> | Graham Robinson |
| <b>Description:</b> | Erection of 10 PVC double sided banners to the lighting columns.   |                      |                 |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03982/13      |
| <b>Validated:</b>   | 28/11/2013   | <b>Type:</b>         | CON             |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 09/01/2014      |
| <b>Summary:</b>     | AP   | <b>Case Officer:</b> | Graham Robinson |
| <b>Description:</b> | Submission of details of conditions 4 (Materials), 6 (Refuse), 7 (Ventilation & Extraction Equipment-Details Required), 8 (Middlesex University Travel plan), pursuant to planning permission (H/00628/13) dated (12 July 2013).   |                      |                 |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/03983/13      |
| <b>Validated:</b>   | 28/11/2013   | <b>Type:</b>         | CON             |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 09/01/2014      |
| <b>Summary:</b>     | AP   | <b>Case Officer:</b> | Graham Robinson |
| <b>Description:</b> | Submission of details of conditions 3 (Refuse), 6 (Materials), 7 (Ventilation & Extraction Equipment-Details Required), 8 (Levels), 9 (Middlesex University Travel Plan), pursuant to planning permission (H/00627/13) dated (16 July 2013).   |                      |                 |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/04257/14      |
| <b>Validated:</b>   | 27/08/2014   | <b>Type:</b>         | CON             |
| <b>Status:</b>      | REG  | <b>Date:</b>         |                 |
| <b>Summary:</b>     | DEL  | <b>Case Officer:</b> | Aahsanur Rahman |
| <b>Description:</b> | Submission of details of condition 3, (Materials) pursuant to planning permission H/02530/14 dated 18/07/2014.   |                      |                 |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/04381/12      |
| <b>Validated:</b>   | 19/11/2012   | <b>Type:</b>         | ADV             |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 29/08/2013      |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Graham Robinson |
| <b>Description:</b> | Installation of 9 no. non illuminated banners on street lighting columns.  |                      |                 |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/04419/12      |
| <b>Validated:</b>   | 17/12/2012   | <b>Type:</b>         | LBC             |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 18/03/2013      |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Emily Benedek   |
| <b>Description:</b> | Internal and external alterations involving installation of new building services control system to include; new internal conduit; new surface mounted room sensors; new external temperature sensor; new control panels within boiler room and appliance bay.<br>(LISTED BUILDING APPLICATION)                      |                      |                 |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/04496/12      |
| <b>Validated:</b>   |  | <b>Type:</b>         | APF             |
| <b>Status:</b>      | UNA  | <b>Date:</b>         |                 |
| <b>Summary:</b>     | INV  | <b>Case Officer:</b> | Emily Benedek   |
| <b>Description:</b> | Internal and external alterations involving installation of new building services control system to include; new internal conduit; new surface mounted room sensors; new external temperature sensor; new control panels within boiler room and appliance bay.   |                      |                 |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/04634/11      |
| <b>Validated:</b>   | 18/11/2011   | <b>Type:</b>         | S96A            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 20/12/2011      |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Graham Robinson |
| <b>Description:</b> | Non-material minor amendments to planning permission reference H/04475/08 dated 02/09/09 for, 'Redevelopment of the Town Hall car park site and adjacent land, to provide a 2 to 5 storey academic teaching building, together with the provision of 28 parking spaces, 42 secure cycle spaces and associated paths, |                      |                 |

terraces, landscaping and works.' Amendments include alterations of plant elements, plant areas and vent extracts at basement, ground floor, fourth floor and roof levels of building ABC and at first and second floors levels of block E, and minor elevational detail changes.

|                     |  |                      |                |
|---------------------|--|----------------------|----------------|
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/06124/13     |
| <b>Validated:</b>   | 27/01/2014   | <b>Type:</b>         | APF            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 11/04/2014     |
| <b>Summary:</b>     | REF  | <b>Case Officer:</b> | Emily Benedek  |
| <b>Description:</b> | Erection of 1no. 5 storey building for educational purposes, ancillary uses and associated servicing, including hard and soft landscaping. Provision of 2no. disabled parking spaces and cycle storage facilities.                           |                      |                |
| <b>Application:</b> | Planning   | <b>Number:</b>       | H/06131/13     |
| <b>Validated:</b>   | 27/01/2014   | <b>Type:</b>         | APF            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 10/03/2014     |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Emily Benedek  |
| <b>Description:</b> | Provision of 16no. floodlights to existing sports pitch and construction of raised viewing deck with single storey storage underneath.   |                      |                |
| <b>Application:</b> | Planning   | <b>Number:</b>       | W/00229/BG/01  |
| <b>Validated:</b>   | 10/12/2001   | <b>Type:</b>         | APF            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 07/02/2002     |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Heidi Euzger   |
| <b>Description:</b> | Erection of 12 x 7m high floodlights around existing tennis courts.  |                      |                |
| <b>Application:</b> | Planning   | <b>Number:</b>       | W/00229/BH/02  |
| <b>Validated:</b>   | 16/05/2002   | <b>Type:</b>         | APF            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 10/03/2003     |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> |                |
| <b>Description:</b> | Demolition of existing teaching units and erection of 3 prefabricated units.   |                      |                |
| <b>Application:</b> | Planning   | <b>Number:</b>       | W/00229/BL/03  |
| <b>Validated:</b>   | 21/07/2003   | <b>Type:</b>         | APF            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 22/10/2003     |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Lesley Feldman |
| <b>Description:</b> | Construction of new roof over existing quadrangle to provide additional floorspace associated with existing University use and installation of new glazed entrance fronting The Burroughs.   |                      |                |
| <b>Application:</b> | Planning   | <b>Number:</b>       | W/00229/BP/04  |
| <b>Validated:</b>   | 29/11/2004   | <b>Type:</b>         | APF            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 04/02/2005     |
| <b>Summary:</b>     | APC  | <b>Case Officer:</b> | Lesley Feldman |
| <b>Description:</b> | External Emergency staircase.  |                      |                |
| <b>Application:</b> | Planning   | <b>Number:</b>       | W/00229/BW/07  |
| <b>Validated:</b>   | 20/12/2007   | <b>Type:</b>         | CON            |
| <b>Status:</b>      | DEC  | <b>Date:</b>         | 14/02/2008     |
| <b>Summary:</b>     | AP   | <b>Case Officer:</b> | Louise Doran   |
| <b>Description:</b> | Submission of details of Condition 3 (extraction and ventilation equipment) pursuant to planning permission W00229BV/07 dated 11.12.07 for conversion of and mezzanine additions to existing University Sports, Social building and nursery. |                      |                |



### Consultations and Views Expressed:

Neighbours Consulted: 31                      Replies: 13  
Neighbours Wishing To Speak: 4

The comments raised may be summarised as follows:

- Campus already densely populated with an existing building estate
- The proposal will result in overlooking and a loss of privacy to adjoining residents
- Concern with potential noise, disturbance and light spill from site to adjoining residential properties
- The design of the building is out of character with the surrounding area
- The proposal will have a detrimental impact on the locality and negative impact on the local population
- The proposal will impact on wildlife
- The proposal will increase littering and noise and disturbance from users of the campus
- The development is within or very close to an area of archaeological significance and English Heritage should be consulted
- The proposal is the same as one that has already been refused
- Remote learning should be considered with temporary buildings
- Increase in traffic
- Increase in pedestrian footfall leads to increased levels of litter on the public footway and open space
- Significantly impact the traffic in the area in addition to causing parking issues
- Overdevelopment of the site

### Internal /Other Consultations:

- Environmental Health - No objection subject to conditions and informatives
- Traffic & Development - No objection subject to a Section 106 Agreement for an additional £5,000 contribution for monitoring the Travel Plan for the next 5 years
- English Heritage – the proposal is unlikely to have a significant effect on heritage assets of archaeological interest

Date of Site Notice: 05 August 2014

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is part of the Middlesex University campus which is accessed from The Burroughs.

The application relates to an area of land between the Vine Building and The Forum. To the east of the site is the Sheppard Library and to the west of the site is the Multi-Use Sports Pitch. The site has direct access to the university car park accessed from Greyhound Hill.

## Proposal:

The application is a resubmission of a previously refused application (H/06124/13) for the erection of 1no. 5 storey building for educational purposes. The previous application was refused for the following reason:

1. The proposed development, by reason of the additional building, will result in an over intensification of use and potential increase in student numbers which would have an adverse impact on the amenity of adjoining residents contrary to adopted (2012) Core Strategy Policy CS1 and adopted (2012) Development management Policy DM01.

The previous application (H/01624/13) is currently subject to an appeal.

The current application seeks permission for the erection of 1no. 5 storey building for educational purposes, ancillary uses and associated servicing including hard and soft landscaping.

The provision of 2no. disabled parking spaces will be provided as well as cycle storage facilities which is to be located adjacent to the building.

The irregular shaped building will measure a maximum of 48 metres in depth, 25.5 metres in width and 17.6 metres in height.

The building will use the existing levels difference on site and would be 2 storeys higher than the adjacent Forum building. The new building will have 2 'wings' on either side immediately adjacent to the neighbouring buildings which will be set at a lower level with green roofs on top. The building will create 3,360sqm of additional floor space.

The area outside the Forum Building and the Forum North building will be landscaped to create level access from both buildings with new outdoor seating areas and improved pedestrian access through the site.

## Planning Considerations:

### *Policy Context*

#### **DM03: Accessibility and inclusive design**

Development proposals should meet the highest standards of accessible and inclusive design by demonstrating that they meet the following principles:

- i. can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances
- ii. are convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment
- iii. are flexible and responsive taking account of what different people say they need and want, so people can use them in different ways
- iv. are realistic, offering more than one solution to help balance everyone's needs, recognising that one solution may not work for all.

#### **Policy DM13: Community and education uses**

##### **a: Loss of community / educational use**

Loss of community / educational use will only be acceptable in exceptional

circumstances where:

- i. New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or
- ii. There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

**b: New community or educational use**

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.

**Policy DM17: Travel impact and parking standards**

**a: Road Safety**

The council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users.

**b: Road Hierarchy**

The council will seek to ensure that roads within the borough are used appropriately according to their status in the defined road hierarchy. In taking into account the function of adjacent roads the council may refuse development proposals which would result in inappropriate road use, or adversely affect the operation of roads in an area

**c: Development, Location and Accessibility**

The council will expect major development proposals with the potential for significant trip generation to be in locations which are, or will be made, highly accessible by a range of transport modes.

**d: Transport Assessment**

In considering planning applications for new development, the council will require developers to submit a full Transport Assessment (as defined by Department for Transport threshold) where the proposed development is anticipated to have significant transport implications in order to ensure that these impacts are considered. This assessment should include an analysis of accessibility by all modes of transport.

**e: Travel Planning**

For significant trip generating developments, (defined by Transport for London thresholds), the council will require the occupier to develop, implement and maintain a satisfactory Travel Plan (or plans) to minimise increases in road traffic and meet mode split targets. In order to ensure that they are delivering this the travel plan will need to contain measurable outputs so that they can be monitored.

**f: Local Infrastructure Needs**

- i. Developments should be located and designed to make the use of public transport more attractive for all users by providing improved access to existing facilities, and if necessary the development of new routes and services, including improved and fully accessible interchange facilities.
- ii. The council will expect development to provide safe and suitable access

arrangements for all road users to new developments. Where improvements or changes to the road network are necessary by virtue of an approved development, the council will secure a Legal Agreement from the developer.

iii. The council will require appropriate measures to control vehicle movements, servicing and delivery arrangements. Where appropriate the council will require Construction Management and/or Delivery and Servicing Plans.

iv. Where appropriate, development will be required to improve cycle and pedestrian facilities in the local catchment area by providing facilities on site and/or funding improvements off site

#### **g: Parking management**

1. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms)

ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and

iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

2. Residential development may be acceptable:

i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.

ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

The main issues are:

- The impact on the character and appearance of the general locality
- The impact on highway and pedestrian safety
- The impact on neighbouring amenity
- Sustainability Issues
- Other material planning considerations

#### *The impact on the character and appearance of the general locality*

The new building will be of modern design which has been sensitively designed to ensure it is in keeping with the character and appearance of the university campus. Whilst the university buildings comprise a variety of styles the more recent additions to the campus including the Sheppard Library and the new Quadrant entrance have been of modern design. Therefore the principle of a modern design is considered acceptable. Although the area surrounding the university campus is predominantly residential the houses are some distance away (over 100m) and the site itself is designated for educational purposes and a new building within the heart of the university campus is considered appropriate in this location. The University is a big local employer and is considered to contribute to the local economy.

The new Forum North building is located in the middle of the site adjacent to the Multi Use Sports pitches between the Vine Building and The Forum Building. The

building will take advantage of the existing levels differences on site (there are substantial levels differences between the Multi Use Sports pitch area and the existing tennis courts. This means that although the building would be a maximum of 5 storeys in height when viewed from the east elevation entrance to the building it would have the appearance of a 4 storey building. The proposal will only be two storeys higher than the buildings on either side and with two 'wings' immediately adjacent to both neighbouring buildings would not appear as an overly dominant structure within the university campus. Furthermore, given the natural sloping of the land the proposed building will be set lower than the 5 storey Shephard library and will not appear as visually dominant within the site. It is acknowledged that given its size the new Forum North building will be visible outside the campus however, this does not mean that it will have a detrimental appearance on the landscape and general locality as it is set within the grounds of the built area.

#### *The impact on highway and pedestrian safety*

PTAL (Public Transport Accessibility Level) rating for this site is 3, calculated at a point where the site entrance is proposed. PTALs range from 1 to 6, where 6 represents a high level of accessibility and 1 a low level of accessibility.

There are several bus routes operating nearby, such as: Route 240; Route 183; Route 143; Route 326; The nearest underground station to this proposal is Hendon Central which is part of the Northern Line and is approximately 960.0 metres which is considered within walking distance to this site. Since PTAL calculations do not take into consideration the possibility of linking trips, meaning changing one mode of transport to another, public transport accessibility level for this location is considered to be very accessible.

The site is also within the Hendon Controlled Parking Zone (CPZ). On the Greyhound Hill the parking restrictions operate between 10AM to 5PM (Mon-Fri). Nearby there are parking bays for short stay operating from 9AM to 5:30PM (Mon-Fri). Part of The Burroughs has parking restrictions from 10AM to 5PM (Mon-Fri) up to St Josephs Grove and then the parking restrictions are from 8AM to 6:30PM on both sides. St Josephs Grove has various restrictions, part of it is from 8AM to 6:30PM (Mon-Fri) and the other part is from 1:45PM to 2:45PM. There is a Pay and Display car park on the Burroughs Gardens with approximate capacity of 20 parking spaces, operating from 9:AM to 5:30 PM (Mon-Sat). There are pay and display parking available on the Egerton Gardens.

In addition to the new building, the proposal includes some modifications of the existing vehicular access to the car park serving The Forum, a route which is also used by the delivery and emergency services. The route for the delivery and emergency access will be provided through a new road which is not part of this application. Given the 2no. Additional parking bays adjacent to the building and that the proposal will not result in an increase in the number of students, it is considered that the proposals would have an acceptable impact on highway and pedestrian safety.

#### Travel Plan

The current Middlesex University's Travel Plan (TP) contains measures to promote the use of sustainable modes of transport. The TP was approved by Local Planning Authority (LPA), with agreed initiatives and targets. As mentioned above, the applicant has confirmed that the overall student numbers at Middlesex University

remain the same as existing. It is therefore recommended that these Travel Plan initiatives continue to be monitored. The results of the reviews should be incorporated into the next years report, required for submission to the LPA. It is expected that Travel Plans and monitoring of the TP activities to last at least for the next 5 years or until it is considered that the impact has achieved the agreed initial targets, whichever is the earliest.

It has been recommended that an extension to the travel plan is secured via a Section 106 Agreement.

#### *Impact on neighbouring amenity*

The proposed building will be located 55m from the nearest neighbouring property Sunnyfield School, will be located over 100m away from the nearest neighbouring residential property in Hatchcroft and over 130m from the rear gardens of the residential properties in Heton Gardens. Given the substantial distances between the new building and the nearest neighbouring residential properties, it is not considered that the proposal will result in overlooking or loss of privacy to the occupiers of the nearest residential properties. Concerns were raised by residents regarding light spill at night from lights left on in unused classrooms. The University intends to adopt a light strategy for the building to ensure that lights are not left on at night unnecessarily and in order to comply with BREEAM 'Excellent' standards it is likely that motion sensors will be attached to the lights to ensure unused classrooms will remain unlit. It is considered that these measures will minimise the impacts of the proposal on the amenities of the neighbouring occupiers. A condition is proposed to ensure this is implemented.

The previous application (H/06124/13) was refused for the following reason: 'the proposed development, by reason of the additional building, will result in an over intensification of use and potential increase in student numbers which would have an adverse impact on the amenity of adjoining residents contrary to adopted (2012) Core Strategy Policy CS1 and adopted (2012) Development management Policy DM01'.

The current application has been submitted with supporting information which states that there is a need for additional space for the following reasons:

- There is insufficient space for the existing senior academic staff, with sharing of office space
- There have been instances when the university did not have sufficient rooms to provide a quality teaching experience
- There has been increased demand for larger space requirements for research based studies
- The existing student timetable does not allow efficient use of staff and student time

In addition to this, the supporting information states *"we are aware that student numbers are of concern to local residents and members. This has been very evident in the formal consultation responses on the two Forum North applications and other recent planning applications and in views expressed at Committee. The Accommodation Statement reports on recent student numbers and includes a 5-year forecast to 2017/18. The accompanying text provides important information on how this data is derived and should be interpreted. In the interests of transparency, and*

to seek to allay concerns, MU is happy to provide this information to the Council, updated on a regular basis, say 1 November annually, and supplemented with actual figures for the year just finishing. This would enable the Council and other interested parties to monitor overall numbers. It could also provide useful background when considering future applications as the on going estate renewal/ improvement programme progresses. MU would be willing to enter into a planning obligation to provide this information as part of the Section 106 Agreement for Forum North. We suggest the obligation could be worded along the following lines:

On [date] MU will submit to LBB an annual update of the following information provided in Appendix X to the Agreement [reproduce Appendix 1 from the Accommodation Statement]:

- The Student 5 year Forecast
- Actual student numbers for the preceding academic year
- update to the accompanying text, as required LBB will make the annual update available to the public on request”.

Based on the supporting information, it is understood that the predicted number of students at the Hendon Campus would reduce over time. As such, the proposal will not result in an increase in the number of students on site or result in an increase in pedestrian footfall. Accordingly, it is not considered that the proposal will result in increased littering to the surrounding area or additional noise and disturbance to the occupiers of the neighbouring residential properties.

It is noted that the applicant shows a willingness to enter into a legal agreement to monitor student numbers, but the proposal to monitor student numbers would not meet the tests for planning obligations and therefore the provision of a legal agreement for this purpose would not be appropriate.

#### *Sustainability Issues*

The new building seeks to achieve a high level of sustainability in accordance with Middlesex University's own policies. The proposal would comply with the Council's SPD on Sustainable Design and Construction and is seeking to achieve a BREEAM standard of 'excellent.' It is considered that the proposals would achieve an acceptable level of environmental performance for a development of this size.

#### *Other material planning considerations*

Archaeology – The applicant has submitted an archaeological study. English Heritage has been consulted and do not have any concerns to raise with the proposal on archaeological grounds.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

The comments 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.

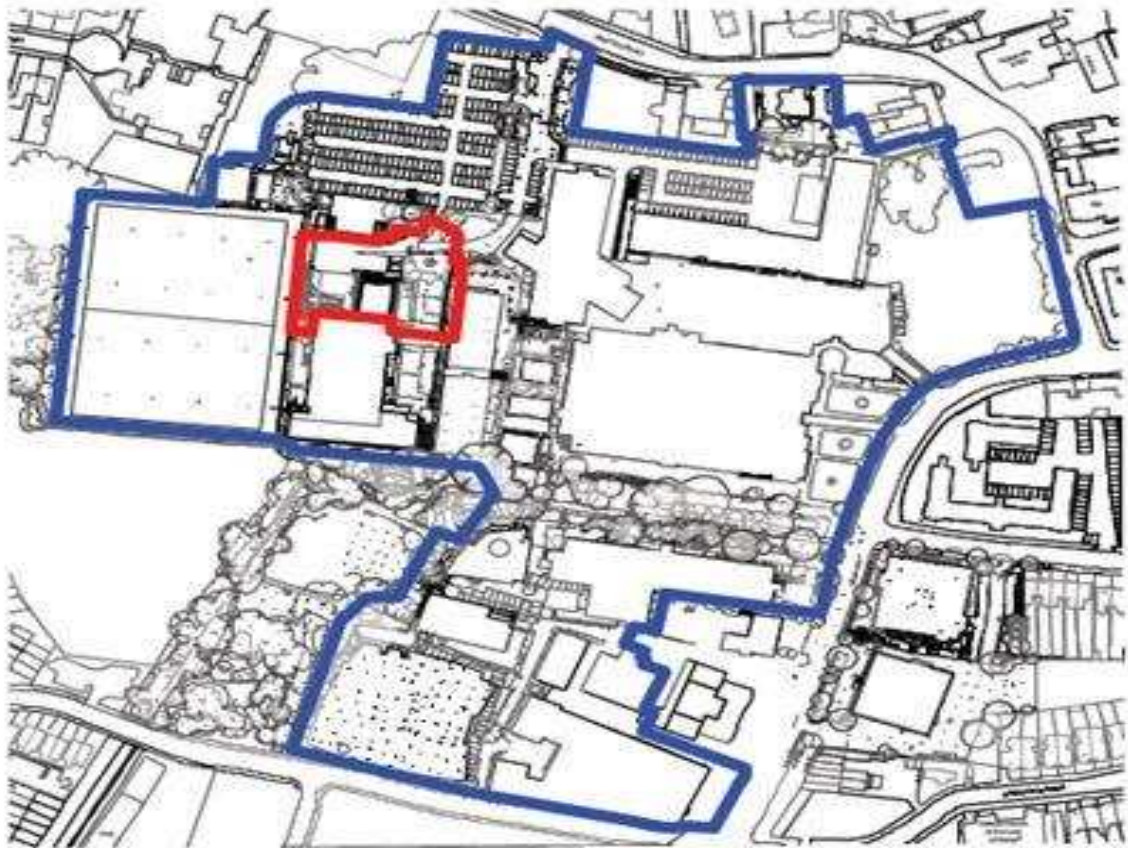
## **5. CONCLUSION**

The application is recommended for **APPROVAL**.



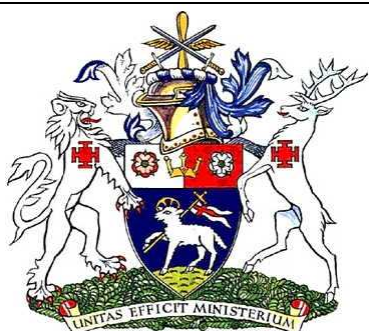
**SITE LOCATION PLAN:** Middlesex University, The Burroughs, London, NW4 4BT

**REFERENCE:** H/04180/14



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## Planning Committee

**27 November 2014**

|                                |   |
|--------------------------------|---|
| <b>Title</b>                   | <b>Cottage Farm, Mays Lane, Barnet, Herts, EN5 2AQ - B/04041/14</b>   |
| <b>Report of</b>               | Head of Governance  |
| <b>Wards</b>                   | Underhill   |
| <b>Status</b>                  | Public  |
| <b>Enclosures</b>              | Appendix A - Cottage Farm - B/04041/14  |
| <b>Officer Contact Details</b> | Faith Mwende, Governance Service<br>Email: <a href="mailto:faith.mwende@barnet.gov.uk">faith.mwende@barnet.gov.uk</a><br>Tel: 020 8359 4917 |

### Summary

The planning application contained in Appendix A was reported to the Chipping Barnet Area Planning Committee on 21 October 2014. Prior to the consideration of the report, the Chairman executed the power to refer the application to the Planning Committee.

### Recommendations

1. That the Planning Committee consider and determine the application contained in Appendix A.

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The planning application contained in appendix A was reported to the Chipping Barnet Area Planning Committee on 21 October 2014. Prior to the consideration of the report, the Chairman executed the power to refer the application to the Planning Committee.
- 1.2 This item is a major planning application which has borough wide implications, setting a precedent that would impact future greenbelt planning applications and as a result the decision best sits within the Planning Committee.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Committee are requested to consider and determine the application within appendix A. The application is recommended by Officers to refuse the application for the reasons listed within the report.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Not applicable.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.1.1 None in the context of this report.

### **5.2 Legal and Constitutional References**

- 5.2.1 The Council's Constitution (Responsibly for Functions, Annex A) states that the Planning Committee has the responsibility to determine such an application found within Appendix A.
- 5.2.2 The Council's Constitution (Responsibly For Functions) states that a Chairman of an Area and/or Area Planning Committee may refer any item that it considers with a recommendation to the relevant committee within whose Terms of reference it falls, before the Committee has made a decision on the recommendation in that item.

**5.3 Risk Management**

5.3.1 None in the context of this report.

**5.4 Equalities and Diversity**

5.4.1 None in the context of this report.

**5.5 Consultation and Engagement**

5.5.1 See Appendix A.

**6. BACKGROUND PAPERS**

6.1 None

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**LOCATION:** Cottage Farm, Mays Lane, Barnet, Herts, EN5 2AQ

**REFERENCE:** B/04041/14

**Received:** 26 July 2014

**Accepted:** 28 July 2014

**WARD(S):** Underhill

**Expiry:** 22 September 2014

**Final Revisions:**

**APPLICANT:** Mr Varsani

**PROPOSAL:** Construction of two detached dwellings and one outbuilding to provide leisure facilities

**RECOMMENDATION: REFUSE**

1. The construction of two residential dwellings and an outbuilding are inappropriate forms of development within the green belt, which do not preserve the openness of the Green Belt. No very special circumstances have been demonstrated that would justify the development. The development would therefore have an unacceptable impact on the aims, purpose and openness of the Green Belt, contrary to Policies CS NPPF, CS1 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM15 of Barnet's Local Plan Development Management Policies (Adopted September 2012), and paragraphs 89 and 90 of the National Planning Policy Framework Published 2012.
2. The proposed development does not include a formal undertaking to provide affordable housing contrary to Policies CS NPPF and CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM10 of the Development Management Policies DPD, the Planning Obligations SPD (adopted April 2013) and the Affordable Housing SPD

**INFORMATIVE(S):**

1. The plans accompanying this application are: Tree Survey dated 22 April 2014, 2028, 2027, Design and Access Statement, Planning Statement, Sustainability Statement, Site Photos, Ecological Assessment, Bat Survey, Great Newt Survey, Residential and Water Search, Contaminated Land Risk Assessment, GroundSure Floodview, GroundSure Screening, 0.5, 0.6a, 0.6b, 0.6c, 0.7a, 0.8, 2.0b SP2.1, SP2.2, SP2.2, SP2.3, SP2.4, H2. 2.1, H2. 2.2, H2. 2.3, H2. 2.4, H2. 3.1, H2. 3.2, H2. 3.3, H2. 2.4, H2. 3.5,
2. This is a reminder that should an appeal be allowed, then the proposed development would be deemed as 'chargeable development', defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Therefore the following information may be of interest and use to the developer and in relation to the appeal process itself:

The Mayor of London adopted a Community Infrastructure Levy (CIL) charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for a £39 480 per sq m rate for education and health developments.

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 were set at a rate of £152 280 per sq m.

Liability for CIL is recorded to the register of Local Land Charges as a legal charge upon a site, payable should development commence. The Mayoral CIL charge is 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.

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

The Community Infrastructure Levy becomes payable upon commencement of development. A 'Notice of Commencement' is required to be submitted to the Council's CIL Team prior to commencing on site; 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 any appeal being allowed, please contact us: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

3. In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, 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 applicant sought formal pre-application advice which was provided.

During pre-application, officers raised a in principle objection to the scheme.

## **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 and CS7.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM08, DM10, DM15 and DM17.

#### Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted by Cabinet 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.

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:

N07957 - Two single storey buildings - planning permission granted 2 April 1986

N07957A - Erection of single storey building comprising thirty kennels each with external exercise area - planning permission refused and allowed at appeal 13 October 1989

N07957B - Erection of detached two storey dwelling house with attached double garage, to replace existing cottage - planning permission refused and dismissed at appeal 11 July 1990

N07957C - Erection of detached bungalow with integral garage to replace existing - planning permission refused 10 September 1991

N07957D - Demolition of part of bungalow, single storey side extension and dormer windows on front and rear - planning permission granted 29 April 1992

N07957G - Erection of single storey building for use as a boarding cattery - planning permission granted 24 January 1995

N/07957/D/00 - Demolition of storage building adjacent to main entrance and erection of single storey side extension to Cottage Farm house - planning permission granted 4 July 2000

N/07957/R/05 - Conversion of existing barn into 1 no. self-contained residential unit and storage room - planning permission refused 22 November 2005

N/07957/S/05 - Single storey front extension. New dormer window to rear elevation to provide additional bedroom - planning permission granted 2 February 2006

### Consultations and Views Expressed:

On 19 September 2014, Cllr Paul Edwards called in the application. Cllr Edward considered that the proposal would result in an improvement to the area by reason of a reduced building footprint, the removal of derelict buildings, and the provision of energy efficient units that will be screened by existing vegetation.

Neighbours Consulted: 11

Replies: 10 - In favour

1 - Objection.

Neighbours Wishing To Speak 0

### Objections :

- The proposal will result in a net increase of 3 times as many residential units on the site.
- The drawings depicts 3 houses for residential units not "leisure facilities".
- The title of the planning application is ambiguous and misleading.
- The increase in the residential units on the property is contrary to the original intend and purpose of Cottage Farm, which was intended for livery, horticultural and animal husbandry use
- Cottage Farm is in the vicinity of protected woodlands with an indigenous bio-diversity. The proposed screen planting will therefore need to managed so non-native species are not introduced.

### In Favour

- The existing Kennels are a source of noise and disturbance, as such their removal is welcomed
- The proposal is more in keeping with the Green Belt than that of the existing use
- Existing buildings are an eyesore
- The proposal would increase safety, reduce traffic and increase a sense of community

In addition to the information submitted with the application, the applicant has further commented that the proposed development is acceptable because:

- The proposal will occupy brownfield land only
- The proposal will return 60% of what is brownfield land into "green" (I.e. grass and trees)
- Feedback from neighbouring property is very positive
- If refused the remaining options are not environmentally friendly:
- Allow site to deteriorate
- Expand existing kennels on a commercial scale
- Sell site.

### Internal/Other Consultation

Thames Water: No objection raised.

Highways: No objection

Natural England - No objection

Date of Site Notice: 07 August 2014

## **2. PLANNING APPRAISAL**

On 21 October 2014, the Chairperson of the Chipping Barnet Planning Committee resolved to refer the application to the Planning Committee for decision and requested officers to provide an updated report to that meeting.

### Site Description and Surroundings:

The application site, located on Mays Lane and known as Cottage Farm, is located within the Metropolitan Green Belt. The site is occupied by a single dwelling, and a collection of unused buildings (x7), previously in use as kennels. Access to the site is gained via Mays Lane.

### Proposal:

The applicant seeks permission for the construction of two detached, two storey dwellings (One x 5-bed, One x 5-Bed + library) and an ancillary leisure block . The Leisure block will house a swimming pool, gym, sauna, steam room, changing rooms, storage and associated plant equipment.

All existing buildings will be removed so to permit the proposed structures to be located to the rear of the site.

All three blocks will be bespoke in design.

### Planning Considerations:

The main issues are considered to be:

- The principle of the proposed development in the Green Belt and whether harm would be caused to the openness of the Green Belt;
- Any other harm arising from the proposed development.

These shall be addressed in turn:

### **Principle of development and Visual Amenity**

The application seeks to demolish all existing outbuildings to the rear of the site, reduce the amount of hard-surfacing (from 3050m<sup>2</sup> to 1815m<sup>2</sup>), and to erect 2x new detached single family dwelling houses and ancillary leisure use. Owing to the existing kennels/outbuildings holding no designation and containing limited architectural merit, no in principle objection is raised to their removal. As such, the discussion now falls to the merits of their replacements. Paragraph 89 of the NPPF states, the replacement of a building within the Metropolitan Green Belt is only appropriate, provided the new building is in the same use and not materially larger than those insitu.

Whilst the applicant states the use of the site to be residential only, the lawful use of the property is animal husbandry (Kennels). Therefore as the proposal involves the change of use from Kennels to residential, the proposed use is not the same as the existing and would not comply with the first test noted above. In paragraph 6 of the allowed 1998 appeal (See Site history for details of appeal), the Planning Inspector found the use of the site as Kennels to be an appropriate use within the Green Belt and commented that,

*'Overall it is my conclusion that this proposal is a use which would be appropriate and acceptable within the Green Belt, and would not be of any harm to the rural character and appearance of this part of the Green Belt'*

The applicant seeks to use the entire site as residential. Paragraph 89-91 of the NPPF considers residential development within the Green Belt to inappropriate and unacceptable.

The applicant states the existing kennels/outbuildings occupy a footprint of 1368m<sup>2</sup>, and that the proposed development would occupy a footprint of approximately 861m<sup>2</sup>. However, an assessment of openness does not solely relate to the quantum of floor space but also to the scale and bulk of the proposal. Whilst the development would result in a reduction of built footprint on the site (in part due to replacing existing hard landscaping with soft landscaping), the new structures will be multiples, large, bulky and predominately two storeys buildings and therefore be significantly greater in volume, size, bulk, mass, form and character from the existing single storey collection of buildings. In addition, the site would continue to be enclosed. It would be landscaped to form residential gardens and would almost certainly include some domestic paraphernalia, such as outside seating areas, washing lines, children's play equipment and the like. As such, the impact of large and bulky dwellings and a leisure block set within a substantial residential garden would not be offset by a reduction a floorarea.

There are significant concerns with the size of the replacement developments, proposed. Whilst the combined footprint of the proposal is less than that of the existing and the volumes of the existing and proposed are comparable, the height of the resulting blocks are twice that of the existing approved single storey kennel buildings. There are considerable concerns about the proposal to provide two storey accommodation where currently exists modest single storey buildings of a form of development which supports a use that the Planning Inspector considered to be acceptable in the Green Belt (1998 appeal decision quoted above). It is considered that the proposed developments are inappropriate in terms of its size, scale, mass, bulk and design, within the context of the Green Belt. This is because it is considered

to detrimentally impact on openness. The proposed buildings would be materially larger than those to be replaced and would fail to comply with Green Belt Policy.

Paragraph 90 of the NPPF states that certain other forms of development are also appropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction. However, the proposal seeks permission for new building and not for the re-use of existing buildings. The proposed development as independent residential and leisure facilities are therefore found to be unacceptable uses within the Metropolitan Green Belt.

The provided Design and Access Statement states each block will be bespoke in their architectural vernacular. No objection is raised to the unique modern architectural design approach. However issues rehearsed above do not outweigh the merits of design quality proposed here.

### **Any Other Harm**

#### **Affordable Housing**

Policy DM10 states that the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites covering an area of 0.4 hectares or more. As the site area of the site is 0.96 hectares, the provision of affordable housing should form a part of this application. Such an agreement has not been agreed and can not be secured by condition in respect of this requirement, and therefore the proposal would not comply with the requirements of Policy DM10 and is considered to be unacceptable.

#### **Neighbouring amenity**

The site is located in a secluded rural location accessible from the May Lane. The pattern of development is of an open character and as a result it is not considered that the proposals would harm neighbouring amenity. The proposed dwellings would provide adequate amenity for existing and future residents.

#### **Highway safety**

The proposals could make provision for parking in accordance with the Council's standards. This is considered acceptable in highways terms.

#### **Sustainable Development**

The development would be required to meet Level 3 of the Code for Sustainable Homes, as proposed.

The Ecological Survey concluded that some onsite features contained potential to support wildlife:

- Pond - Good potential to support Great Nested Newts,
- Buildings and trees – potential to support bats – further surveys required.
- Trees and Hedgerows – Potential to support nesting birds.

To that end a the applicant has carried out a Bat and Newt Survey. The Bat survey revealed, low levels of bat foraging activity were recorded at the site, largely associated with the pond and gardens in the west of the site.

Mitigation /enhancement schemes are proposed to ensure that no bats are harmed during the works and that provisions are made for bats post-development. The recommendations include removing weather boarding and lead flashing by hand,

employing a sensitive lighting scheme both during and post-construction, and including bat box provisions in the development scheme. Mitigation /enhancement methods are considered to be acceptable.

No Great Crested Newt or their eggs were recorded at ponds within 500m of the site. Therefore no adverse impacts upon Great Crested Newt are anticipated as a result, no recommendations for further mitigation works are required. Natural England has not raised an objection.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

No trees located within the site are considered to be protected by Tree Protection Orders.

Response to additional comments made by applicant

1. The proposal will occupy brownfield land only  
The NPPF defines Brown Field sites as, 'land that has been previously developed

The NPPF further advises that whilst the construction of new buildings in the Green Belt should be regarded as inappropriate, exceptions to this might include "*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), where redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*".

Whilst it is acknowledged that the site falls within the definition of a 'Brownfield' that in itself is not sufficient to justify allowing an otherwise inappropriate development within the Green Belt. The proposed residential re-development of the site does not fall within any of the five purposes of including land within the Green Belt. Furthermore, as stated previously it is considered that the proposal would adversely affect the openness of the Green Belt.

2. The proposal will return 60% (floor space) of what is brownfield land into "green" (i.e. grass and trees)  
As previously stated, the use of the premises was considered by the Inspector to be an appropriate use of this Green Belt site. Whilst the introduction of soft landscaping is noted an assessment of openness does not relate solely to the quantum of floor space but also to the scale and bulk of the proposal. It is not considered that the introduction of soft landscaping would outweigh the harm to the Green Belt arising from this inappropriate development.
3. Feedback from neighbouring property is very positive  
Whilst support from neighbouring properties is noted this does not change the planning merits of the proposal and is not considered to amount to very special circumstances, such as to justify allowing inappropriate development within the Green Belt.
4. If refused the remaining options are not environmentally friendly  
As noted by the Inspector (see section on 'Principle of Development), the existing Kennels are considered to be an appropriate use within the Green Belt  
All other matters raised during consultation have been addressed in the appraisal above.

**4. EQUALITIES AND DIVERSITY ISSUES**

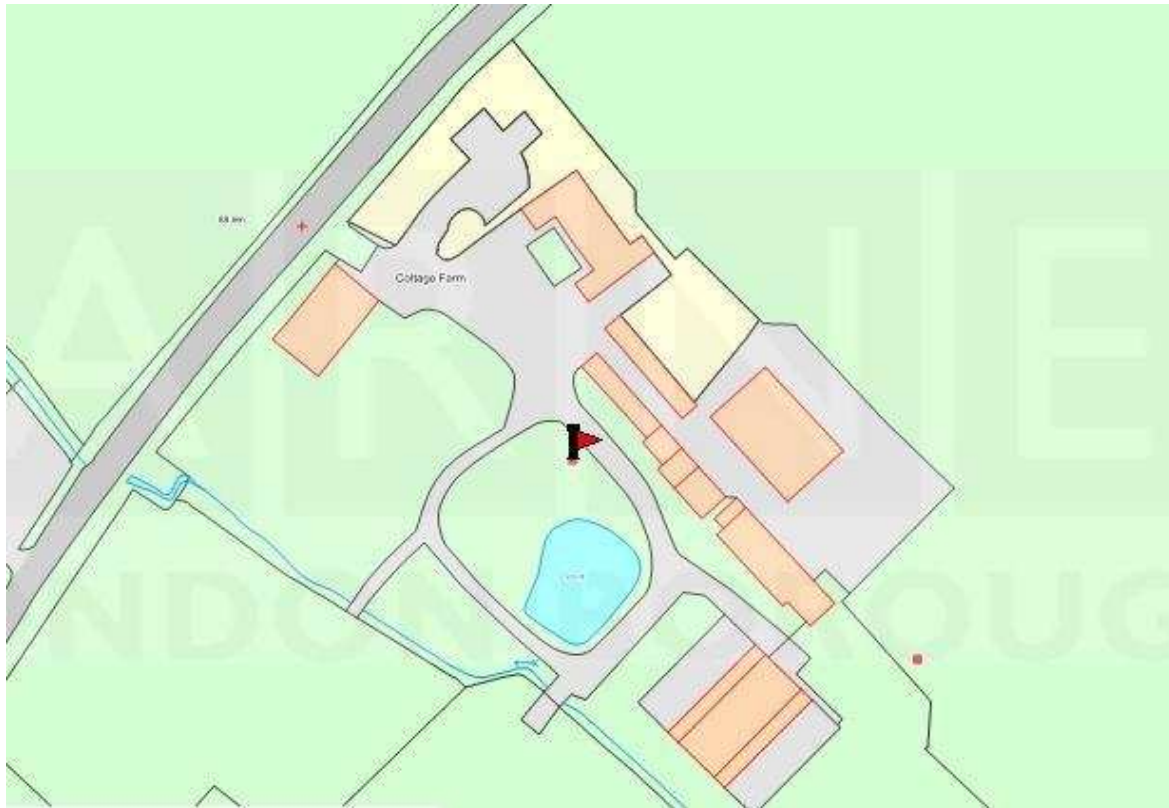
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

**5. CONCLUSION**

The application is recommended for **REFUSAL**.

**SITE LOCATION PLAN:** Cottage Farm, Mays Lane, Barnet, Herts, EN5 2AQ

**REFERENCE:** B/04041/14



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