

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 19TH OCTOBER, 2016

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Melvin Cohen LLB

Vice Chairman: Councillor Wendy Prentice

Maureen Braun

Claire Farrier

Eva Greenspan

Tim Roberts

Agnes Slocombe

Stephen Sowerby MA

Mark Shooter

Laure Williams

Jim Tierney

Substitute Members

Anne Hutton

Reema Patel

Dr Devra Kay

Gabriel Rozenberg

Sury Khatri

Hugh Rayner

Please note that the below agenda may not reflect the order in which items will be heard at the meeting.

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

Andrew Charlwood – Head of Governance

Governance Service contact: Paul Frost paul.frost@barnet.gov.uk 020 8359 2205

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 10
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Garages At Basing Way Land Between 98-108 And 182-192 Basing Way London N3 3BP (Finchley Church End Ward)	11 - 38
7.	Elmshurst Crescent Garages Land Adjacent To 90-100 Elmshurst Crescent And 35 Pulham Avenue London N2 0LR (East Finchley Ward)	39 - 68
8.	Land Adjacent To 106 -128 Mount Pleasant And 27-37 Langford Road Barnet EN4 9HG (East Barnet Ward)	69 - 94
9.	Land At 1-7 Moxon Street And At 44 Tapster Street Including Land To The Rear Of 1-11 Moxon Street And Opposite The Old Printworks Barnet EN5 5TY (High Barnet Ward)	95 - 122
10.	Garages Off Linden Road and Pine Road London N11 1ER (Brunswick Park Ward)	123 - 144
11.	West Farm Place Garages Land Rear Of Westpole Court And 18-20 Langford Road Barnet EN4 9TY (East Barnet Ward)	145 - 164
12.	Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 5JE (Colindale Ward)	165 - 222
13.	Phase 6 Millbrook Park (Former Inglis Barracks) London, NW7 1PX (Mill Hill Ward)	223 - 248
14.	Sweets Way, London, N20 (Totteridge Ward)	249 - 288
15.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

8 September 2016

Members Present:-

AGENDA ITEM 1

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

Councillor Maureen Braun	Councillor Mark Shooter
Councillor Claire Farrier	Councillor Laurie Williams
Councillor Tim Roberts	Councillor Jim Tierney
Councillor Agnes Slocombe	Councillor Hugh Rayner
Councillor Stephen Sowerby	(In place of Councillor Eva Greenspan)

Apologies for Absence:

Councillor Eva Greenspan

Prior to the commencement of the formal element of the meeting, the Committee received a pre-application presentation on Phase 3 of the West Hendon Regeneration Scheme.

1. **PRE-APPLICATION SUBMISSION FOR COMMITTEE ASSESSMENT - PHASE 4 DEVELOPMENT AT WEST HENDON**

The Committee received a presentation from Tim McCarroll, representing Allies and Morrison, and Nathan Smith, representing Barratt Homes, on Phase 3 of the West Hendon Regeneration Scheme. Members were advised that Phase 3 had already received planning consent and the Committee were being asked to consider some of the design the detailed design proposals that would be coming forward the Planning Committee in October as a Reserved Matters Application.

Mr McCarroll outlined some of the key elements of the building design including:

- Relationship to the Welsh Harp and West Hendon Broadway;
- Height, density and geometry of buildings across the development site;
- Different design elements for building frontages such as brickwork and balcony designs;
- Rear service access areas; and
- Green space provision and planting.

Mr Smith provided information to the Committee on community engagement work that had been completed, was on-going or planned including:

- Creation of a West Hendon Partnership Board
- Creation of a Construction Working Group
- Engagement with the West Hendon Community Group
- Work with the Welsh Harp Joint Consultative Committee
- Newsletters

- Updated website
- Creation of a Place Making Workshop
- Development of a Community Trust Fund
- Opening on October 2016 of an interim Community Centre, Regeneration Office and Residents Centre with staff on-site

Following the presentation, individual Members commented as follows:

- Concern that the height of tallest building was proposed to increase to 21 stories despite being within the existing approved development envelope;
- Regret that the 'ball park' play space had been already been removed as part of the regeneration and emphasised the importance of appropriate provision of play spaces across the age ranges (0-5, 5-11 and teenage)
- Density of the development; and
- Suggested a review of affordable housing elements to take into account increasing house prices since the commencement of the scheme

Mr McCarroll undertook to provide additional information to the Committee Members on play space provision.

Following the conclusion of the strategic pre-application item, the Committee formally opened and considered the planning applications for determination.

2. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 27 July 2016 be approved as a correct record.

3. ABSENCE OF MEMBERS

Apologies for absence had been received from Councillor Eva Greenspan who had been substituted for by Councillor Hugh Rayner.

4. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Member	Declaration
Councillor Tim Roberts	Agenda Item 7 (60-68 West Hendon Broadway, London, NW9 7AE) – declared a non-pecuniary interest as the applicant was a former neighbour

5. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

6. ADDENDUM

The Committee noted the information provided in the addendum. Items contained within the addendum were dealt with under individual agenda items.

7. LAND ADJACENT TO 1-15 WARWICK CLOSE, BARNET, EN4 9SF

The Committee received the report and addendum.

Representations were heard from Claire Docherty and the applicant's agent.

RESOLVED that the application be approved, subject to the conditions detailed in the report, the additional information contained in the addendum and a further conditions relating to:

- i) Further drawings relating to the siting of the bin store to be submitted and approved by the local planning authority; and**
- ii) Hours of work.**

For:	11
Against:	0
Abstained:	0

8. QUINTA DRIVE GARAGES, BARNET, EN5 3BW

The Committee received the report.

Representations were heard from Ms M Greeves and the applicant's agent.

RESOLVED that the application be approved, subject to the conditions detailed in the report and an additional condition relating to hours of work.

For:	11
Against:	0
Abstained:	0

9. WESTBROOK CRESCENT GARAGES, BARNET, EN4 9AP

The Committee received the report and addendum.

RESOLVED that the application be approved, subject to: the conditions detailed in the report; the additional information and amendments set out in the addendum; and an additional condition relating to hours of work.

For:	11
Against:	0
Abstained:	0

10. RYECROFT CRESCENT GARAGES, BARNET, EN5 3BP

The Committee received the report.

RESOLVED that the application be approved, subject to the conditions detailed in the report and an additional condition relating to hours of work.

For:	11
Against:	0
Abstained:	0

11. REETS FARM CLOSE GARAGES, LAND ADJACENT TO 19 REETS FARM CLOSE, LONDON, NW9 7HN

The Committee received the report.

Representations were heard from Mr M Wexler and the applicant's agent.

RESOLVED that the application be approved, subject to the conditions detailed in the report.

For:	11
Against:	0
Abstained:	0

12. CRISPIN ROAD GARAGE COURT, LAND BETWEEN 24 AND 26 CRISPIN ROAD, BURNT OAK, HA8 9EN

The Committee received the report.

RESOLVED that the application be approved, subject to the conditions detailed in the report.

For:	11
Against:	0
Abstained:	0

13. GARAGE SITE WEST CLOSE, BARNET, EN5 3BY

The Committee received the report and the addendum.

RESOLVED that the application be approved, subject to the conditions detailed in the report and the addendum.

For:	11
Against:	0
Abstained:	0

14. GARAGES OFF SALCOMBE GARDENS, LONDON, NW7 2NU

The Committee received the report and the addendum.

Representations were heard from the applicant's agent.

RESOLVED that the application be approved, subject to the conditions detailed in the report and the addendum and a further condition relating to hours of work.

For:	11
Against:	0
Abstained:	0

15. ROWLEY LANE SPORTS GROUND, ROWLEY LANE, BARNET, EN5 3HW

The Committee received the report.

Representations were heard from Mr Liam Magwood.

Councillor Prentice and officers undertook to provide the Mr Magwood with contact information for the council's parking and licensing services.

RESOLVED that the application be approved, subject to the conditions detailed in the report and an additional condition that an Activities Management Plan be submitted to the local planning authority for approval.

For:	11
Against:	0
Abstained:	0

16. 60-68 WEST HENDON BROADWAY, LONDON, NW9 7AE

The Committee received the report and addendum.

RESOLVED that the application be approved, subject to Section 106 and the addendum.

For:	6
Against:	4
Abstained:	1

17. OAK LODGE SCHOOL FENCE, LONDON, N2 0QY

The Committee received the report and the addendum.

RESOLVED that the application be approved, subject to the conditions detailed in the report and subject to the addendum.

For:	11
Against:	0
Abstained:	0

18. BARNET BURNT OAK LEISURE CENTRE, WATLING AVENUE, EDGWARE, HA8 0NP

The Committee received the report.

Representations were heard from the applicant's agent.

RESOLVED that the application be approved, subject to the conditions detailed in the report.

For:	11
Against:	0
Abstained:	0

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

None.

The meeting finished at 8.40 pm

Location **Garages At Basing Way Land Between 98-108 And 182-192
Basing Way London N3 3BP**

AGENDA ITEM 6

Reference: **16/3250/FUL**

Received: 17th May 2016

Accepted: 20th May 2016

Ward: Finchley Church End

Expiry 19th August 2016

Applicant: **Christine Coonan**

Proposal: Demolition of existing garages and redevelopment to provide a 4-
storey building comprising 14no. self-contained flats for affordable rent
with associated landscaping, car parking, cycle and refuse storage;
and enclosure of existing electrical substation within a new structure

Recommendation: Approve following legal agreement

RECOMMENDATION I:

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

The provision of affordable housing for affordable rent at a proportion of 40% of all the units being provided within the development in accordance with the London Borough of Barnet Nominations Statement.

Monitoring fee: £500.00

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager approve the planning application under delegated powers subject to the following conditions:

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

15-290-02 D01-001 Rev A; 15-290-02 D01-002 Rev A; 15-290-02 D01-010 Rev A; 15-290-02 D01-011 Rev A; 15-290-02 D01-050 Rev A; 15-290-02 D01-051; 15-290-02 D01-100 Rev A; 15-290-02 D01-101 Rev A; 15-290-02 D01-200 Rev A; 15-290-02 D01-201 Rev A; 15-290-02 D01-202 Rev A; 15-290-02 D01-203 Rev A; 15-290-02 D01-300 Rev A; 15-290-02 15-290-02 D01-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey/Arboricultural impact assessment method

statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services); Drainage Strategy (7 Engineering Consultancy).

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4 Prior to the commencement of the relevant phase of the development, details of mechanical ventilation, extraction and filtration to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall be supported by an acoustic statement to ensure that noise and vibration levels both internally and externally from the development do not exceed background noise levels.

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

- 5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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

- 6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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

- 7 Notwithstanding the approved plans and elevations, prior to the commencement of the relevant phase of the development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development complies with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

- 8 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 9 Prior to the first occupation of the proposed development, the relocated refuse and recyclables storage and residents' stores for existing residents shall be constructed and made ready for use. These structures shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 10 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

11 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and the Residential Design Guidance SPD (adopted April 2013).

12 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the relevant phase of the development is commenced.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

13 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 14 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 15 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015)."

- 16 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, the units at ground floor level only shall all have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012)."

- 17 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information,

a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

18 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the

Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

- 19 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing where the noise background level for outdoor amenity areas will be likely to exceed 55dBA
- b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

- 20 a) No development shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the substation as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

- b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

- 21 Before the commencement of above ground construction works following demolition, a report should be carried out by a competent electromagnetic radiation consultant and submitted to the LPA for approval, that assesses the likely electromagnetic radiation impacts from the substation on the residential development. The report shall also clearly outline mitigation measures for the development to reduce these radiation impacts to acceptable levels. It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and

recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied/ the use commences).

Reason: To ensure that the health of the residents at the residential premises are protected from electromagnetic radiation from the substation in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

- 22 Notwithstanding the plans submitted, before development commences, details of the car park layout and the access to the car parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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

- 23 Before the commencement of the relevant phase of the development commences a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 24 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;

- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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

- 25 Details of refuse collection must be submitted to and approved in writing by the Local Planning Authority. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 26 Prior to commencement of any construction or demolition works detailed application shall be submitted to Highway Authority for approval of amendments to vehicular access from public highway and the access shall be constructed in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 27 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies).

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, Approved Document Part H of the Building Regulations 2010) and Paragraph 80 of Planning Practice Guidance.

- 28 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must

demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

- 29 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work

are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

You can apply for relief or exemption under the following categories:

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

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

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 5 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;

6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 6 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 7 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

- 8 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact

Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.

- 9 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 10 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 11 Informative: If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Informative: The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Informative: Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Informative: The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

- 12 Prior to the commencement of the development hereby approved, details and statutory orders of any highways required to be stopped up to facilitate the development shall be made under Section 247 of the Town and Country Planning Act 1990. These shall be submitted to and agreed with the Local Planning and Highway Authority.

existing parking and garage courtyard and infills a gap in the of development that runs along the boundary with the Sternberg Centre.

The car park and the garage block are accessed from the main estate road a short distance to the west. There is also an electricity substation and a caretaker's office within the site.

Land levels through the site change markedly and rise in a direction from southeast to north west and to some extent from the southwest to the northeast. The boundary with the Sternberg Centre consists of a group of mature trees, which are subject to a Tree Preservation Order. Part of the boundary between both sites is also listed. The

Car parking is provided for 14 cars in a surface car park as well as the provision of 10 garages. The site has a PTAL 1b rating which constitutes poor access to passenger transport.

2. Site history

C13088 - Conditional planning permission granted for the conversion of two disused first floor laundry rooms to form 2 one bed flats, replace flat roof with pitched roof and alterations to elevations (14.01.1998)

C13088A - Conditional planning permission granted for the replacement of existing windows with UPVC windows (08.05.2008).

F/05871/13 - Conditional planning permission granted for the conversion of existing garages into a caretaker's office (14.02.2014)

3. Proposal

Planning permission is sought for the demolition of the existing garages block, caretaker's office and the erection of a four storey block of 14 self contained flats, the enclosure of the existing substation and the laying out of a new surface car park of 32 spaces including 2 disabled parking spaces.

The proposed accommodation comprises 12 x 2 bedroom, 3-person units and 2 x 2 bedroom, 3 person wheelchair flats designed to standard M4(3). All of the proposed units are designed to be dual aspect and will meet or exceed the London Plan minimum space standards.

Each of the units would be provided with a private balcony on the upper floors or a private terrace on the ground floor. Screens have been added to on some balconies to prevent opportunities for overlooking to the adjacent blocks.

The area of car parking will be re-organised and extended to provide a total of 32 car parking spaces. Cycle storage for new residents will be provided on the ground floor of the proposed building. There would be space for 28 cycles.

The existing substation will be rehoused in a permanent structure and will remain in its current position and access will be maintained to the structure at all times from the car park. Refuse and recycling storage for existing residents is to be re-provided in purpose built collection points arranged around the car parking area. Refuse and recycling storage

for new residents will be provided within the ground floor level of the new building and will benefit from level access.

In order to implement the proposed development, it is proposed to remove one un-designated tree. Two trees subject to a Tree Preservation Order would be pruned but would be retained.

4. Public consultation

Consultation letters were sent to 223 neighbouring properties.
5 responses have been received comprising 5 letters of objection.

The comments received can be summarised as follows:

- o The site boundary lies within 7m of the proposed building line which would infringe the separation requirements set out in the Residential Design Guidance.
- o There is a planning application being considered by the London Borough of Barnet for a new boundary treatment which may be compromised by the proposed development.
- o The proposed car parking is considered to be inadequate.
- o The proposed development threatens the peaceful character and nature of the area
- o Where will parking take place during the course of construction.
- o The proposed car park area increases the area of developed land surrounded by the existing buildings which would detract from the character and appearance of the area.
- o There is likely to be asbestos within the garages and an appropriate prevention and mitigation strategy should be provided to ensure that no harmful contamination takes place.
- o The proposed development is likely to reduce the light that the estate receives.
- o The woods behind the garages is a habitat to a wide range of wildlife which may be lost.
- o The proposed development may make the car parking area harder to reach and to use for people of limited mobility.
- o Construction traffic will pass very close to people's windows
- o Traffic flow in the area would be significantly increased.
- o The addition of a larger building may affect the local micro climate.

Highways - No objection subject to conditions

Environmental Health - No objection subject to conditions

Capita Drainage - Objections raised

5. Planning Considerations

5.1 Policy context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2015

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 2050. 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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that 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. 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the principle of the development is acceptable

Planning permission is sought for the erection of a four storey building to provide fourteen flats enclosing a parking area on its northern side. The proposed development would comprise of twelve, two bed flats and two, two bed wheelchair flats. The development would be for the benefit of Barnet Homes and all fourteen units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private

registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

The site to which this application relates is considered to be previously developed land given that the development is to be carried out within the curtilage of an already existing residential development on an area of hardstanding and communal open space.

Furthermore, all the proposed units are for affordable rent, however, in order for the scheme to be policy compliant without affecting the viability of the schemed deliverability by increasing the cost of the land, the Section 106 agreement will secure 40% of the units to be provided as affordable housing. In reality, the terms of the transfer of the land ownership, the proposed development will be delivered as affordable housing.

It is considered that the proposed development would provide a compelling factor in the planning balance when the evaluation of all the material considerations is undertaken.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Policy DM01 (Protecting Barnet's Character and amenity) states that proposals should preserve or enhance local character and should respect the appearance, scale, height and pattern of the surrounding area.

The existing estate is characterised by two distinct parts which are separated by the central estate road. The buildings to the north of this road principally consist of large conjoined residential apartment blocks which wrap around formal parking areas. Given the changes in land levels across the estate, some elevations consist of a significant area of brick between ground level to ground floor windows which emphasises the size and scale of these blocks.

The proposed development provides one building of similar massing, design and roof profile which would fully enclose the courtyard which is currently enclosed on three sides. In the context of the site and its surroundings, the proposed building would correspond with the gradient change and step up from southwest to northeast providing continuity in the building form.

The proposed building depth would be similar to existing blocks within the estate, would follow an established building line and would retain a similar separation between the rear elevation to the boundary with the Sternberg Centre to the rear. As such, it is considered that the proposed development would be consistent with the pre-existing built form in the estate. Furthermore, it would be largely obscured from Basing Way (the central estate route) by existing blocks to the south and as such would not be harmful to the wider streetscene and estate character.

The demolition of the existing garage block and the removal of the means of enclosure around the existing car park would allow for a more spacious character between the three existing blocks and the additional block. The scheme provides an opportunity to provide additional landscaping within the parking courtyard that would ameliorate the visual impact that the proposed development might generate. In addition, the proposed development gives rise to an opportunity to fully enclose the existing substation which would improve its appearance and would reduce any visual impact that this structure may have.

Although the site is not located in a conservation area, the adjoining site to the northwest, incorporating Manor House within the Sternberg Centre is a listed building. The boundary around the site is therefore part of the listed curtilage. This runs along the northwestern side of the Basing Way estate and has part collapsed. A mesh fence also runs along this boundary closer to the Basing Way estate. A planning application (16/2455/FUL) and a Listed Building Consent (16/2456/LBC) have been submitted to the London Borough of Barnet for their restoration. It is considered that the proposed development would not affect the setting, interest or value of this heritage asset.

On this basis, the proposed development is considered to be acceptable to the character and appearance of the immediate surroundings and would not harm or detract from the visual amenity of the area.

Whether harm would be caused to the living conditions of neighbouring residents.

The design and layout of the proposed building has been developed to have regard to the amenity of the existing occupiers of the adjoining blocks.

The proposed development is situated over 40m away from the facing elevation of the block to the southeast and as a result, it is considered that there would not be any harm to privacy arising from overlooking for these blocks at 134 - 156 Basing Way. However, the blocks that lie perpendicular to the proposal at 110 - 132 Basing Way and 158 - 180 Basing Way would be affected particularly closer to the proposed development. Proposed balconies would therefore be fitted with side screens to prevent overlooking to these residents. Any windows to the flank elevation would be obscured glazed.

In respect of daylight and sunlight, the most affected blocks are 170 - 192 to the southwest and 98 - 120 to the northeast. The application has been supported by a daylight and sunlight assessment which has been carried out in accordance with the Building Research Establishment (BRE) guidelines for daylight and sunlight in site layout planning and development. The assessment has reviewed the likely impact on daylight using the Vertical Sky Component which suggests that this should not be any less than 27%. These daylight levels have mainly been achieved. However, where there is not the case, this is mitigated by the fact that affected windows are either not habitable rooms or are the secondary windows to rooms where a window meets the assessment standards. Given the position and orientation of the development it would not be required to undertake an assessment for loss of sunlight to the proposed development.

The existing car park is surrounded by an area of green space which to some extent serves as a grassed amenity area around the car park. The proposed development would significantly reduce this amenity. However, the application brings forward an area of newly landscaped communal amenity to the rear of the new development. In addition, an opportunity exists to provide new compensatory landscaping elsewhere in the Basing Way estate within future development schemes.

New tree planting will be provided within the scheme and the new car parking area will be surrounded by planting to ensure that the visual amenity is ameliorated.

The scheme proposes the enclosure of the existing substation which would be retained in situ. The enclosure of this facility would reduce the level of impact on existing adjoining buildings in relation to noise and electro magnetic current. As a result, this should be seen to be a planning benefit in this context.

An objection has been raised against the proximity of the proposed development to the boundary of the site on the basis that the rear elevation would be less than 10.5m from the rear boundary. Although it is acknowledged that the site is less than 10.5m from the shared boundary, it is not relevant to subject the proposal to this test on the basis that this elevation would not give rise to an impact on adjoining residential properties and there is a robust and obscure screen between the sites.

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

Each of the proposed fourteen new residential units exceed the standards for internal floorspace set out in the London Plan (as modified in March 2016). Each two bed, three person unit would have an internal floor area of 62sq.m while the two wheelchair units on the ground floor would have a floor area of 73sq.m which is greater than the standard of 61sq.m set out in the London Plan (MALP 2016).

Each unit benefits from either a private balcony facing southeast at the first to third floors. Each of the two ground floor units have a screened private garden area. All occupants would benefit from communal open space situated to the rear of the building.

All units would be dual aspect with living rooms, kitchens and dining rooms facing southeast and would therefore be in receipt of daylight. Bedrooms would face towards the northern boundary of the site and the Sternberg Centre which is considered to be acceptable given the lesser demand for daylight and sunlight within these rooms. No primary room windows would need to be obscure glazed.

A daylight and sunlight assessment has been provided with the application which considers the average daylight factor and daylight distribution for each room based on the BRE Guidelines for sunlight and daylight in respect of site layout planning. The site is constrained by the dense tree planting situated on the boundary to the Steinberg Centre to the northwest and the substation to the front of the block some of which is subject to Tree Preservation Orders. In addition, there is a substation to the front of the property which would be retained in situ. As such, these two factors are considerations in respect of the ability of proposed units to receive an acceptable standard of daylight and sunlight. However, it should be noted that the planning application 16/2455/FUL proposes that six trees would be felled close to the mutual boundary between the site and the Sternberg Centre including two substantial trees directly to the rear of the proposed footprint. Nevertheless, this application is still pending consideration and is only a material consideration of minor weight in the overall planning balance. However, irrespective of the proposed development's siting and layout, the submitted daylight and sunlight assessment demonstrates full compliance for every window in respect of the BRE guidelines set out above.

The proposed development retains a substation which would be within 7m of the nearest residential units. Industry standards suggest that this separation distance should be at least 10m. However, suitable mitigation measures would assist in preventing harm to amenity or health. A planning condition will be imposed on the planning permission to require the provision of information to demonstrate that the substation would not give rise to any harm in respect of the noise impact. Furthermore, the Environmental Health officer has recommended that a condition should be imposed on the planning permission to require the submission of a report for Local Planning Authority Approval in respect of the electromagnetic radiation impacts and the implementation or introduction of necessary mitigation measures if necessary. Furthermore, the Environmental Health officer recommends the undertaking of a ground investigation report in relation to contamination.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide twelve car parking spaces for the development. The provision of two wheelchair units would also require the provision of two disabled car parking spaces which are provided adjacent to the proposed development and have step free access to the units which they serve.

The applicant has advised that the 10 existing garages on the site are not suitable for the parking of modern cars and access to them when situated within the garage. There is no restriction on the way that garages which have been let to residents can be used and as a result, Barnet Homes has assumed that some garages may not be used for the purposes of car parking. Furthermore, of these 10 garages, four are being used for the purposes of storage by Barnet Homes. Eighteen car parking spaces are being provided expressly for the new development with the remaining parking being compensatory parking for the 15 existing parking spaces within the development.

The applicants have also commissioned a parking survey which took place on the 23 - 24 February (during school term) in accordance with policy DM17 and established methodology which has determined that the parking stress does not exceed 83% and is therefore acceptable to accommodate any overspill parking that may occur.

Information provided with the application demonstrates that refuse and emergency vehicles would satisfactorily access the proposed development and service the existing properties within this part of the estate.

Whether the proposals would make adequate provision for sustainable drainage and flood risk alleviation.

The site is highly vulnerable development. However, it is located in a Flood Risk Zone 1 area and is therefore appropriately sited to eradicate risks of flooding to residents living on the ground floor of the proposed development.

As the application is for a major development (of 10 or more units), a Sustainable urban drainage system would be required in compliance with the Government's Written Ministerial Statement of 18 December 2014, policies 5.13 and 5.14 of the London Plan and policy CS13 of the Local Plan Core Strategy (2012).

The application has provided water storage of approximately 400litres within the rear garden. The Council's drainage consultee has requested that additional rainwater storage should be provided. In addition, a detailed strategy for surface water run off should also be provided within the planning application. The recommendation for planning permission set out in this report will therefore also include conditions which require the provision of further information, prior to the commencement of development.

Sustainability

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. The substantial part of the proposed saving arises from the use of photovoltaics at roof level. No details of the photovoltaics at roof level are provided on the

submitted proposed roof plan and a condition would be required for detailed drawing showing the position and orientation of this provision.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. In this case, two flats at the ground floor would be M4(3) compliant while the twelve flats at the 1st, 2nd and 3rd floor level would not be M4(2) or M4(3) compliant. The London Plan states in policy 3.8 that where it can be demonstrated that the provision of a lift may cause practical difficulties, have implications for the viability of schemes or the affordability of service charges, the scheme can fall back to the implementation of standard M4(1). Given that the proposed development would need to provide a lift which would undermine the objective of delivering 100% affordable housing, affordable to tenants who are nominees from the London Borough of Barnet, it is considered that that policy 3.8 of the London Plan supports the provision of units complying with standard M4(1).

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

Trees and landscaping

An arboricultural impact assessment as well as a landscaping plan and strategy have been provided to support this planning application. The application is supported by a tree constraints plan which identifies two trees of Category B (moderate quality) just beyond the rear boundary with a canopy overhanging the site. Each of these trees are approximately 14m - 15m in height and have a canopy radius of approximately 7m. The report suggests that no work would be carried out to these trees to facilitate development. Tree protection measures would be implemented to ensure that construction would not conflict with the viability and vigour of these trees. The report does however, suggest that some reduction may be required to the southeastern crowns to retain suitable building clearance. However, it is considered that this would not be harmful to these trees which are not subject to protections because of their amenity value and are not highly prominent in the public realm. A third tree within the site area is recommended for removal on the basis that it is of poor quality and has a high risk of tree failure. It is considered that the trees situated within the Sternberg Centre, subject to a Tree Preservation Order would not be affected by the proposed development.

The application proposes a number of replacement trees within the development, and these are identified to be located within a landscaping strip in the new car park. Notwithstanding this proposed landscape plan which is considered to be largely indicative, recommendation for planning permission should be supported by a new condition requiring details of landscaping including species of planting and new trees where appropriate.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sq.m on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sq.m.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

Response to public consultation

Concerns have been raised in relation to the impacts on amenity arising out of the construction process. This includes the introduction of new vehicles, plant and structures associated with the process of development, the impact of noise, the loss of privacy and damage that may be caused to buildings by development. The recommendation for planning permission is supported by a condition requiring a Method of Construction Statement.

An objection has been raised in relation to the impact of the proposed development on wildlife. The application has been supported by an ecological impact assessment. A habitats survey was carried out in relation to the habitat potential of the existing buildings within the site and also what potential was sustained by the natural landscape at the rear of the site and the potential for the site to act as a corridor to and from known habitats in the wider area.

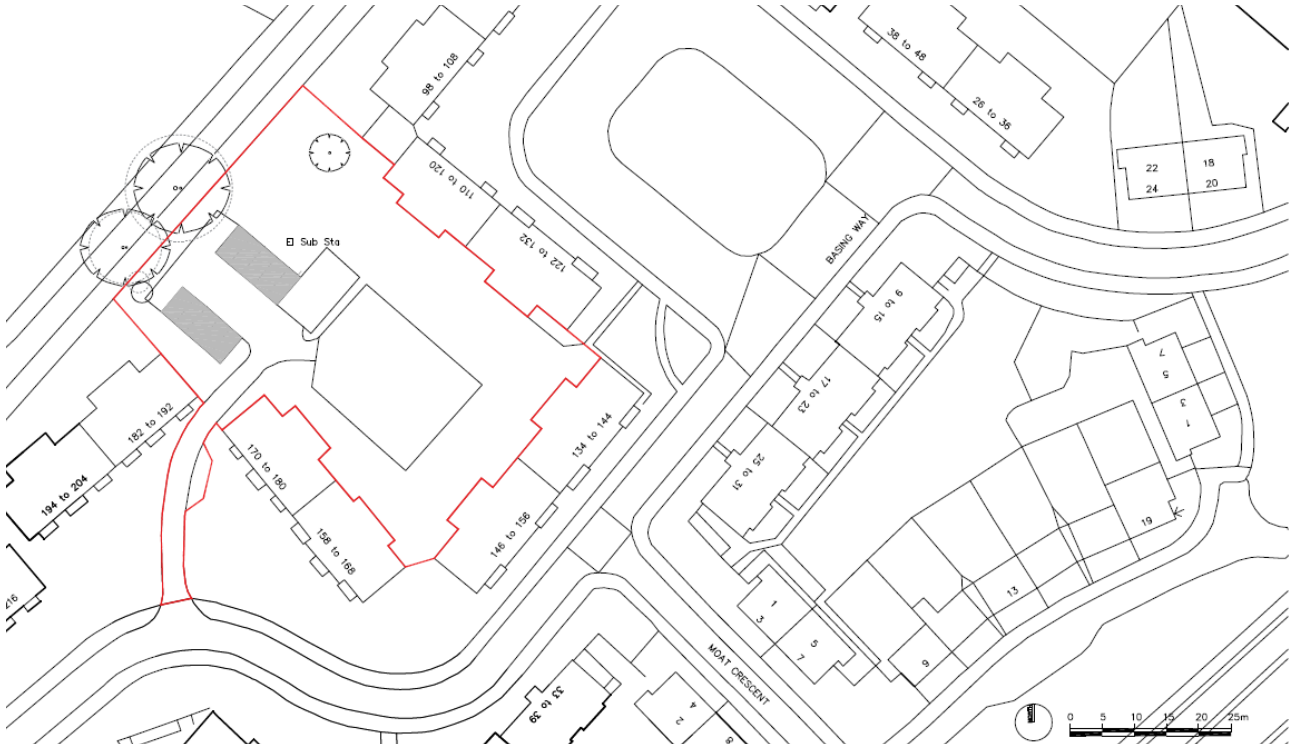
The survey has established that the area of woodland beyond the boundary has been designated as priority deciduous woodland habitat which acts as a natural buffer between sites and should be retained and protected throughout development. The Tree Protection Plan would secure this. There are bat habitats in the wider area beyond the site, however, the survey has established that there is negligible bat roosting potential within the site, although the woodland beyond the site boundary may have potential for commuting, foraging or roosting bats. Therefore any lighting should not be directed towards the woodland. No potential for fauna was established within the site and it is concluded that the site would not accommodate this. As such, subject to an appropriate control of lighting, there would not be any impact on known ecology. Nevertheless, a range of recommendations are outlined to protect some species of flora and fauna. The report also sets out a list of recommendations for habitat enhancement to improve the future biodiversity potential of the site.

Equality and diversity issues

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

Conclusion

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommend for approval.



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Location **Elmshurst Crescent Garages Land Adjacent To 90-100 Elmshurst Crescent And 35 Pulham Avenue London N2 0LR** **AGENDA ITEM 7**

Reference: **16/3252/FUL** Received: 17th May 2016
Accepted: 20th May 2016
Ward: East Finchley Expiry 19th August 2016

Applicant: **Christine Coonan**

Proposal: Demolition of existing garages and redevelopment to provide a 3-storey building comprising of 11no. self-contained flats and 2no. two-storey semi-detached dwellinghouses for affordable rent with associated access, amenity space, landscaping, car parking, cycle and refuse storage

Recommendation: Approve following legal agreement

RECOMMENDATION I:

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

The provision of affordable housing for affordable rent at a proportion of 40% of all the units being provided within the development in accordance with the London Borough of Barnet Nominations Statement.

Monitoring fee: £500.00

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager approve the planning application under delegated powers subject to the following conditions:

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

15-290-02 D02-001 Rev A; 15-290-02 D02-002 Rev A; 15-290-02 D02-010 Rev A; 15-290-02 D02-011 Rev A; 15-290-02 D02-050 Rev A; 15-290-02 D02-100 Rev A; 15-290-02 D02-101 Rev A; ; 15-290-02 D02-102 Rev A; ; 15-290-02 D02-103 Rev

A; ; 15-290-02 D02-104 Rev A; 15-290-02 D02-200 Rev A; 15-290-02 D02-201 Rev A; 15-290-02 D02-202 Rev A; 15-290-02 D01-300 Rev A; 15-290-02 15-290-02 D01-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey/Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services); Drainage Strategy (7 Engineering Consultancy).

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted

September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2011).

- 5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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

- 6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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

- 7 Notwithstanding the approved plans and elevations, prior to the commencement of the relevant phase of the development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development complies with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

- 8 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

9 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

10 A scheme of hard landscaping shall be submitted to and agreed in writing by the Local Planning Authority before the commencement of the relevant phase of development.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

11 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

12 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

13 a) No above ground works (excluding demolition) shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 14 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015)

- 15 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, one unit at ground floor level only shall all have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The two semi detached dwelling houses shall have been constructed to meet the relevant criteria of Part M4(2) of Schedule 1 of the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future).. The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012)."

- 16 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop

study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

17 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the

Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

- 18 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. 15-290 D02.50 Rev. A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 19 Before the development hereby permitted is occupied cycle parking spaces as per the submitted planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 20 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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

- 21 Details of refuse collection must be submitted to and approved in writing by the Local Planning Authority. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 23 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in any elevation at first floor level.

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

- 24 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems

Reason: To ensure that surface water run off is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost effective to operate and maintain over the design life of the development in accordance with policy CS13 of the Barnet Local Plan Core Strategy, Policies 5.13 and 5.14 of the London Plan , and changes to the SuDS planning policy in force 6 April 2015.

- 25 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can

be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

- 26 Prior to the commencement of the development, details showing the preparation of the ground for the creation of new soft landscaping, amenity areas and tree planting shall be submitted to and approved in writing to the Local Planning Authority. These details shall indicate how the land levels shall be re-made to ensure that the new grassed areas and replacement tree planting can thrive and mature including root development and penetration to moisture within the soil.

Reason: To ensure that replacement planting and landscaping constitutes a permanent feature within the streetscene and to enhance the character of the area in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 27 Prior to the commencement of the relevant phase of the development, details of mechanical ventilation, extraction and filtration to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall be supported by an acoustic statement to ensure that noise and vibration levels both internally and externally from the development do not exceed background noise levels.

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

- 28 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 pm 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 Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 4 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 5 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 6 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 7 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 8 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

- 9 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.
- 10 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 11 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 12 Informative: If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Informative: The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Informative: Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Informative: The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

The western side of Elmshurst Crescent and the northern side of Pulham Avenue features two storey terraced dwelling houses while the southern side of Pulham Avenue comprises a terrace of bungalows. Situated sporadically around the estate are a number of garage blocks although residents' car parking primarily takes place on street. Some terraced properties particularly in Pulham Avenue have front forecourt off street parking.

The application site is situated at the junction of Pulham Avenue and Elmshurst Crescent and the land within this site is currently occupied by a garage block comprising 13 garages. To the southwest of this garage block is a grassed amenity area containing two substantial mature trees. To the immediate south of the red line application site is a three storey block and another garage block accessible from Elmshurst Crescent.

The site has a PTAL 1a rating which constitutes very poor access to passenger transport.

2. Site history

There is no relevant planning history for the site

3. Proposal

Planning permission is sought for the demolition of the existing garage block and the erection of a three storey flat block comprising 11 flats fronting on to Elmshurst Crescent and two, two bed houses fronting onto Pulham Avenue. The application also proposes the demolition of a further garage block to the south between the two blocks at 54 - 64 Elmshurst Crescent and 90 - 100 Elmshurst Crescent where a new area of open space will be provided and laid out.

The principal development forming 11 self contained flats would be constructed from red/brown brick and would address the street through street facing gable ends on the north and west elevations. A street facing gable end would bookend each end of the development as it turns the corner from Pulham Avenue into Elmshurst Crescent. While a ridge roof would be present and visible from Pulham Avenue, a flat roof would separate the gable ends in Elmshurst Crescent. External amenity space will be provided by way of recessed balconies at the corners of the building and within the Elmshurst Crescent façade. At ground floor, units would have private enclosed terraces with a communal garden to the rear. Each property would be a two bed, four person flat, with the exception of a 2 bed three person wheelchair unit on the ground floor.

In order to transition successfully from the three storey massing to the single storey bungalows, the scheme also proposes the erection of a pair of two bedroom four person semi detached dwellings with private garden on Pulham Avenue.

24 garages would be demolished to make way for the proposed development and for the compensatory open space provision. In lieu of this loss of car parking, the proposed development would provide 31 new car parking spaces including some orientated parallel to the highway in Elmshurst Crescent with the rest laid out perpendicular to the street.

The scheme would result in the removal of the group of mature trees at the corner of Elmshurst Crescent and Pulham Avenue.

4. Public consultation

Consultation letters were sent to 262 neighbouring properties.

10 responses have been received 8 letters of objection and two additional representations

The objections and comments received can be summarised as follows:

- o The development will have an adverse impact on a pre-existing difficult parking situation with cars already parking on pavements.
 - o The estate already accommodates 180 households and does not require any more accommodation.
 - o More parking and open space would be required rather than new development.
 - o Loss of established mature trees
 - o Replacement planting would take too long to mature.
 - o Loss of garage parking which is able to accommodate car parking.
 - o The development results in a loss of tenant and communal facilities such as garages. The nearest other garages are too far away and too expensive.
 - o The scheme had not considered adequately the extent of the impact on 90 - 100 Elmshurst Crescent.
 - o There would be an unacceptable impact on the level of light being able to enter that block. The block would also be overlooked and overshadowed.
 - o There would be a reduction in the availability of open space for residents in the wider estate.
 - o The development would be too big.
 - o It would have an impact on the character and appearance of the wider area.
 - o The plans do not interpret correctly the changes in levels between blocks.
 - o The plans are unclear with respect to the provision of new amenity areas.
 - o The scheme results in overdevelopment
 - o Any new mansion block should respect the existing buildings.
 - o The proposed development should respect covenant obligations.
 - o Documentation submitted with the application fails to consider the impacts of the proposed development on 29 and 30 Pulham Avenue.
 - o Occupants in balconies would have a clear line of sight into the windows of 29 - 30 Pulham Avenue.
 - o The development would have poor drainage
 - o The scheme would harm daylight and sunlight and would contravene the right to light set out in the Prescriptions Act 1832.

 - o A better location for the proposed development would be the southern garage block.
 - o The trees form the dominant streetscene feature at the corner and not the garages and the loss of the trees is more harmful than the loss of the garages.
 - o The area which is currently used as an amenity space for play and picnics.
 - o The replacement trees will not survive.
 - o The trip generation statistics are not considered to be realistic.
 - o There is unmet parking demand in the area.
 - o The parking stress survey is not sufficiently detailed and was carried out at the wrong time of the week.
 - o There are general inaccuracies in the various documents.
- Pulham Avenue provides vehicular access for a school which may be compromised during the construction period.

Highways - No objection subject to conditions

Environmental Health - No objection subject to conditions
Drainage - Objections raised

5. Planning Considerations

5.1 Policy context

National Planning Policy Framework and National Planning Practice Guidance

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 2015

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 2050. 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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that 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. 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the principle of the development is acceptable

Planning permission is sought for the erection of a three storey block to provide 11 self contained flats and the erection of a pair of two storey semi detached dwellings on land at the junction of Elmshurst Crescent and Pulham Avenue. The proposed development would comprise of two bed four person units as well as a wheelchair units. The development would be for the benefit of Barnet Homes and all 13 units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

The proposal is partly located on previously developed land given that the scheme would result in the loss of an existing garage block at the site. The development would also be located on a grassed amenity area which accommodates mature trees. As a result, the use of the garage block for redevelopment would be acceptable. However, the loss of open space would nominally be contrary to the Development Plan which seeks to protect open space unless, this can be re-provided with equivalent quantity, quality and function in the locality. The application proposes to re-provide this amenity space immediately to the southeast, following the demolition of a second garage block. It is considered that the new area is of equivalent function and quantity. Considerations pertaining to open space, landscaping and planting will be considered in more detail below.

Both the London Plan (2016) and the Housing SPG (2016) emphasise the necessity to deliver more housing across London as a whole. The SPG states that London urgently requires more affordable homes that meet the needs of people on a range of incomes all built to a decent standard. At the same time the SPG states that Boroughs must assess the impacts of policy on the deliverability of sites. Such sites can be delivered in a number of ways. One of these is the release of surplus public sector land for housing development which to some extent is proposed within this planning application for this site.

Ultimately, the London Plan requires sites to be optimised for their ability to deliver new housing without unduly harming character and amenity and carrying out this development in a sustainable way to demonstrate compliance with the core principles of the NPPF. As such, the impact on amenity and character are essential concerns and considerations, however the scarcity of truly affordable housing being delivered is an overriding planning consideration in the planning balance.

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented

housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

The site to which this application relates is considered to be previously developed land given that the development is to be carried out within the curtilage of an already existing residential development on an area of hardstanding and communal open space.

Furthermore, all the proposed units are for affordable rent, however, in order for the scheme to be policy compliant without affecting the viability of the schemed deliverability by increasing the cost of the land, the Section 106 agreement will secure 40% of the units to be provided as affordable housing. In reality, the terms of the transfer of the land ownership, the proposed development will be delivered as affordable housing.

The density of development within the scheme is 31 units per hectare or 93 habitable rooms per hectare. Both measurements are below the relevant range on the density matrix set out in the London Plan. To some extent this recognises the changes to the housing standards which as well as reflecting the character of Elmshurst Crescent and Pulham Avenue estate which combines qualities of spaciousness and a wide variety of building forms. However, more importantly it recognises that the preservation of existing residents' amenity.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Policy DM01 (Protecting Barnet's Character and amenity) states that proposals should preserve or enhance local character and should respect the appearance, scale, height and pattern of the surrounding area.

The existing estate encompasses a large of land to the southwest of East End Road comprising entirely of residential use. The estate is essentially divided into two parts with Pulham Avenue to the north comprising of terraced two storey dwellings and Elmshurst Crescent to the centre and south predominantly comprising of large visually imposing blocks of flats set within green amenity space areas. The marked gradient changes particularly within Elmshurst Crescent amplify the bulk and massing of these blocks particularly to the southeast of the estate.

It is within this transitional context that the proposed development is located with two storey dwellings to the west and north, bungalows to the east and apartment blocks to the south. As such the proposed development would respond to the character of the area. The erection of a three storey block would respect the character and form of existing buildings within the estate.

When viewed from the junction of Elmshurst Crescent and Pulham Avenue, the proposed development would step down, taking advantage of the land level change along the side return into Elmshurst Crescent. The use of a flat roof section rather than a continuation of a ridge would avoid the development appearing too dominant within the streetscene, given that unlike other neighbouring buildings, the proposed development would not be set back considerably from the edge of pavement. This allows the ridge and gable end to be set down in height to accord with the gradient. When viewed from Pulham Avenue, the proposed development would step up from bungalows in gentle progressive fashion towards the junction with Pulham Avenue. Although the building largely occupies a square footprint, the design and form of the building allows it to be read as a linear block to some extent. However, it is considered that the proposed development responds both the

character of standalone blocks and the terrace properties and the elevation and façade treatment allows this building to achieve this.

The use of inset balconies would introduce a new feature in the area in respect of providing private amenity space. Nevertheless, it is considered that this does not detract at all from the character and appearance of the area.

The proposed semi detached dwelling pair within Pulham Avenue consists of two discreet and modest sized dwellings which provide a sufficient mediation between the bungalows and the increase in size and scale of buildings both proposed in this application and also already in existence in the area.

The proposed development results in the loss of two garage blocks which are in use mainly for storage purposes given that the garages are of narrow width despite them being largely of modern appearance. The removal of the garage blocks permits the development to go ahead in one location as well as the ability to create a compensatory area of open space. This allows the immediate surroundings to retain the spaciousness that is evident around the estate.

On this basis, the proposed development is considered to be acceptable to the character and appearance of the immediate surroundings and would not harm or detract from the visual amenity of the area.

Whether harm would be caused to the living conditions of neighbouring residents.

The design and layout of the proposed building has been developed to have regard to the amenity of the existing occupiers of the adjoining blocks.

It is considered that the proposed pair of semi detached dwellings would by virtue of their orientation, siting and layout in the context of the adjoining series of bungalows would not affect the amenity of the occupiers of the adjoining properties.

Understandably, the proposed development at the corner of Pulham Avenue and Elmshurst Crescent would generate the most significant level of amenity concern for adjoining properties. Scoping the surroundings to the development, it is considered that the most likely affected existing properties would be 78 - 88 Elmshurst Crescent and 90 - 100 Elmshurst Crescent which are flatted blocks to the southeast, 143 - 149 Elmshurst Crescent to the west and 27 - 32 Pulham Avenue to the north.

The impact on 78 - 88 and 90 - 100 Elmshurst Crescent

The first block is located 24m to the rear elevations of the semi detached pair which demonstrates the lack of harm that this part of the development would cause. The proposal is also 27m to the nearest window at the larger flatted block. On this basis, it is considered that the proposed amenity impact would not be significant particularly in respect of loss of privacy through overlooking. The proposed development is situated predominantly to the north of this block and as such, there would not be any impact on sunlight. It is also considered that the distance of separation would also limit the impact on residential amenity to this block.

90 - 100 Elmshurst Crescent is close to the proposed development. It is orientated in such a way that the front elevation of the building which largely faces west to northwest, slants away from the proposed development. As such, it is the northern end of this façade and

the entrance projection that would be most affected by the most southerly elevation of the development. This elevation features three windows including one secondary window to a living room and the only windows to each of the two bedrooms of the flats on ground, first, second and third floor level. The closest window is 17 to 18m from the front façade windows of 90 to 100 Elmshurst Crescent. These are the only windows to have any demonstrable impact on the front façade of this proposed development. Nevertheless, the bedroom windows do serve habitable rooms and there is an expectation that at least the principal bedroom should be served with a clear glazed window.

It is undisputable that the anticipated separation between windows is below the standard set out in the Council's Residential Design Guidance SPD. Nevertheless, it is a material consideration that the relationship between buildings elsewhere in this estate is significantly less than 18m. Regard is had to the provisions of the London Plan Housing SPG. Referencing design standards set out in the London Plan Policy 7.6b which requires new development to avoid causing unacceptable harm to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing. An appropriate degree of flexibility should be applied in relation to the use of the BRE guidelines. This should take into account the local circumstances, the need to optimise housing capacity and the scope for the character and form of an area to change over time. The SPG goes on to say that the degree of harm on adjacent properties should be assessed drawing on broadly comparable residential typologies within the area. Finally, it states that the local authorities should recognise that fully optimising the housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm. This proposed development recognises the typology in the area, the existing relationships between buildings and the level of harm that may otherwise occur which should be considered in that context. While the degree of separation is less than that required by the Council's own SPG, it is considered that the harm is not so significant that there would be overwhelming and overriding harm to existing amenity as regards to overlooking and loss of privacy.

The application has been supported by a daylight and sunlight assessment. This has considered the impact on existing and proposed dwellings. The assessment for daylight has utilised the Vertical Sky Component test for the blocks at 78 - 100 Elmshurst Crescent. Modelling has established that the VSC would exceed the standard threshold of 27% in all respect including the ground floor level windows.

In respect of sunlight, the proposed development would be located to the north of these blocks and as a result, the BRE guidelines indicate that this testing cannot be undertaken.

It is considered that the removal of the garage blocks and their replacement with new parking areas, mainly situated adjacent to the roadway would have a neutral impact on residential amenity.

143 - 149 Elmshurst Crescent

These properties are two storey dwelling houses situated to the west of the site. These properties have a front façade 19m away from the front façade of the proposed development. Again this is slightly less than the standard provided for within the SPD. However, given spatial form, character and layout of this estate, it is considered that this relationship would be acceptable. Again, the proposed development should be subject to the similar considerations which relate to the flatted blocks above. In respect of sunlight and daylight, the submitted assessment would also exceed the standards required by the BRE.

27 - 32 Pulham Avenue

The considerations for these properties are largely identical to those which apply to the dwelling houses in Elmshurst Crescent. However, the orientation of these properties requires that the impact of the proposed development on sunlight levels currently enjoyed by these properties. The daylight and sunlight assessment also demonstrates that the sunlight would not be reduced to unacceptable levels.

Open space amenity

The proposed development would result in the removal of a significant area of open space from the public realm as well as a small number of trees of significant height and maturity at the street corner. This space is partly reflective of the character within the streetscene of this estate, particularly in Elmshurst Crescent. This is less characteristic within Pulham Avenue. Nevertheless, the area of open space is of amenity importance and makes a contribution to the area.

However, it is considered that as the proposed development is able to re-provide an area of open space to the south beyond 90 - 100 Elmshurst Crescent, that any loss in this regard is minimal. There is no loss of functionality and it is considered that the replacement is equivalent.

In preparing this area of open space, regard must be had to the fact that this area would replace an area of land that has previously been developed and built on with buildings and a hard surface. Taking this into account, all debris arising from demolition as well as materials from hardstanding should be removed from site and replaced with appropriate soils and natural materials to ensure that this space can thrive as it matures, particularly if it is to accommodate replacement trees to mitigate the loss of those removed from the site.

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

Each of the proposed fourteen new residential units exceed the standards for internal floorspace set out in the London Plan (as modified in March 2016). Each two bed, four person unit would have an internal floor area of either 70sq.m or 71sq.m while the one wheelchair unit on the ground floor would have a floor area of 78sq.m which is greater than the standard of 70sq.m set out in the London Plan (MALP 2016).

Each unit benefits from either a private balcony at the first to third floors. Each of the ground floor units have a screened private garden area. All occupants would benefit from communal open space situated to the rear of the building.

All units would be dual aspect. A daylight and sunlight assessment has been provided with the application which considers the average daylight factor and daylight distribution for each room based on the BRE Guidelines for sunlight and daylight in respect of site layout planning. The submitted daylight and sunlight assessment demonstrates full compliance for every window in respect of the BRE guidelines set out above.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide car parking in the range of 13 - 20 spaces. The provision of a wheelchair unit would also require the provision of a disabled car parking space. The site is located in a PTAL 1b location is very poor in respect of access to passenger transport.

Demolition of two garage blocks would be required to accommodate the development. The existing garage accommodation includes 23 garages, of which 16 are occupied. However, the garage survey has established that this is mostly for residents' storage rather than for the parking of cars. This results in a limited overspill of parking into the highway network. An officer's site visit established that there are significant parking levels within the estate during the course of the working day taking place on street.

Given that the existing garages are too small to accommodate cars, it is assumed that all parking demand is catered for by on street parking within Elmshurst Crescent by way of parallel parking along the kerbside. Based on the linear dimension of a parking space on the proposed plan, there would only currently be space to accommodate 16 cars along the current application site frontage. The revised scheme provides accommodation for 22 vehicles along the kerbside. Nine additional spaces are provided between the development and 90 - 100 Elmshurst Crescent. Therefore for the development to be parking impact neutral, the development would need to provide suitable accommodation for the existing 16 spaces plus available space for at least a further 13 units including one disabled car parking space. The parking programme sets out parking provision for 31 vehicles which is an additional 15 beyond the 16 retained spaces. It is considered that this is acceptable provision. A parking stress survey was carried out during the school term time over two consecutive days at midnight to 1.00am. The surveys established that parking stress of unrestricted parking on street parking was 91% which is high. Nevertheless, the parking provision and the impact on on street parking was considered by the highways officer and it is their view that the proposed parking provision would be acceptable. 26 cycle parking spaces will be provided within the development.

Whether the proposals would make adequate provision for sustainable drainage and flood risk alleviation.

The site is highly vulnerable development. However, it is located in a Flood Risk Zone 1 area and is therefore appropriately sited to eradicate risks of flooding to residents living on the ground floor of the proposed development.

As the application is for a major development (of 10 or more units), a Sustainable urban drainage system would be required in compliance with the Government's Written Ministerial Statement of 18 December 2014, policies 5.13 and 5.14 of the London Plan and policy CS13 of the Local Plan Core Strategy (2012).

A drainage statement has been provided which has considered the SUDS hierarchy in relation to the control and mitigation of surface water. The strategy has also considered sewerage and storm water run off rates to ensure that surface water flooding is prevented. The hierarchy sets out preferential methods for the storage and or management of surface water. The proposal can only provide mitigation at point four in the hierarchy through storage tanks below ground for limited release. It is considered that this is appropriate given the size and location of the proposed development. Adequate mitigation is provided in respect of the surface, sewer and storm water run off.

Sustainability

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. The substantial part of the proposed saving arises from the use of photovoltaics at roof level. No details of the photovoltaics at roof level are provided on the submitted proposed roof plan and a condition would be required for detailed drawing showing the position and orientation of this provision.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. In this case, one flat at the ground floor would be M4(3) compliant while the nine flats at the 1st, 2nd and 3rd floor level would not be M4(2) or M4(3) compliant. The other ground floor flat and the two dwellings would be M4(2) compliant. The London Plan states in policy 3.8 that where it can be demonstrated that the provision of a lift may cause practical difficulties, have implications for the viability of schemes or the affordability of service charges, the scheme can fall back to the implementation of standard M4(1). Given that the proposed development would need to provide a lift which would undermine the objective of delivering 100% affordable housing, affordable to tenants who are nominees from the London Borough of Barnet, it is considered that that policy 3.8 of the London Plan supports the provision of units complying with standard M4(1).

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

Trees and landscaping

An arboricultural impact assessment as well as a landscaping plan and strategy have been provided to support this planning application. There are three trees within the red line area of the site comprising an Ash and a Sycamore tree situated close together at the junction of Pulham Avenue and Elmshurst Crescent, a Sycamore, a short distance to the south. Closer to 90 - 100 Elmshurst Crescent, there is a Scots Pine which has been damaged within the trunk. Finally there is an additional tree adjacent to the bungalows, which is a cherry tree.

The application proposes the removal of all these trees as they would be located within the footprint of the proposed development with the exception of the Scots Pine which is damaged. These trees are not subject to a Tree Preservation Order, although consideration has been given to their formal protection. These trees are currently in leaf and make a positive contribution to the area. All trees are considered to be of Category B which equates to moderate or good value. However, in the absence of an overwhelming requirement for the retention of these trees for their contribution to landscape value, these trees will be lost. The Local Plan Development Management Policies DPD recognises the value that trees have in the streetscene and in place making. However, it is considered that the loss of trees in respect of this application is outweighed by the importance of the scheme delivering on affordable housing. Given that the scheme is able to provide replacement trees by condition, it is considered that the proposed loss is on balance acceptable.

The application proposes a number of replacement trees within the development, and these are identified to be located within a landscaping strip in the new car park. Notwithstanding this proposed landscape plan which is considered to be largely indicative,

recommendation for planning permission should be supported by a new condition requiring details of landscaping including species of planting and new trees where appropriate.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sq.m on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sq.m.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

Response to public consultation

The principal material planning objections raised by the application have been considered above in the body of the report. Other points are considered herewith below:

Matters of covenant and obligation between residents and Barnet Homes are not planning matters and cannot be considered in this planning application.

It is acknowledged that the extract from the planning statement fails to label 29 - 30 Pulham Avenue as being of active frontage as it does for other properties. However, this does not limit or reduce the assessment carried out by either the Council or the applicants in this regard.

The objection against the creation of a landscaping regime that only features turf or grass is acknowledged. This is not the aim here. Replacement trees are sought in mitigation.

The availability of broadband for future and existing occupiers should not be seen as a compelling factor in the consideration of the application. The availability of these facilities should be a consideration between the service providers, developers and customers.

Right to Light is a convention set out in the Prescriptions Act of 1832 and is based on a principle that all should have the right to benefit from the provision of light accrued through the longevity of that benefit. Daylight and sunlight in respect of planning, is an assessment of the degree of change in the light enjoyed and a judgement as to whether that is tolerable. The standards and thresholds are set out in recognised guidelines as referred to above in the report.

Equality and diversity issues

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

Conclusion

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommend for approval.



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Location **Land Adjacent To 106 -128 Mount Pleasant And 27-37 Langford Road Barnet EN4 9HG** **AGENDA ITEM 8**

Reference: **16/3262/FUL** Received: 17th May 2016
Accepted: 2nd June 2016
Ward: East Barnet Expiry 1st September 2016

Applicant: **Christine Coonan**

Proposal: Demolition of garden walls and erection of two 3-storey buildings comprising of 12no. self-contained flats for affordable rent with associated access, car parking, cycle and refuse storage, amenity space and landscaping

Recommendation: Approve subject to s106

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;

The provision of affordable housing for affordable rent at a proportion of 40% of all the units being provided within the development in accordance with the London Borough of Barnet Nominations Statement.

Monitoring fee: £500.00

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager approve the planning application under delegated powers subject to the following conditions:

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

15-290-02 D04-001 Rev A; 15-290-02 D04-002 Rev A; 15-290-02 D04-010 Rev A; 15-290-02 D04-011 Rev A; 15-290-02 D04-050 Rev B; 15-290-02 D04-051; 15-290-02 D04-100 Rev A; 15-290-02 D04-101 Rev A; 15-290-02 D04-200 Rev B; 15-290-02 D04-201 Rev A; 15-290-02 D04-202 Rev A; 15-290-02 D04-203 Rev B; 15-290-02 D04-300 Rev B; 5-290-02 D04-301 Rev B; 15-290-02 15-290-02 D04-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with

energy statement (BBS Environmental); Transport Statement with parking survey (Vectos); Tree survey/Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services).;

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

4 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2011).

5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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

6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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

7 Notwithstanding the approved plans and elevations, prior to the commencement of development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development complies with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

8 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

9 Prior to the first occupation of the proposed development, the relocated refuse and recyclables storage and residents' stores for existing residents shall be constructed and made ready for use. These structures shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy

CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

10 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

11 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and the Residential Design Guidance SPD (adopted April 2013).

12 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted

September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

13 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

14 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

15 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015)."

16 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, the units at ground floor level only shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012)."

17 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

18 a) No development shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the substation as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

19 The proposed car par layout as indicated on the approved drawing LBB-SMP_HTA-L_S03_DR_0900 shall be laid out and made ready for use prior to the first occupation of the proposed development hereby approved.

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

20 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway

and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

21 Prior to commencement of any construction or demolition works detailed application shall be submitted to Highway Authority for approval of amendments to vehicular access from public highway and the access shall be constructed in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

22 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 pm 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 Development Management Policies DPD (adopted September 2012).

23 Prior to the commencement of the relevant phase of the development, details of mechanical ventilation, extraction and filtration to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall be supported by an acoustic statement to ensure that noise and vibration levels both internally and externally from the development do not exceed background noise levels.

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

24 The development hereby approved shall not commence until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

25 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies).

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory

requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan,

26 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014,

27 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

28 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 pm 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 Development Management Policies DPD (adopted September 2012).

Informative(s):

1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant

engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to

commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 5 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 6 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 7 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);

6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up

- 8 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.
- 9 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 10 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 11 Informative: If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Informative: The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Informative: Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be

subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Informative: The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

- 12 Prior to the commencement of the development hereby approved, details and statutory orders of any highways required to be stopped up to facilitate the development shall made under Section 247 of the Town and Country Planning Act 1990. These shall be submitted to and agreed with the Local Planning and Highway Authority.

The northwestern side of the roundabout largely features large three storey blocks of flats set within spacious amenity areas either side of the junctions with Langford Road and Mount Pleasant. Hamilton Road, Mount Pleasant (south side), Grove Road and Edgeworth Road is predominantly characterised by semi detached dwellings. The roundabout dominates the local area. Immediately to the southeast of the site, the development typology gives way to semi detached two storey dwellings and their rear gardens forms the boundary of the site.

The proposed development would be located on an existing area of hardstanding on the southeastern section of the site which is currently used as a substantial drying area for residents in addition to communal amenity space and storage for refuse and recyclables which is largely hidden from the street by a boundary wall.

The land levels change within the wider area and within the site with the land dropping from northeast to southwest. There is a bus stop situated immediately outside of the site on Mount Pleasant. The site is not located in a conservation area and there are no listed buildings or structures within or adjoining the site which may be affected by the proposed development. The neighbouring property at 104 Mount Pleasant contains a tree which is subject to a Tree Preservation Order.

2. Site history

There is no planning history for the site.

3. Proposal

Planning permission is sought for the erection of two detached three storey blocks of flats to provide 12 units to be used in their entirety as affordable housing. Each of the 12 units would be in the affordable rent tenure and all would be 2 bed units.

The main block would be situated on the southwestern frontage of the site to Mount Pleasant and would infill the gap between the existing block of flats at 106 - 116 Mount Pleasant and the adjoining property at 104 Mount Pleasant which is a two storey semi detached dwelling. This block would project slightly further forward than the existing flatted block but would follow the building line of dwelling houses within Mount Pleasant. In addition, its rear building line would not project beyond that of 104 Mount Pleasant. This block would contain two flats per floor arranged over a central core.

Situated twelve metres to the northeast is a further three storey block providing a further six flats. This block would be situated 23m from the elevation of the existing block (116 - 128 Mount Pleasant) directly opposite to the northwest. The distance from this block to the boundaries with 104 Mount Pleasant is 13m. The garden of 25 Langford Road narrows further towards the rear of the garden meaning that the distance from the rear elevation to the garden boundary increases from 10m to 13m. Each building has balconies on its front elevations meaning that these would be located on the Mount Pleasant frontage and on the elevation facing the 116 - 126 Mount Pleasant.

Each building would be constructed from brick to match the material palette in the area. The Mount Pleasant building would have a hipped roof to match the existing building form adjoining the development. The rear building would have gable ends facing north and south and also towards 1116 - 126 Mount Pleasant. In this regard, the proposed development would be similar to the adjoining block at 27 - 37 Langford Road. Connecting

the two new buildings would be a low rise single storey building providing storage for refuse and recyclables and cycle storage.

The proposed building would be located on the site of residents' drying areas and communal open space. The communal open space will be re-provided within the development and enhanced. The site currently provides no car parking on the site, and 12 spaces are to be provided accessed from a new crossover on Langford Road. The

4. Public consultation

Consultation letters were sent to 153 neighbouring properties.
21 representations have been received including 21 objections.

The objections can be summarised as follows:

- o There is insufficient parking in the area, and despite the additional parking being provided, this is not enough.
- o The new car park is directly opposite an objector's property and concern is expressed about the noise and disturbance that this might cause. T
- o The scheme results in a loss of open space which is actively used.
- o The proposed development would have a strain on local resources and community infrastructure.
- o There are more appropriate sites where this development could be located in the Borough and the increase in density would harm the area.
- o This development would overlook properties to the east of the site in Langford Road and Mount Pleasant.
- o There would be a loss of sunlight.
- o There would be lots of noise.
- o The development might harm local trees.
- o Crime is high in the area which would be exacerbated by the proposed development.
- o There have been a lot of car accidents which would be exacerbated by the proposed development.
- o Anti social behaviour is problematic in the area.
- o Loss of play areas and washing/drying areas which are well used.
- o The creation of a through pedestrian route through the development would reduce safety for existing residents.
- o Impact on utilities infrastructure.
- o The parking survey cannot be deemed to be accurate.
- o Inaccuracies in the application submission information.
- o The depth of the communal space from the rear elevation of 27-37 Langford Road to the car parking area is insufficient. Anyone using this area would be encroaching on the privacy of this block.
- o The scheme involves garden grabbing which national and local policy discourages.
- o The proposed development would affect the character, density and environment of the neighbourhood.
- o Concerns that the fire brigade may not be able to access the site and other properties in the area.
- o While affordable housing should be provided, this should not be to the detriment to the existing residents.
- o Effects of construction will cause disruption and harm to amenity.
- o Loss of parking as the new crossover in Langford Road would prevent three cars parking on street.

Highways - No objection subject to conditions

Environmental Health - No objection subject to conditions

Capita Drainage - Objections raised in respect of insufficient detail to address drainage requirements. Conditions can be imposed to secure details that mitigate against the non compliance of this policy.

5. Planning Considerations

5.1 Policy context

National Planning Policy Framework and National Planning Practice Guidance

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 2015

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 2050. 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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15

- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that 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. 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the principle of the development is acceptable

Planning permission is sought for the erection of two three storey buildings to provide twelve flats enclosing a parking area on its northern side. The proposed development would comprise of twelve, two bed flats.. The development would be for the benefit of Barnet Homes and all twelve units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

The site to which this application relates is considered to be previously developed land given that the development is to be carried out within the curtilage of an already existing residential development on an area of hardstanding and communal open space.

Furthermore, all the proposed units are for affordable rent, however, in order for the scheme to be policy compliant without affecting the viability of the schemed deliverability by increasing the cost of the land, the Section 106 agreement will secure 40% of the units to be provided as affordable housing. In reality, the terms of the transfer of the land ownership, the proposed development will be delivered as affordable housing.

It is considered that the proposed development would provide a compelling factor in the planning balance when the evaluation of all the material considerations is undertaken.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Policy DM01 (Protecting Barnet's Character and amenity) states that proposals should preserve or enhance local character and should respect the appearance, scale, height and pattern of the surrounding area.

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

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

The application site consists of the area of hardstanding and communal open space adjacent to existing residential flat blocks. The residential character of the area is mixed

and includes either three storey flatted blocks within areas of open space or more established two storey semi detached dwellings. The application site is situated between buildings of both these types. More generally, it is considered that the northeastern and eastern side of the roundabout is predominantly characterised by the larger development typology.

The development seeks to infill the space between 104 and 106 Mount Pleasant with a three storey block that essentially follows the building line along Mount Pleasant. The design and appearance of the building would largely follow that of the existing adjoining flatted block at 106 - 116 Mount Pleasant in respect of building depth, height, roof form and materials. It is considered that the overall building height, size and scale would not appear incongruous within the streetscene. Although it is three storeys in height adjoining two storey dwelling houses, it is considered that the proposed development would not appear incongruous within the streetscene. The proposed development would not be deeper than the dwelling houses and would not project beyond the front building line. On this basis the massing, size and scale in correlation to the proposed dwellings would be acceptable. The proposed development would be constructed of brick to match the existing flatted residential blocks. The hipped roof would reflect the development at 118-128 Mount Pleasant.

The second building would be located to the northeast of the Mount Pleasant frontage and would enclose the space between the three existing blocks. This second, smaller building would be different in design to the first. The building would terminate with gable ends at each end as well as gable ends within the design facing 118 - 128 Mount Pleasant. Although it is acknowledged that balconies are not regularly occurring features within the locality, it is considered that no visual harm would occur and that these features would not detract from the character and appearance of the area.

It is considered that this both buildings would not give rise to overdevelopment and significant spaciousness is retained within and around all five blocks. The proposed development would have a density of approximately 73 units per hectare which would be consistent with the London Plan density matrix in relation to a low PTAL suburban location. The range suggested by the London Plan density matrix is approximately 50 - 95 units. It is acknowledged however, that overdevelopment is not singularly expressed by the density. Layout, design, access and the protection of amenity are also attributes which contribute to demonstrating whether a site would be subject to overdevelopment. It is considered that the proposed development would be acceptable in this regard.

The proposed development would allow for the existing landscaping to be enhanced within the development. Although the existing 18 flats within the development do not have private amenity space, it is considered that all the open space remaining available to the units would be sufficient in conjunction with the additional garden space that would be created for residents.

New facilities would be provided for residents with respect to refuse and cycle storage by way of a single storey link building. It is considered that this element of the proposal would not be visually harmful.

Whether harm would be caused to the living conditions of neighbouring residents.

The design and layout of the proposed building has been developed to have regard to the amenity of the existing occupiers of the adjoining blocks within the development at 106 - 116 Mount Pleasant, 118 - 128 Mount Pleasant and 25 - 37 Langford Road. In addition,

the orientation and layout of the proposed development has been considered to ensure that the amenity of occupiers of semi detached dwellings in Langford Road and Mount Pleasant are not significantly affected by the development.

Due to its orientation and position within the site, it is considered that the frontage block would not have any harmful impact on the residential amenities of neighbouring properties. It would follow the building line of 104 Mount Pleasant and would not project beyond either the front or rear elevations of this property. It would generate no additional or more harmful overlooking than that arising from 102 Mount Pleasant for example. The proposed development would be 4.5m away from and 7m in advance of the existing block at 106 - 116 Mount Pleasant. There are habitable room windows in the front elevation of this block, supplemented by a secondary window in the eastern elevation. It is considered that the proposed development would not affect this amenity of these nearest units given the that the angle of obstruction is not greater than 45-degrees.

The front elevation of the rear block is 23m away from the rear elevation of 118 - 128 Mount Pleasant and it is considered that the impact is not harmful in respect of either privacy or light. The orientation of the rear block combined with the use of balcony screening would limit the impact on 106 - 116 Mount Pleasant. For the same reason, the proposed development would not have an impact on 27 - 37 Langford Road.

The proposed rear block permits oblique angles to 25 Langford Road windows of less than 21m, however generally to the rear elevation of that property it would be 21m. The distance from the rear elevation to the garden boundary would be less than 10.5m for a short period of the garden boundary distance. However, this would not be harmful to residential amenity and rear windows facing east above ground floor level would be bedrooms and communal stair core. The straight line distance from the rear window to the side boundary would be 13 which is considered to be acceptable.

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

Each of the proposed twelve new residential units exceed the standards for internal floorspace set out in the London Plan (as modified in March 2016). Each two bed, three person unit would have an internal floor area of 62sq.m which is greater than the standard of 61sq.m set out in the London Plan (MALP 2016).

Each unit benefits from either a private balcony at the first to third floors. Each of the ground floor units have a screened private garden area. All occupants would benefit from communal open space situated to the rear of the building.

All units would be dual aspect with living rooms, kitchens and dining rooms facing southeast and would therefore be in receipt of daylight. Bedrooms would face towards the northern boundary of the site and the Sternberg Centre which is considered to be acceptable given the lesser demand for daylight and sunlight within these rooms. No primary room windows would need to be obscure glazed.

A daylight and sunlight assessment has been provided with the application which considers the average daylight factor and daylight distribution for each room based on the BRE Guidelines for sunlight and daylight in respect of site layout planning. The proposed development would have an acceptable exposure to sunlight and daylight with bedrooms facing north and key living spaces facing south. The distance between each of the new

blocks is approximately 12m and would not have any harmful impact on the amenity of the occupiers of either block.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide twelve car parking spaces for the development. There is no car parking on the site at present and the proposed development would generate the full parking needs of the site within the curtilage of the proposed development and off the street. Although the creation of the means of access from Langford Road, would reduce the extent of available kerbside parking in Langford Road, this would not result in a significant impact on parking stress in the area.

The applicants have also commissioned a parking survey which took place on the 19th - 20th April (during school term) in accordance with policy DM17 and established methodology which has determined that the parking stress does not exceed 73% and is therefore acceptable to accommodate any overspill parking that may occur.

Information provided with the application demonstrates that refuse and emergency vehicles would satisfactorily access the proposed development and service the existing properties within this part of the estate.

Whether the proposals would make adequate provision for sustainable drainage and flood risk alleviation.

The site is highly vulnerable development. However, it is located in a Flood Risk Zone 1 area and is therefore appropriately sited to eradicate risks of flooding to residents living on the ground floor of the proposed development.

As the application is for a major development (of 10 or more units), a Sustainable urban drainage system would be required in compliance with the Government's Written Ministerial Statement of 18 December 2014, policies 5.13 and 5.14 of the London Plan and policy CS13 of the Local Plan Core Strategy (2012).

The Council's drainage consultant has requested that the proposed development would require a more detailed drainage strategy to ensure compliance with the appropriate sustainable drainage requirements. Conditions will be imposed to secure this.

Sustainability

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. The substantial part of the proposed saving arises from the use of photovoltaics at roof level. No details of the photovoltaics at roof level are provided on the submitted proposed roof plan and a condition would be required for detailed drawing showing the position and orientation of this provision.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. In this case, flats at the ground floor would be M4(2). All

remaining flats would be M4(1) compliant. The London Plan states in policy 3.8 that where it can be demonstrated that the provision of a lift may cause practical difficulties, have implications for the viability of schemes or the affordability of service charges, the scheme can fall back to the implementation of standard M4(1). Given that the proposed development would need to provide a lift which would undermine the objective of delivering 100% affordable housing, affordable to tenants who are nominees from the London Borough of Barnet, it is considered that that policy 3.8 of the London Plan supports the provision of units complying with standard M4(1).

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

Trees and landscaping

There are a number of trees along the boundary of the site with 104 Mount Pleasant. One of these trees are subject to a Tree Preservation Order, but the proposed development is situated a significant distance away from the boundary treatments to prevent harm occurring to these trees. It is considered that the proposed development would not affect the contribution the existing tree makes to landscape value in the streetscene.

There are two more unprotected trees on the northern side of the site close either side of the brick wall boundary on Langford Road. Each of these trees will be lost. However, these trees are not protected by individual or area specific designations. The loss of trees is unfortunate, however, the proposed landscaping strategy of the site provides for additional tree planting across the site which would in time mitigate against this harm.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sq.m on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sq.m.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

Response to public consultation

Lack of parking

The proposed development would provide 12 spaces for 12 units which meets the policy requirements on a 1 to 1 parking spaces basis. There would be very little change in parking conditions on street for other properties in the area. The parking survey has indicated very little parking stress in surrounding areas and access is safe and there would be no impediment to highway safety and access.

Loss of open space

There is substantial open and amenity space surrounding the development and the roundabout. The locality retains a sense of spaciousness despite the proposed development

Loss of amenity

The orientation and layout both within the buildings and the site permits the preservation of existing amenity to acceptable levels for existing residents within the estate and within neighbouring properties.

Loss of trees

The proposed development would result in the loss of two trees, however, these are not protected and would be replaced through the proposed landscaping strategy.

Development density and site appropriateness

The density of the site is still within acceptable parameters as set out in the London Plan. In addition, spaciousness around the site is still apparent.

Noise and disturbance

This will inevitably occur during the course of the proposed development, however, this would be controlled by a construction method statement and by the powers of other legislation. The introduction of parking within the scheme would increase noise levels, however, it is considered that this would not differ markedly from existing traffic noise in the area

Equality and diversity issues

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

Conclusion

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommended for approval.



Location Land At 1-7 Moxon Street And At 44 Tapster Street Including Land To The Rear Of 1-11 Moxon Street And Opposite The Old Printworks Barnet EN5 5TY
AGENDA ITEM 9

Reference: 15/06410/FUL Received: 19th October 2015
Accepted: 11th February 2016

Ward: High Barnet Expiry 12th May 2016

Applicant: London Borough Of Barnet

Proposal: Demolition of existing buildings and redevelopment of site to provide 12 residential units (use class C3-Dwelling Houses) and commercial space (use classes A1-Shops and B1-Business) comprising 9 houses (2-3 storeys) and a three storey building fronting Moxon Street containing ground and first floor commercial accommodation providing 512 square metres floorspace, and three apartments on second floor. Provision of new pedestrian and parking access for 3 cars off Moxon Street and new vehicular access off Tapster Street with 9 residential parking spaces, cycle parking, refuse/recycling stores, landscaping and external amenity space

Recommendation: Approve subject to conditions

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

- Site Location Plan - Dwg. No. 910-000 P00 (submitted February 2016)
- Existing Site Plan - Dwg. No. 910-100 P00 (submitted February 2016)
- Proposed Site Plan - Dwg. No. 910-101 P02 (submitted April 2016)
- Apartments and Commercial Floor Plans - Dwg. No. 061-250 P03 (submitted Sept 2016)
- Apartments and Commercial Elevations - Dwg. No. 061-251 P03 (submitted Sept 2016)
- Cluster Plan 1 - Plan, Section, Elevation – Type 2C - Dwg. No. 060-210 P00 (submitted April 2016)
- Cluster Plan 2 - Plan, Section, Elevation – Type 2D - Dwg. No. 060-211 P01 (submitted Sept 2016)
- Cluster Plan 3 - Plan, Section, Elevation – Type 2G - Dwg. No. 060-212 P01 (submitted April 2016)
- Proposed Moxon Street Elevation - Dwg. No. 910-201 P03 (submitted Sept 2016)
- Proposed Site Sections AA, BB and CC - Dwg. No. 910-200 P01 R (submitted Sept 2016)

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

3 a) Notwithstanding the details contained within the submission, no development other than site preparation works shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012),

Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

- 4 a) Notwithstanding the details contained within the submission, no development other than site preparation works shall take place until details of the materials to be used for the external surfaces of the buildings and hard surfaced areas hereby approved, including all doors, windows, garage doors, rainwater goods and louvres to the flank elevation have been submitted to and approved in writing by the Local Planning Authority. The details shall include scale drawings detailing the proposed location of rainwater goods, and the method of constructing the vertical brick detail shown on the elevations hereby approved.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 5 a) No site works or works in connection with the development hereby approved shall be commenced until an ecological method statement and details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 6 a) No development or site preparation works shall take place on site until a Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 and 5.18 of the London Plan (2015).

7 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, including foundation design and method of construction, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility, and to protect the amenities of the area and adjacent protected trees in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

8 A Method Statement detailing the remediation requirements set out in the contaminated land survey and using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

9 a) No development other than site preparation works shall take place until a scheme of proposed noise pollution mitigation measures has been submitted to and approved in writing by the Local Planning Authority.

b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the noise in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2015.

10 a) A scheme of hard and soft landscaping, including details of the material, size and design of the fence between the frontage building and No. 9 Moxon Street, and details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced, other than site preparation works.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 11 a) Before the development hereby permitted is first occupied, details of the means of sub-division of the amenity areas shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 12 a) Before the development hereby permitted is first occupied, details of privacy screens and barriers to be installed to the terraces serving the flats shall be submitted to and approved in writing by the Local Planning Authority.
- b) The screens and barriers shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and permanently retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A-G of Part 1 of Schedule 2 of that Order shall be carried out within the curtilage of the dwellings hereby approved.

Reason: To safeguard the amenities of future occupants, neighbouring occupiers, and the general locality in accordance with policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012).

- 14 The dwellings hereby approved shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 15 No development shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 8 affordable rent habitable rooms (3 units);
 - ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing on this site;
 - iii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
 - iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The scheme shall be implemented as approved in its entirety and maintained as such in perpetuity, and the affordable housing units hereby approved shall remain as such, and governed by this approved scheme thereafter.

Reason: To ensure the development hereby approved provides for adequate affordable housing in accordance with Policy DM10 of the Development Management Policies DPD (September 2012) and to ensure that affordable housing is constructed, managed and kept available as affordable housing in perpetuity.

- 16 a) Notwithstanding the drainage details submitted with this application, no development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2015.

- 17 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The three flats proposed in the building fronting Moxon Street shall not be first occupied until they have been constructed to meet and achieve all the relevant criteria of Part M4(1). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012).

- 18 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 19 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 40% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

- 20 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with Policies DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

- 21 a) No development shall take place on the building fronting Moxon Street until details of mitigation measures to show how the residential development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration from the first floor non-residential uses has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the first floor uses as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

- b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and 7.15 of the London Plan 2015.

- 22 No development shall take place until details of windows and doors at a scale of 1:10 have been submitted to and approved in writing by the local planning authority. The details shall include the proposed materials, cill details and details of recess. The development shall be implemented only in accordance with the approved details.

Reason: To safeguard the character and appearance of the building and the conservation area, in accordance with Policies DM01 and DM06 of the Development Management Policies DPD.

- 23 Before the development hereby permitted is first occupied turning space and parking spaces shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles in connection with the residential development hereby approved. The details shall include details of the allocation of parking spaces and parking controls to be implemented.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and 6.1, 6.2 and 6.3 of the London Plan 2015.

- 24 a) The non-residential development is required to meet the BREEAM Very Good level.
b) Before the development is first occupied the developer shall submit certification of achieving 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 Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

- 25 No development shall take place until a mechanism to ensure future occupants of the residential development hereby permitted may not purchase parking permits for the Chipping Barnet Controlled Parking Zone has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed development does not result in additional parking pressures to the existing CPZ, and resultant harm to the free flow of traffic and highway safety in accordance with

Policies CS NPPF and CS9 of the Local Plan Core Strategy (Adopted September 2012), DM17 of the Development Management Policies DPD and Policy 4.12 of The London Plan 2015.

- 26 The eastern part of the roof (adjacent to Apartment C) of the building fronting Moxon Street shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy. This application is liable for both CIL charges.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exceptional circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 3 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 4 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 5 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.

Officer's Assessment

1. Site Description

- 1.1 This application relates to a plot of land located to the north of Moxon Street and west of Tapster Street in High Barnet. The site is broadly L-shaped, wrapping around Nos. 9 and 11 Moxon Street. It has an area of approximately 0.2ha.
- 1.2 The existing Moxon Street frontage contains a two storey white-painted building with a hipped roof, which is currently in use as a tile showroom. Adjacent (east) of this is an industrial building, approximately 1.5 storeys in height with a pitched roof oriented from front to rear. A single storey lean-to element abuts the footway. To the east of the building is a pair of two-storey brick-built dwellings. Whilst of a similar appearance, it should be noted that No. 9 (directly adjacent to the site) is a Grade II Listed Building. An existing vehicular access provides a gap of about 7.6 metres between the listed building and the main industrial building on the site.
- 1.3 The rear part of the site is accessed via Tapster Street. It contains some single storey storage buildings and on the whole is covered in concrete with soft vegetation along the boundaries.
- 1.4 The southern part of the site, including the industrial building, is located within the Wood Street Conservation Area. The boundary of the conservation area bisects the site such that the area of hardstanding and single storey buildings to the northern part of the site is outside the conservation area. The site is within an area of special archaeological significance, and within the Chipping Barnet Town Centre boundary, although it is not within a primary or secondary retail frontage.
- 1.5 There are various land uses around the site. To the immediate west of the site is the rear of units which have a frontage onto Barnet High Street. Opposite the site is a light industrial car repairs workshop. To the immediate east of the site is the Grade II Listed Building at No. 9 Moxon Street. The dilapidated Royal British Legion site is opposite this pair of houses. The eastern side of Tapster Street is fronted by houses. To the north of the site are light industrial units between two and three storeys in height.

2. Site History

- 2.1 15/01344/OUT: Demolition of existing garages and erection of 2no 3 storey office blocks (OUTLINE APPLICATION). Approved May 2015. [NOTE: This application relates to the rear part of the site, accessed via Tapster Street].

3. Proposal

- 3.1 This application proposes the demolition of all buildings on site and the redevelopment of the site to provide 12 residential units and four commercial units.
- 3.2 Plots 1-7 comprise a 47.6m row of terraced houses, located on the northern part of the site and set at least 3m from Tapster Street. The terrace would run from east to west. The mid-terraced properties would be three storeys in height, whilst the end terraced properties would have two storeys and a steeply-pitched mansard style roof. Six of the terraced houses would have a private garden to the north (maximum depth 6m), whilst the seventh would have a private garden (maximum depth 6m) to the south and west. Parking bays would be provided to the front of the plots. The mid-terraced houses would be three-bed, five person units and would have roof terraces. The end-terraced units would be two-bed, four-person units.
- 3.3 To the south of plot 7 would be one 13.8m wide pair of semi-detached part two, part three storey houses. These houses would have integral garages, a roof terrace, and have private garden areas to the west with a minimum depth of 4 metres. They would be two-bed, four-person units. These units would all be accessed via a new vehicular access from Tapster Street.
- 3.4 The proposed four commercial units would occupy the ground and first floor area of a new three storey building fronting Moxon Street. It would have a 31.4m wide frontage. At second floor level, three apartments are proposed. Two would be two-bed, four-person units and one would be one-bed, two person. The apartments would have roof terraces fronting onto Moxon Street. The main front façade of this building (facing Moxon Street) would be two storeys in height, with the third storey (containing residential accommodation) set back 1.2 metres from the frontage. Part of the

ground floor of this building would contain three car parking spaces. An open space approximately 4.2m wide would be included between this building and the neighbouring building to the east.

- 3.5 The following documents have been submitted by the applicant to support this application (content summarised where relevant)

Planning Statement

- The intended approach is to secure a high quality residential and commercial development which provides for a range of accommodation in an attractive landscaped setting. The scheme comprises 12 units (9 houses, 3 apartments), 512 sqm employment space and 13 car parking spaces. All dwellings would have private gardens or balconies and terraces.
- The employment units are split into two ground floor and two first floor. It is intended that the existing commercial tenant will relocate whilst the development is constructed and then move back to occupy the ground floor. The first floor would provide office space to let.
- The site comprises three parts: 1) 1-7 Moxon Street, comprises a range of interconnecting buildings, including a single storey warehouse, a lean-to and a two storey structure providing retail and office space. 2) 44 Tapster Street is a former council highways depot, also previously used as a builders depot but vacant since 2006. The property is boarded up and dilapidated single storey storage buildings are also on site. 3) land adjacent to The Old Printworks. This land comprises mainly hardstanding user for parking of commercial vans, and 3 garages used for storage. It also provides access for servicing to the rear of 110-119 High Street, and parking space.
- The site is next to one of Barnet's largest district centres. The surrounding area is characterised by a mix of residential and commercial development.
- The proposal will re-provide the majority of the existing developed floorspace within a high quality building.
- The need for all forms of new housing in London is well documented and the provision of new residential accommodation is supported at all levels of planning policy.
- The proposed development is well within the density range set out in the London Plan's density matrix. The density is a product of a design-led approach which carefully balances the re-provision of new business space and the delivery of homes whilst enhancing the character of the area.
- The proposed layout introduces a small mews, accessed from Tapster Street via a new vehicular junction. The arrangement presents a clear urban form and creates a sense of street enclosure, shielding the development from adjoining commercial uses.
- The proposed building fronting Moxon Street presents a three storey block, with commercial floorspace on the ground and first floors with 3 apartments above. The ground floor incorporates 4 parking spaces to serve the commercial and residential uses. The commercial element is accessed from the front and the apartments from the rear, thereby keeping the two uses separate.
- The proposal would enhance the appearance of the site and the Moxon Street frontage, and respect the surrounding and historical context. The scheme reinforces the strong building line of the street with buildings erected at the back edge of the pavement.
- The massing and architectural rhythm of the proposed Moxon Street elevation reflects the scale and fenestration pattern of the adjoining dwelling. The use of high quality and appropriate materials will complement the varied materials, textures and colours prevalent in the conservation area.
- The development would be set away from the adjoining listed building to respect its setting and appearance. The impact is further reduced by the stepping back of the second floor from the front of the building.

Heritage Assessment

- There is one listed building close to the site. No. 9 Moxon Street is an early-mid 19th century two storey, yellow-grey stock brick house. The centrally positioned door with matching sash windows either side gives the building a distinctly symmetrical frontage on Moxon Street, but this is slightly off-set by a tall and broad chimney stack at its western end. The pitch of the roof is very shallow and is largely unseen from the street. The building has special historic interest by virtue of its age (c 1840) and architectural interest by virtue of its well-composed design and detail (in particular the surviving fanlight, curved sash windows at ground level and gauged brick arches).
- The listed building has a mixed setting at present. A house (No. 11) adjoins its eastern end which is complementary to the listed building in appearance and is possibly similar in age. It is subtly distinguished from its neighbour through its paler brick and asymmetrical composition,

with the door positioned at its west end. It is identified as a positive building in the Wood Street Conservation Area Townscape Appraisal Map. On the other side of the listed building is a low lying timber warehouse or workshop with corrugated roof. It has a low single storey element extending forward to the back of the pavement edge. There is a brick building further west which is taller and over-painted.

- The proposals include a terrace of seven townhouses arranged in parallel to Moxon Street but at the back (north) part of the site which currently has no street presence. The easternmost house will be positioned on Tapster Street. The houses are three storeys and will be in a dappled colour brick which would be selected to complement the listed building on Moxon Street. The terrace will read as a horizontal mass with a regular vertical rhythm and lively roofline.
- On Moxon Street a new block will be positioned on the back of the pavement edge. It will be three storeys and form a horizontal mass overall whilst displaying a vertical rhythm of bays within that mass. The roof level will be set back from the storeys below.
- The block proposed on Moxon Street will be articulated into four bays, the proportions of which have been composed to correspond to the listed building. The first floor of each bay will have three vertical windows and at roof level the third storey would be set back and clad in slate-like material behind a short parapet which will correspond with the shallow pitch of the roof of the listed building and will provide a balcony for the residents.
- The brick colour will be selected to correspond to the mottled London stock of the listed building and will be subtly detailed to display a vertical emphasis which will counter the breadth of the building's mass overall. It will strongly differentiate the lower two storeys, the height of which will read in relation to the two storeys of the listed building.
- In the architectural elevation, the third level of the new terrace proposed beyond the Moxon Street block appears above the shallow pitched roofline of the listed building. However due to the narrow character of the streets in the area it is unlikely much of the terrace roofline will be seen above the listed building. Only in views from the opposite side of Moxon Street will the terrace be glimpsed beyond and it will be in the same brick colour and with slate-like elements at upper levels selected to complement the materials and character of the listed building.
- The existing temporary warehouse structures and their blank street frontage would be replaced by a block which will visually complement the mass and character of the listed building whilst displaying a distinctly modern idiom and which will restore the street line at ground level and bring activity which will connect it to the High Street. The historically mixed residential and commercial character of the setting of the listed building will be preserved. The building's special interest as an early 19th century house in the area and as a well composed and detailed building will be enhanced by a new and improved context of modest-scale residences and commercial units of high design quality and well-articulated in brick.
- At present the site includes an open area on its north side which allows some views further north along Tapster Street to the west tower of St John the Baptist Church across the site. The church is a key aspect of the conservation area and the visibility of its tower is important. Development of the site will affect views of the church tower from Tapster Street, however these views are from outside the conservation area, are incidental in character and are significantly diminished in quality by the tarmacked space, fence and shrubbery in the foreground of this neglected back-street area.
- Views from the High Street along Moxon Street of the countryside would be improved by the proposed development which would restore the street edge and channel views.

Design and Access Statement

- No additional comments to summarise over and above those above from the Planning Statement.

Ecology Report

- The closest nature reserve to the site is 1.9km to the north east (Covert Way, in the London Borough of Enfield). The closest Site of Importance for Nature Conservation is King George's Fields (approximately 317m from the site).
- Site surveys recorded no notable plant species.
- During the first site survey, a single common lizard was observed under some debris. A reptile survey was subsequently initiated, but cancelled due to health and safety concerns due to the overgrown vegetation, uneven ground, rubbish and building materials scattered throughout which made access difficult. To ensure compliance with the Wildlife and Countryside Act, reptiles will need to be considered prior to the works and a method statement for sensitive site clearance required.

- The site was assessed as having low potential for roosting opportunities for bats. The size and location of the site offers poor/limited foraging opportunities for bats. The site is within a well-lit suburban setting which limits the foraging/commuting value of the site.
- The scrub and trees on site were isolated and lack ecological connectivity to wider woodland habitats. The site lacks species present in optimal dormice habitat. The development is considered unlikely to result in any negative impacts to dormice.
- The site does not provide any suitable habitat for great crested newts.
- The tree and scrub have some potential to hold breeding bird species. There is an opportunity to enhance the site by erecting nesting boxes.

Tree Appraisal and Impacts Assessment

- Three tree groups were identified on the site, and one individual tree locate on third party land. Two of the groups and the individual tree are graded as C with the final group graded as U.
- To accommodate the proposal, all trees in the site would be removed. The loss of these trees is not significant.
- New tree planting will offset the loss of the trees.

Transport Statement

- Direct access to the site will be via a new junction off Tapster Street.
- The junction visibility splay required is 2m x 20m. The achievable visibility is 2m x 5.9m to the south and 2m x 11m to the north. This does not conform to Manual for Streets requirements, however the junction is located in a quiet residential area with low speeds. The restriction in visibility would create enhanced driver caution.
- The site requires between 11 and 19 parking spaces to be provided, in accordance with Policy DM17. The site provides 9 spaces. Although short on compliance, the site has a PTAL of 4 and is well connected to the public transport network.#
- Moxon Street is a narrow cul-de-sac in a good condition with residential properties toward the High Street end.
- A traffic survey found that traffic levels on Tapster Street are low throughout the day. During the survey, 35 vehicles were recorded in the morning peak and 43 in the afternoon peak. Given the small scale of the proposal it is considered that development traffic will have minimal impact on existing traffic.
- Traffic speed surveys (on Tapster Street) found the 85th percentile northbound speed to be 18.1mph and southbound 15.9mph.
- A parking survey found a total of 97 legal parking spaces in the study area. Parking peaked at 85 vehicles. Parking levels at 08:45 and 18:00 were very low. Given the relatively small scale of the proposed development, it is considered that residential parking will have minimal impact on parking conditions in the area.

Highways Design and Access Statement

- The existing road network will enable residents and users to utilise existing public transport networks and infrastructure. The site is well served by public transport via a frequent bus service operating nearby.
- High Barnet Underground Station is located 0.6km from the site.
- On-site parking will be provided in the form of two garages and 7 on-street parking bays for the residential development, and 4 garaged parking spaces for the commercial use.

Flood Risk Assessment

- The site is within Flood Zone 1 and is at low risk for fluvial flood events up to the 1 in 1000 year return period event. The site is also at low risk from tidal, groundwater and artificial sources.
- Surface water flood risk is considered to be low-medium for the site.

Drainage Strategy Report

- Foul flows will be drained into the existing system.
- The site currently has a high impermeable area. The development layout dictates that underground storage tanks for attenuated surface water will be placed in the access road off Tapster Street.

- Surface water drainage strategy has been designed so that all flows from the proposed development are sufficiently attenuated to the 100 year return period event plus 30% allowance for climate change.

Geotechnical Desk Study

- The ground conditions are anticipated to comprise Made Ground. It is recommended that ground investigations are undertaken.

Contaminated Land Desk Study

- The site is classified as low risk with respect to potentially contaminated land.
- The proposed landscape areas to the residential element present the most sensitive land use and suitably clean topsoil and subsoil cover will satisfactorily reduce the risk to end users of the site.

Air Quality Assessment

- The key pollution source is moderate levels of traffic. Background pollution levels are below the National Air Quality Objectives. The site is not adjacent to the A1000. Accordingly no mitigation is required.

Acoustics Survey

- The noise assessment has identified the main noise source is from road traffic on Moxon Street and Tapster Street, but the noise is intermittent and significantly reduced compared with the noise levels on the A1000.
- No specific mitigation is required for the majority of units, however for the two southernmost properties close to the commercial premises on Moxon Street enhanced glazing and mechanical ventilation is recommended.

Archaeological Desk Based Assessment

- The site is likely to have been located in an area of dense woodland until at least the Saxon period and there is little evidence of prehistoric or Roman activity in the vicinity.
- The site has low potential for pre-medieval archaeology to be present. The site was on the periphery of the village during the medieval period and has the potential to contain deposits from this period on.
- The development of the post-medieval buildings on the southern area of the site is likely to have impacted on any archaeological remains in these areas. The apparently relatively undeveloped north of the site is likely to have suffered less previous impact, although the overall potential of the site is low.

Other documents: Structural Engineering Report, Pre-Construction Information, Code for Sustainable Homes Preliminary Assessment, BREEAM Preliminary Assessment Report, Waste Statement, Statutory Utilities Report,

4. Consultation

Public Consultation

- 4.1 As part of the original planning application, consultation letters were sent to 300 neighbouring properties. A site notice was displayed, and a notice was also published in the newspaper. At the end of April 2016, amended drawings and some additional information were submitted. A new public consultation period was opened. In total 18 responses were received. These comprise 16 objections and 2 comments. Details of the responses received are summarised below:

Summary of Objections:

- The application does not mention the Conservation Area. The design of the property is starkly contemporary and not in keeping with surrounding properties. Other recent developments in the area have made considerable efforts to blend in with the character of the area, for example with pitched slate roofs and sash windows.

- Neither the box structure on the roof, nor the colour of the bricks, can be seen to reflect the character or composition of any of the nearby properties.
- The property is large and risks dominating the area, particularly the adjacent cottages that it will tower over.
- Balconies will overlook the garden of No. 9 Moxon Street which is Grade II Listed.
- The site is within a conservation area and the modern, bulky design of the units does nothing to enhance or preserve the conservation area. This is the sort of site which should be sympathetic to its surroundings, not at odds with it.
- The proposal would result in a loss of parking spaces in Tapster Street which will make parking even more difficult, and an increase in traffic along Moxon Street and Tapster Street.

Summary of Neutral Comments:

- The scheme can generally be commended in redeveloping parts of the shabby upper end of Moxon Street and Tapster Street, but there are specific issues relating to Urban Design that appear to have been overlooked.
- The top end of Moxon Street suffers from intermittent antisocial behaviour due to its location off the High Street and the general lack of passive surveillance. Development should maximise passive surveillance, however the units to the rear turn their back on the new roadway.

Barnet Resident's Association (Object)

- We support the objectives of the proposal. The scheme should bring about a vast improvement to an unsightly and neglected area of the town centre. We do not propose to comment on houses to the rear but do have major concerns with the property facing Moxon Street.
- The land facing Moxon Street is in the Wood Street Conservation Area, in the oldest part of the town centre and therefore merits a sensitive approach to redevelopment. The Planning (Listed Buildings and Conservation Areas) Act 1990 puts a general duty of care on councils that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area". The proposal makes no reference to the conservation area. It is evident from the contemporary design that no such consideration has taken place. The design of the windows and the box-like structure on the roof in particular cannot be said to reflect any of the property around and even the colour of the bricks is a clash. To reflect the conservation area, we would expect a pitched or mansard roof in slate, a brick finish and windows reflecting the prevailing styles around.
- Without a pitched or mansard roof the building is far too overbearing, and this is acute in relation to the immediately adjacent Georgian cottages. The roof terrace also appears to overlook the gardens of these houses which would be intrusive.

The Barnet Society

- The Barnet Society generally welcomes the proposal for a residential-led mixed use scheme.
- Our first concern is regarding the potential loss of the business that occupies the present premises which has been based there for many years and is highly valued locally.
- Our second concern is that insufficient design effort has been made to respect the Wood Street Conservation Area and especially the adjacent listed Georgian house. We do not object to a modern aesthetic but neither the proposed massing, scale nor materials are sympathetic to this particular context. The windows lack the delicacy of either High Street shop fronts or Georgian sash windows. The easternmost apartment has an overbearing scale in relation to its Georgian neighbour and its terrace would overlook its garden.

4.2 The following objections (summarised below) were received from 5 interested parties following the receipt of amended documents and the subsequent second consultation period:

- Tapster Street and Moxon Street are dead-end roads which already have considerable traffic, all of which has to go-out and come in the same way. The proposal can only make the situation worse.
- Cannot see the need for more commercial building when the High Street has such a high proportion of vacant properties.
- Three storeys will not flow with the older properties in the area and will overlook existing residents, impacting their privacy. It is a narrow part of the road and such a height will dominate the skyline.
- Proposal blocks views to the church when viewed from Tapster Street.

- Bulk and mass of proposal in the conservation area and in relation to adjoining listed building does not comply with planning policies.
- Proposal would result in loss of privacy from second floor roof garden to neighbouring property.
- Insufficient separation distance from new flats at The Old Print Works to the north of the site.
- Buildings are out of character with surrounding properties.
- The large mansard roofs have no rooms proposed, therefore the roof could be lowered drastically if there is no need for the space to be there.
- It is highly unlikely that all of the proposed commercial/retail will ever be occupied. Moxon Street is a fairly quiet street with a limited footpath. Barnet High Street already has a few commercial buildings that have been empty for a while.
- Three storey development to the front will suffocate the area. The design in no way enhances the look for the space.
- The proposal is to build a three storey block in a conservation area in a street where every other building is two storeys high.
- The major purposes of the proposal is to provide ground floor retail space but none is required, and not in a street where there is only width of pedestrian access on one side of the road. There are already vacant purpose built retail units in the High Street and the Spires. The middle floor is to be created for commercial space but there is no requirement for this space.
- Attractive new buildings that are sympathetic with existing housing stock are being built in High Barnet - the housing development in Union Street. The current proposal is coming from an entirely different design approach.

Consultee Responses

- 4.3 The following responses were received from the as a result of consultation with internal and external consultees:

Barnet/Re Urban Design and Heritage Team

- The site lies largely within the Wood Street conservation area, although the builder's yard to the rear, and its frontage to Tapster Street, lies just outside the boundary. No.9 Moxon Street, is a Grade II listed building which lies immediately to the east of the main Moxon Street frontage. The Wood Street Conservation Area and the Georgian listed building are designated heritage assets. The setting of the listed building contributes to its significance.
- The NPPF states (para 132), 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.' It continues, 'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.
- Barnet's Residential Design Guidance SPD makes the point that, the design and layout of new development should respect the character of the area in which it is located and should recognise and respect the scale, massing and roof form of surrounding buildings where they are a positive attribute of the of the area's character.
- Wood Street Character Appraisal: Although the Wood Street Conservation Area contains a variety of building types and sizes, the immediate environment of the site is characterised by buildings of a modest scale, mostly 2 storeys in height with shallow pitched roofs. These characteristics contribute to the visual quality of the conservation area. The Character Appraisal for the Wood Street Conservation Area, approved in 2007, refers to no's 9 and 11 Moxon Street as being of particular note. The terraced pair of houses at 9 and 11 Moxon Street make a significant impact in the streetscene and contribute to the character of the wider conservation area. Any new development should thus be designed with due regard to their setting.
- Although the site contains no buildings of recognised historic or architectural merit, it is located within a very sensitive setting where any new development will require careful consideration. Consequently, although no objection is raised in principle to the demolition of the existing buildings, any new development must pay regard to its setting in order to achieve the preservation or enhancement of this part of the conservation area.
- In an attempt to reduce the appearance of the mass of the Moxon Street block and to improve the visual relationship with the neighbouring listed building a number of revisions have been made recently to the Moxon Street front elevation. These include, reverting to a part-raised parapet, which had previously been proposed. The roof design has also changed and now has a vertical rather than a steep pitch and there are fewer windows in the upper storey, which sit lower in the roof. On the ground floor the windows have been sub-divided. No changes were made to the terraced houses on the rear part of the site.
- The design changes are not considered to overcome the concerns previously raised with the applicants, which relate principally to the design, form and scale of the proposal, which is

considered to be intrusive and out of keeping and with the character of the area. The development would have a dominant and overwhelming impact in relation to the setting of the neighbouring listed building and will cause harm to this part of the conservation area.

- The harm caused to the setting of the listed building and the conservation area's significance as a heritage asset is considered to be less than substantial, although this harm should be weighed against any public benefits of the proposal.
- The bulk, height and massing of the development will have a significant and dominating impact in the Moxon Street streetscene.
- The three storey height of the buildings will appear at odds with the modest scale of the two-storey houses in the immediate vicinity and will also have a harmful effect on the setting of the Grade II listed building at 9 Moxon Street, which is part of its significance.
- The proposed block fronting Moxon Street fails to respect the finer grain of existing buildings in the road and despite some changes to the design, has a horizontal rather than vertical emphasis. This contrasts heavily with the adjoining listed building and other modest houses in the immediate vicinity.
- The combination of the large plate-glass shopfronts and vehicular access door on the ground floor of the block fronting Moxon Street relates poorly with the domestic detailing of windows and doors found on Moxon Street.
- On the first floor of the Moxon Street block, the uniform pattern of fenestration (12 regularly spaced windows on the same horizontal plane) will have an uncomfortable relationship with the more diverse pattern and positioning of windows in the street. - The flat roofs and front-facing amenity areas, including glazed balustrade and raised brick parapets are at odds with the traditional pitched roof forms found locally.
- The use of zinc as a roofing material is alien in appearance to natural slate, which is the characteristic roofing material in Moxon Street. Its use would serve to further distinguish the proposal from neighbouring buildings.
- The end of terrace on Plot 1 faces inwards and thus has a large flank elevation facing directly onto Tapster Street. The opportunity could have been taken to front the street and thus provide visual interest similar to those houses directly opposite
- In conclusion, I do not consider that the proposed development pays adequate consideration to the sensitivities of this historic setting, and as a result fails to preserve or enhance the character and appearance of the Wood Street conservation area, whilst having a dominant and harmful impact on the setting of 9 Moxon Street, which is grade II listed.

Barnet/Re Traffic and Development

- Vehicular access to the site is from Tapster Street and Moxon Street. Speed survey was undertaken to determine the vehicular speed in Tapster Road. The speed survey results indicated that the 85th percentile speed in the northbound direction was 18.1 mph, whilst in the southbound direction the 85th percentile speed was 15.9 mph. Based on an assumed speed limit of 20mph (estimated 85th percentile), the Junction visibility splay requirements are 2m x 20m. However, the traffic consultants have confirmed that the achievable junction visibility is 2m x 5.9m to the south and 2m x 11m to the north. Therefore the south visibility splay does not conform to the requirements of MfS; however, the junction is located in a quiet residential area with 85th percentile speeds on Tapster Road measured below 20mph. Therefore the restriction in visibility is acceptable and at this location would create enhanced driver caution.
- Parking provision of between 11 to 17.5 parking spaces is required to meet the parking requirement in accordance with the parking standards as set out in the Barnet Local Plan, Development Management Policy DM17. For the within PTAL rating of 4 would require parking provision of approximately 14 spaces therefore the proposed 9 parking spaces would result in a shortfall of 5 parking spaces. It would therefore be necessary to exempt the occupants of the new development from purchasing parking permits for the Chipping Barnet Control Parking Zone (CPZ). A contribution of £2000 would be required towards the amendment to Traffic Management Order.
- The application is recommended for approval on highway grounds subject to the above comments, and the subsequent conditions and informatives.

Scientific Services (Environmental Health)

- No objections, subject to conditions requiring the submission of a construction method statement, the installation of acoustic fencing and other noise mitigation to reduce noise coming from commercial premises, and a condition restricting the hours during which deliveries can be carried out to the proposed commercial premises.

Thames Water

- No objections with regard to sewerage infrastructure capacity.

Historic England: Historic building and historic areas

- Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Historic England: Archaeology

- The planning application lies in an area of archaeological interest. The application site lies within a borough designated archaeological priority area. The Archaeological Desk Based Assessment (Oxford Archaeology, October 2015) which has been submitted with the application indicates that the site lay on the periphery of the medieval settlement of Chipping Barnet and that there is a potential for associated features such as refuse pits and cess pits to survive particularly in the northern part of the site while previous development has been limited. A review of the development proposals suggest that the archaeological impacts are likely to be localised.
- Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development is likely to cause some harm to archaeological interest but not sufficient to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding. The archaeological interest should be conserved by attaching a condition.

Monken Hadley and Wood Street Conservation Area Advisory Committee:

- Moxon St elevation: The design does not respect the guidelines for a Conservation Area - eg should have stall risers, glazing bars in upper windows, colour of bricks should be more sympathetic, garage doors could be panelled. Gate on Moxon St is unnecessary as there is access from Tapster St. Should have some affordable housing.

- 4.4 Following assessment of the Heritage Assessment submitted by the applicant and review of the consultation response from the Council's Conservation and Design officer, it was apparent that the impact of the development on the character and appearance of the conservation area would be intrinsically linked to the adjacent development sites; The Royal British Legion Site and the Moxon Street Car Wash. In order to ensure that all of the sites were treated in a holistic manner and to ensure congruity in terms of scale and character, the LPA instructed an independent heritage consultant to carry out a comprehensive review of the 3 sites and thereafter to produce an independent heritage statement. This statement is summarised below.

AD Heritage Planning - Planning Appraisal

- This report relates to three potential development sites in close proximity to this current application site - the site itself, the land formerly used as the Car Wash to the southern side of Moxon Street, and the Royal British Legion site on the southern side of Moxon Street at the junction with Tapster Street. The report covers the historical development of Moxon and Tapster Street, the character of Moxon and Tapster Streets, and an appraisal of the three development sites. The comments in respect of the current application site are as follows:
- All of the building of this development would be of three storeys with the mews-type houses to the rear of the new buildings on Moxon Street being accessed via a pedestrian link from Moxon Street and a new vehicular access off Tapster Street. The nine mews-houses would comprise of a pair of semi-detached units aligned at right angles to the Moxon Street buildings and a row of seven terraced houses aligned along the back of the site. These buildings have been scaled to complement the neighbouring commercial properties at Nos. 98-108 High Street and the domestic proportions of Nos. 2, 9 and 11 Moxon Street.
- In order to protect the setting of the listed building at No. 9 Moxon Street, both the new buildings on Moxon Street and the mews-type terrace at the rear would be set away from the west and north boundaries of the property, and the second-storeys of the Moxon Street buildings would be stepped-back from the façade of the buildings with a parapet/mansard roof arrangement, to create an appropriate relationship with the listed building.
- The proposed layout of this scheme would reinforce the strong building line of Moxon Street with the new buildings constructed at the back edge of the pavement which is a key feature in defining the area's special character, and the roofline would reflect the variation seen in the

surrounding townscape. In addition, the massing and architectural rhythm of the new buildings would be in-keeping with the scale and fenestration pattern of the adjoining buildings and the adoption of a contemporary architectural style, along with the use of traditional facing materials for the replacement buildings, would create a high-quality and elegant development.

- This scheme is considered to be appropriate and compatible with the neighbouring area and its heritage interest, thereby making a valuable contribution to the regeneration of the local environment and the heritage significance of the adjoining listed building and of the Wood Street Conservation Area. This scheme needs to set the standard for the redevelopment of the two other sites.
- The approach to the redevelopment of the two sites on the south side of Moxon Street needs to follow the example of that proposed for the redevelopment of the larger site on the northern side of the street in that it should seek to ensure a high quality residential and commercial development that provides for a range of accommodation in an attractive landscaped setting which reflects the mixed use character of the surrounding area and its historic context.
- Such a scheme needs to reinforce the strong building lines along Moxon and Tapster Streets with the new buildings constructed on the back edge of the pavements, which is a key feature in defining the character of the area. Furthermore, the replacement buildings need to be three storeys reflecting the massing and architectural rhythm of those proposed for the site opposite at Nos 1-11 Moxon Street, with the possibility of emphasising the building on the corner so as to take advantage of the prominent site.
- The roofline needs to have variation to reflect that of the surrounding townscape and the adoption of a contemporary style of architecture for the new buildings, whilst using traditional facing materials, would enhance the character and appearance of the local environment.
- The current opportunity available to the local planning authority to secure the comprehensive regeneration of the three sites on Moxon and Tapster Streets whilst taking account of their historical context, could lead to the significant improvement of the character and appearance of this part of the Town Centre.

5. Planning Considerations

Policy Context

National Planning Policy Framework and National Planning Practice Guidance

- 5.1 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.
- 5.2 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. At the heart of the NPPF is a presumption in favour of sustainable development, which means approving development proposals that accord with the development plan without delay. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.
- 5.3 The NPPF sets out 12 Core Planning Principles. These include:
 - Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - Planning should take account of the different roles and character of different areas;
 - Planning should contribute to conserving and enhancing the natural environment;
 - Planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 5.4 The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 5.5 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'. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area over the lifetime of the development, should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, work and visit,

and should respond to local character and history. The NPPF also makes it clear that planning policies and decisions should not attempt to impose architectural styles or particular tastes, and should not stifle innovation, originality or initiative.

The Mayor's London Plan 2016

- 5.6 The Minor Alterations to the London Plan, the overall strategic plan for London, sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.
- 5.7 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.
- 5.8 The revisions consolidated in the 2015 plan have been driven partly by the realisation that the population of London has grown much faster than was anticipated in the 2011 London Plan. As a result, London's annual housing target has been increased.
- 5.9 Policy 3.3 sets out that the Mayor recognises the pressing need for more homes in London, and the Mayor will seek to ensure housing provision consistent with at least an annual average of 42,000 net additional homes. The Plan sets out a minimum ten year target for Barnet of 23,489 homes. Policy 3.5 confirms that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.
- 5.10 Other relevant policies include Policy 3.4 (optimising housing potential), 3.6 (Ensure all children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities should be promoted), 3.11, 3.12 and 3.13 (Seek to maximise affordable housing provision), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.13 (Sustainable Drainage), 5.14 (Water quality and wastewater infrastructure), 5.15 (Water use and supplies), 6.9 (Cycling), 6.13 (Parking), 7.1 (Lifetime neighbourhoods), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Archaeology), 7.19 (Biodiversity and access to nature), 7.21 (Trees and woodland).
- 5.11 The Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012) and Housing SPG are also of relevance.

Barnet's Local Plan (2012)

- 5.12 Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.
- Relevant Core Strategy Policies: CS NPPF (Compliance with the NPPF), CS1 (Barnet's place shaping strategy), CS4 (Providing quality homes and housing choice in Barnet), CS5 (Protecting and enhancing Barnet's character to create high quality places), CS9 (Providing safe, effective and efficient travel), CS13 (Ensuring the efficient use of natural resources), CS14 (Dealing with our waste).
 - Relevant Development Management Policies: DM01 (Protecting Barnet's character and amenity), DM02 (Development standards), DM03 (Accessibility and inclusive design), DM04 (Environmental considerations for development), DM06 (Barnet's heritage and conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing need), DM10 (Affordable housing contributions), DM11 (Development Principles for Barnet's town centres), DM14 (New and existing employment space), DM16 (Biodiversity), DM17 (Travel impact and parking standards).

Supplementary Planning Documents

- Sustainable Design and Construction SPD (adopted April 2013)
- Residential Design Guidance SPD (adopted April 2013)
- Affordable Housing SPD (February 2007)
- Planning Obligations SPD (adopted April 2013)

- Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (adopted October 2014)
- Wood Street Conservation Area Character Appraisal
- Chipping Barnet Town Centre Strategy

5.12 Main Issues for Consideration

5.13 Officers consider that the main issues for consideration in this case are:

- The principle of the residential led, mixed use development;
- Whether a sufficient level of affordable housing would be provided;
- The impact of the development on the character and appearance of the street scene and the wider locality, or to the setting of the adjacent conservation area and Grade II listed building;
- The quality of the residential accommodation provided for future occupants;
- The impact of the development on the residential amenity of neighbouring residents;
- Whether harm would be caused to trees of special amenity value;
- Whether harm would be caused to highway safety; and
- The biodiversity impacts of the development.

Principle of Development

- 5.14 This proposal includes the demolition of existing commercial buildings, and the replacement with four commercial units and 12 residential properties. The existing buildings are used for a range of A1/B1/B8 uses, including a tile showroom, associated offices and warehousing/storage.
- 5.15 Policy DM11 sets out that the council will expect a suitable mix of appropriate uses as part of development within town centres to support their vitality and viability. It sets out that appropriate mixed use re-development will be expected to provide re-provision of employment use, residential and community use.
- 5.17 Policy DM14 states that 'proposals to redevelop or reuse an existing employment space which reduces the levels of employment use and impacts negatively on the local economy will be resisted'. This application would include four non-residential units and 12 residential units.
- 5.18 The applicant has submitted a briefing note relating to employment uses at the site. This note explains that whilst the proposal would lead to a reduction in overall employment floorspace (from 773 square metres to 512 square metres), it will not lead to a reduction in actual employment but will enable a significant uplift in employment at the site. The proposal includes new retail/commercial floorspace on the ground floor in a flexible form to meet demand for either a sole occupier or two or three occupiers. The internal arrangements allow for access to the first floor accommodation which could act as ancillary space for ground floor tenants or as standalone office space. The note explains that the overall quality of the accommodation will be to a high modern standard and a far higher standard than the current accommodation. It also explains that whilst the submitted application form lists the existing employment numbers at the site as 13, the existing occupier has advised that only 7 are permanently on site. The first floor of the proposed commercial building would have an area of approximately 286 square metres. Based on the Homes and Communities Agency Employment Density Guide, this first floor area has the capacity to generate in excess of 20 jobs in office use.
- 5.19 The proposed mix of uses is considered to be appropriate having regard to the town centre location of the application site. In addition, having regard to the quality of the proposed office accommodation when compared to the existing, and the potential job creation that could occur, it is not considered that the proposal would be detrimental to the supply of employment floorspace in the borough.
- 5.20 Overall, it is therefore considered that the principle of the loss of some employment floorspace but provision of four commercial units, along with 12 residential units, would be appropriate in principal in this town centre location.
- 5.21 The site is previously developed land and would be classified as a brownfield site. Given that it is previously developed and given the town centre location, the redevelopment of the site is considered acceptable in principle.

Affordable Housing

- 5.22 Policy DM10 of the Development Management Policies DPD states that having regard to the borough-wide target that 40 per-cent of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units. The tenure mix which is sought is 60 per-cent social rented and 40 per-cent intermediate. The above guidance has been superseded in part following an order of the Court of Appeal dated 13 May 2016 which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and essentially means that affordable housing contributions can only be sought from all new sites providing 11 or more units.
- 5.23 The current application seeks to provide 12 units, and therefore two units in excess of the number that could be proposed without any obligation to provide affordable housing. As part of this application, the applicant proposes three affordable units. The three flats in the second floor of the building fronting Moxon Street are proposed to be affordable rented units. The applicant has submitted a viability appraisal which seeks to demonstrate that with 3 affordable rented units (25% of the total housing proposed being affordable), the land value for the application scheme would be lower than the market value of the site, meaning no further affordable housing can be provided. The Local Planning Authority has commissioned an independent review of the applicant's appraisal. This review confirmed that the proposed scheme is not viable with 25% affordable housing provision. Therefore, the proposal is providing more than the maximum reasonable amount of affordable housing, subject to viability. The affordable housing will be secured by planning condition.

Conservation and Design

- 5.24 There are two main elements to this proposal. The first is the new building fronting Moxon Street, which would replace a series of existing buildings described in the 'Site Description' section above. The second element is to the rear and would be accessed via a new road off Tapster Street. The second element comprises a residential development of two and three storey houses.
- 5.25 In assessing the heritage and conservation aspects of the development, it is necessary to assess both the impact of the development on the character and appearance of the Wood Street Conservation Area and surrounding streetscene, and the impact of the development on the setting of the Grade II listed building at No.9 Moxon Street. Each of these issues is addressed in the subsequent sections of this report.
- 5.26 In addition to the issues outlined above and following assessment of the Robert Tavernor Consultancy Heritage Assessment submitted by the applicant along with a review of the consultation response from the Council's Conservation and Design officer, it is was apparent that the impact of the development on the character and appearance of the conservation area is intrinsically linked to the adjacent development sites; The Royal British Legion Site and the Moxon Street Car Wash. In order to ensure that all of the sites were treated in a holistic manner and to ensure congruity in terms of scale and character, the LPA instructed an independent heritage consultant to carry out a comprehensive review of the 3 sites and thereafter to produce an independent heritage statement. All three of the heritage assessments carried out are summarised fully within Sections 3 and 4 of this report and are referenced in the subsequent paragraphs where appropriate.

Impact on the Character and Appearance of the Wood Street Conservation Area and Surrounding Streetscene

- 5.27 The starting point for the assessment of the impact of the development on the character and appearance of the Wood Street Conservation Area and the surrounding streetscene is to establish the existing character of Moxon Street and Tapster Street. In relation to this part of the Conservation Area, the Wood Street Conservation Area Statement outlines the following:
- Buildings positioned at the back edge of pavement; tight grain in accordance with medieval burgage plots. Buildings are elongated and stretch back deeply into each plot;
 - Buildings are mainly two or three storeys with a mixture of vernacular architecture, form, detailing and materials demonstrating the area's organic growth characteristic of English market towns;
 - Mixture of materials but dominant ones include red brick with decorative detailing, clay tile, render in muted colours, yellow stock brick and slate;

- Of note in Moxon Street are nos. 9 and 11 and the hall opposite, which was built as Moxon Street School in 1834. No.9 is grade II listed, a two storey yellow stock brick house, with low pitched slate roof;
- There is good new residential development on the corner of Moxon Street and Tapster Street;
- There is a notable absence of buildings visible behind the roofscape on High Street creating distinctive views;
- Moxon Street includes a number of run-down buildings and temporary uses that detract from the character of the area.

5.28 The south part of the application site, adjacent to Moxon Street lies within the Conservation Area and are currently occupied by buildings which are specifically identified as a negative aspect of the area and “*vacant sites together with buildings adjacent to No. 9 Moxon Street*” are included under the category of “*Some buildings relate poorly to their neighbours and every effort should be made to improve them as the opportunity arises*” (pages 44-45 of the Wood Street Conservation Area Statement).

5.29 As negative contributors to the Conservation Area, the loss of the buildings within the application site it is inexorable that the loss of the buildings would not cause harm to the Conservation Area. All of the heritage assessments undertaken in relation to the current application have come to a similar conclusion in this regard. The key issue is therefore whether the proposed development which would replace the negative contributors would be appropriate in their setting and would preserve or enhance the character and appearance of the Conservation Area.

Height, Scale, Bulk and Massing:

5.30 Due to its location within the Conservation Area boundary, the primary impact of the development on the character and appearance of the Conservation Area would be manifested through the frontage development. As set out within paragraph 5.25 of this report, the main bulk of this part of the building would be two storeys in height with a third recessed storey clad with the contrasting zinc finish. In appraising the height of the development, the heritage report from Tavernor Consultancy outlines that “*the proposed development on Moxon Street which will be of an appropriate scale*” whilst the Council’s Conservation officer took the view that “*the three storey height of the buildings will appear at odds with the modest scale of the two-storey houses in the immediate vicinity*”.

5.31 Subsequent to the two heritage assessments undertaken above, the heritage report from AD Heritage Planning appraised the development and in relation to the height and scale of the development concluded that “*the buildings have been scaled to complement the neighbouring commercial properties at no.’s 98-108 High Street and the domestic proportions of no.’s 2, 9 and 11 Moxon Street*”.

5.32 Immediately opposite the application site, the Moxon Street Car Wash and the Royal British Legion site lie in a dilapidated state with buildings mostly of a single storey nature. These sites are identified as negative contributors to the conservation area and have been the subject of recent planning applications seeking to comprehensively redevelop the sites. Given the immediacy of the relationship between the sites and the importance of both sites coming forward in a congruent manner, within their heritage assessment AD Heritage Planning were instructed to carry out of an appraisal of all three sites. In relation to the sites to the south of Moxon Street, this appraisal concluded inter alia that “*the replacement buildings should be of a three storey height reflecting the massing and architectural rhythm of those proposed for the site opposite (the application site)*”.

5.33 Taking a balanced view on the height of the frontage building, it is clear that there is no uniformity in height with single, two and three storey buildings in both the immediate and wider vicinity. The ground and first floor of the proposed frontage building would be of a solid brick nature with the top floor recessed in a contrasting modern finish, offsetting its scale and bulk. Officers therefore consider that the height of the frontage building is appropriate for its context and would not in itself result in any harm to the character and appearance of the conservation area. This is notwithstanding the comments of the Council’s Conservation and Design officer which were given without the holistic and comprehensive appraisal of the surrounding development sites as was the case with the independent heritage appraisal subsequently commissioned by the LPA. The independent appraisal reached the clear conclusion that the 3 storey proposed development is appropriate for its setting and should set the tone for the emerging development on the sites opposite to come forward at 3 storeys in height.

5.34 Turning to the terrace of 7 dwellings to the rear of the site, all of these would be three storeys in height. The two end-terrace properties would have mansard-style roofs with a slight pitch. The mid-terrace properties would all have a three storey front and rear façade. To the west of this part of the site, larger buildings varying between 2 and 3 storeys are in situ whilst to the north is a large four storey residential building. In this context, it is considered that the height of the terrace would not be incongruent within its surroundings. Furthermore, the distance from the Conservation Area and the layout of the development would mean that element of the development would not be readily viewed in the context of the conservation area and as such officers consider that any impact would be negligible.

Layout, Design and Appearance:

5.25 The frontage building would be constructed at the back edge of the pavement which has been identified as a key feature in defining the areas special character. In this regard, the positioning of the frontage building at the back edge of the pavement reinforces the strong building line that is prevalent on Moxon Street, harmonising with its surroundings and preserving the character and appearance of the conservation area. To this end, the independent appraisal reaches this conclusion and it should also be noted that the Council's Conservation and Design officer did not identify any harm on this matter in isolation.

5.26 The frontage building would be of a buff brick construction on the ground and first floors with standing seam zinc cladding. The detailed design of the frontage building was amended during the course of the application to introduce a parapet of varying height and to introduce a vertical slope to the recessed second floor. In addition some windows were removed from the top floor and those that were retained are set lower on the roof whilst the ground floor windows were subdivided. The amendments to the scheme were made following discussion with the Council's Conservation and Design officers.

5.27 Given the parapet roof arrangement and the contrasting zinc clad recessed second floor, architectural style of the development is manifestly contemporary. Turning back to the heritage assessments carried out, it is clear that there is disparity in the view taken by the Council's Conservation and Design officer and both the statement by Tavernor submitted by the applicant and, of more relevance, the subsequent and comprehensive independent assessment from AD Planning.

5.28 The Council's officer considered that *"the flat roofs and front-facing amenity areas, including glazed balustrade and raised brick parapets are at odds with the traditional pitched roof forms found locally. The use of zinc as a roofing material roof is alien in appearance to natural slate... its use would serve to further distinguish the proposal from neighbouring buildings"*. The officer then goes on to conclude that the extent of discordance results in harm to the Conservation Area.

5.29 Whilst acknowledging the contemporary form of the development, the independent appraisal considered that *"the massing and the architectural rhythm of the new buildings would be in keeping with the scale and fenestration pattern of the adjoining buildings and would create a high quality and elegant development"*.

5.30 With regards to the fenestration to the façade, the Council's Conservation and Design officer is of the view inter alia that the *"large plate-glass shopfronts would relate poorly with the domestic detailing of windows and doors found on Moxon Street"* whilst *"on the first floor... the uniform pattern of fenestration will have an uncomfortable relationship with the more diverse pattern and positioning of windows in the street"*. In this regard, at first floor level, the window apertures have the same height as those in the properties at no.'s 9 and 11 Moxon Street providing some continuity. This is reflected in the comments within the independent assessment set out in paragraph 5.29. At ground floor level, the large shopfront openings are vertically aligned with each of the row of three windows at first floor level above, providing an element of vertical integration. Furthermore, the large openings serve commercial premises and as such, are fit for purpose.

5.32 Officers therefore have to come to a balanced view on the appropriateness of the contemporary form of the development, and specifically how this is expressed through the detailed design. In this regard, officers consider that the development offers a well-executed contemporary development which demonstrates good, robust design and does not attempt to pastiche the surrounding development. Notwithstanding the contemporary architectural language, the use of the traditional buff brick gives the development some grounding within its context and provides an element of synergy with the surrounding development. It is acknowledged that zinc is not an established roofing material within the surrounding area however, given the contemporary form of the development – a

contrasting roofing material to offset the mass and bulk of the ground and first floor is considered to be appropriate. Samples of all of the facing materials would be required by condition to allow officers the opportunity to fully assess the appearance. In conclusion, and on balance, it is considered that the detailed design and form of the frontage building is acceptable.

- 5.33 Turning to the part of the development located to the rear of the site, adjacent to Tapster Street, this enjoys a back-land location and is largely stand-alone development. The layout and the location of this part of the development allow it to have its own character which is expressed again through a contemporary form. The detailed design of this part of the development is considered to be acceptable in its context.

Conclusion

- 5.34 Having regard to all of the above and taking a balanced view on the basis of the varying views taken within all of the heritage appraisals undertaken, officers consider that the proposed development would not result in harm to the character and appearance of the Wood Street Conservation Area. The development would involve the replacement of buildings identified as negative contributors with a well-executed and elegant contemporary development. The development would set a good precedent for the future development of the adjacent development sites, as identified within the independent heritage appraisal from AD Planning.

The Impact of the Development on the Setting of the Grade II Listed Building

- 5.35 The last key part of the heritage assessment, is to consider the impact of the development on the setting of the Grade II listed no.9 Moxon Street. The listed building description of the heritage assets reads as follows *“circa 1840. Yellow stock brick house. Three windows, 2 storeys with basement. Central entrance door and blank recessed panel over. Gauged brick arches with curved sashes to ground storey. Good fanlight. Modern door. Low pitch hipped slate roof.”*
- 5.36 The existing building adjoins no.11 Moxon Street which enjoys some shared character with the listed buildings however is subtly distinguished from its neighbour through its paler brick and asymmetrical composition. No.11 Moxon Street is identified as a positive contributor within the Wood Street Conservation Area Statement. To the opposite side of no.9 Moxon Street, the existing single storey, pitched roof timber building occupying the development site is separated from the listed building by a vehicular access road with the flank elevation of no.9 abutting the access road.
- 5.37 The key issue is whether the proposed development would result in any harm to this setting. As set out within Sections 3.5 and 4.3 of this report respectively, the Heritage Assessment carried out by Robert Tavernor Consultancy on behalf of the applicant, and the assessment of the application by LBB's Conservation and Design officer and the independent appraisal from AD Planning reached differing conclusions on the relative impact of the development on the setting of the Grade II listed building.
- 5.38 The Council's Conservation and Design officer considered that inter alia *“the three storey height of the buildings ... will also have a harmful effect on the setting of the Grade II listed building at 9 Moxon Street, which is part of its significance Having a dominant and harmful impact on the setting of 9 Moxon Street”*. The subsequent independent heritage appraisal from AD Planning states that *“in order to protect the setting of the listed building at No. 9 Moxon Street, both the new buildings on Moxon Street and the mews-type terrace at the rear would be set away from the west and north boundaries of the property, and the second-storeys of the Moxon Street buildings would be stepped-back from the façade of the buildings with a parapet/mansard roof arrangement, to create an appropriate relationship with the listed building”*.

Conclusion

- 5.39 The two elements of the development would have distinctly different relationships to the listed building. The frontage building would, at its closed point, be approximately 4.2 metres from the adjacent Grade II Listed Building. The space between the application building and the neighbouring building would incorporate some planting but would nevertheless provide a clear and marked separation between the sites. With regards to the height of the frontage building, the second floor would be recessed from both the front and flank elevations to further distinguish the two buildings. The ground and first floor of the frontage building would relate well to the listed building in terms of the material fabrication and height and scale.

- 5.40 The rear part of the development would be three storeys in height and the front elevation would be located approximately 15 metres to the rear of the listed building. At the point where no.9 stands on Moxon Street is narrow and is characterised by buildings built to the back of the pavements, as identified in the heritage appraisals. As a result of this character, there are limited vantage points where the rear terrace and no.9 Moxon Street would be readily visible in the same view. From the limited points where such views could be enjoyed, officers consider that the separation distance is adequate to ensure that the terrace would not dominate or overwhelm the views. The special interest of the heritage asset would still be fully perceptible and officers consider that, on balance, the development would not result in harm to the setting of the listed building.

Quality of Living Conditions for Future Occupiers

- 5.41 The proposed units would exceed the minimum internal size requirements set out in the London Plan. The rooms would also exceed the minimum sizes. In terms of the quality of the internal space, the proposed houses are all dual aspect. In respect of the flats, the two outer flats are dual aspect. The central one-bed, two-persons flat is only single aspect. This flat has south-facing windows only. The council's Sustainable Design and Construction SPD recommends that proposals should avoid single aspect dwellings that are north-facing. The flats would not be north facing. On this basis, and having regard to the fact that the flats would all also receive some light from rooflights which would improve the quality of the internal environment, it is considered that overall the quality of the proposed accommodation would be acceptable.
- 5.42 The proposed flats, and the row of 7 houses to the north of the site, are arranged and spaced to ensure that no building within or adjacent to the application site would appear overbearing or visually intrusive when viewed from any building proposed as part of this development. The same can also be said for the northern house in the pair of semi-detached dwellings. The proposed dwellings and flats are oriented to ensure that there would be no mutual overlooking between units within the site. The submitted Daylight and Sunlight Report from GL Hearn shows that all of the proposed units would receive adequate levels of both daylight and sunlight.
- 5.43 In terms of outdoor amenity space for the proposed houses, the majority of these do not provide sufficient outdoor amenity space to comply with the requirements of the Sustainable Design and Construction SPD. Only Plots 7, 8 and 9 provide sufficient outdoor amenity space. In total over the 12 units, 520 square metres of amenity space is required, and there is a shortfall overall of approximately 78 square metres, or 15 per-cent of the requirement. However, it should be noted that the application site is within a town centre location. The Planning Obligations SPD acknowledges that in town centres and for some higher density schemes it may not be feasible for development to provide adequate private or communal amenity space. In these circumstances the development has a fairly low shortfall over the recommendations. Each unit benefits from some private outdoor amenity space and the units themselves are of good size and dual aspect. It is not considered that the shortfall in amenity space would result in any demonstrable harm to the amenities of future occupants.
- 5.44 The proposed houses would have gardens with a depth of no more than 6 metres. Beyond the rear of the gardens is an access road which links Tapster Street to the rear servicing area of units fronting the High Street. Access is also provided to a group of buildings known as the Old Print Works. Of these buildings, one benefits from a grant of prior approval to convert from offices to residential. In addition, a building is currently under construction which would contain four flats, two of which would face the current application site. The residential uses have not commenced at the adjacent sites. The proposed terrace of houses to the rear of the application site would have windows which face toward the Old Printworks site. The houses are between 15 and 22 metres apart from the Old Print Works buildings. Reducing the separation distance below standard has given the opportunity to ensure the maximum number of dwellings, including affordable units, is delivered on this site. Moreover, the houses proposed are all dual aspect and provide outdoor amenity space.
- 5.45 Policy 3.8 of the London Plan requires 90% of new housing to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% of new housing to meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. The Mayor's Housing SPG (March 2016) acknowledges that in certain specific cases, the provision of a lift (where necessary to achieve this requirement) may cause practical difficulties, make developments unviable and/or have significant implications for the affordability of service charges for intended residents. The SPG states that where necessary, Policy 3.8 should be applied flexibly to ensure that residential or mixed use development is deliverable. The SPG is clear that if proposals do not include step-free access, they should clearly demonstrate that achieving step free access would make the development unviable or would mean

that service charges are not affordable for the intended residents. If the LPA accepts this then the base Building Regulation M4(1) could be applied. In this instance the applicant has advised as follows:

“The provision of an accessible lift would cause a number of practical difficulties, requiring major redesign of the building leading to the loss of commercial floor space and one of the proposed affordable units. It would also require the introduction of a lift overrun at roof level which would have a significant detrimental effect on the building's roof profile and visual impact. The inclusion of a lift would also lead to a significant increase in build costs. As the submitted (Private & Confidential) Viability Assessment sets out, the value of the application scheme, without the additional build cost of including a lift, is already below the site's market value. The inclusion of a lift would clearly have a further detrimental impact on viability. Furthermore, the inclusion of a lift would result in associated annual service charges which would not be affordable for the intended residents.”

- 5.46 The applicant has advised that, in respect of the service charges, a figure in the region of £2000-£2500 could be expected, which would not be sustainable for two affordable rented flats. Based on the above, it is considered that providing step free access would make the development more unviable, and would mean that service charges are not affordable for the intended residents. On this basis, the three flats in the building fronting Moxon Street are required to meet Part M4(1) only. Of the terrace of houses, the applicant has confirmed that these will meet Part M, including 10% M4(3) compliance. This level of compliance is considered acceptable and will be secured by condition.
- 5.47 London Plan Policy 3.6 requires proposals for housing to make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the Mayor's guidance, this scheme is expected to provide approximately 28 square metres of play space. The Planning Obligations SPD notes that development proposals should make communal play provision for under-fives on-site where suitable provision does not already exist within walking distance of 100 metres. In addition, it notes that proposals which include units with gardens may have the yield for under-fives discounted. Taking these into account, along with the small size of the development overall, and the proximity of the site to public parks and recreational areas (approximately 180 metres from the Old Court House Recreation Ground), it is considered in this instance that the lack of play provision is appropriate.
- 5.48 In respect of air quality, the main source of air pollution is from traffic on the High Street. The development is set at least 37 metres from the High Street. Traffic generated by the development would have only an insignificant impact on the High Street and will not demonstrably add to local air pollution. No mitigation measures are required.
- 5.49 In terms of noise impact, the submitted report concludes that subject to the incorporation of mitigation measures, the site is suitable for a residential or mixed use development. The suggested mitigation involves the use of glazing and ventilation of specific properties to ensure a satisfactory internal environment. These will be secured by condition.

Impact on the Amenities of Neighbouring Properties

- 5.50 The proposed new houses would be set away from the nearest neighbouring residential properties. The proposed commercial and apartment building would replace an existing building and be set away from the nearest residential properties. As a result, the proposed development is not considered to appear overbearing or visually intrusive when viewed from any neighbouring property. The Daylight and Sunlight report from GL Hearn shows that all of the surrounding windows would retain a good level of daylight following the development.
- 5.51 In terms of privacy, given the relationship between the proposed houses and the nearest residential properties, it is not considered the houses would adversely affect the privacy of the occupants of any neighbouring residential property.
- 5.52 It is noted that the roof terrace serving the flats may introduce some overlooking toward neighbouring properties, however it is considered that this could be reduced and controlled by the installation of privacy screens, which would be secured by condition. Such screens would reduce actual overlooking, and would also reduce the ability of residents to access parts of the roof terrace (other than for repair and maintenance purposes). Subject to this, it is not considered the proposal would be detrimental to the privacy of the occupants of any neighbouring property.

Impact on Trees Within and Adjacent to the Site, and Landscaping Implications

- 5.53 As noted above, there are no trees of any significance proposed to be removed as part of this application. The application will include a landscaping scheme and full details of proposed landscaping would be secured by condition. There are no objections to the loss of the existing trees on site given their quality.

Impact on Highway Safety

- 5.54 The council's Traffic and Development team have been consulted. They conclude that given the quiet nature of the immediate surroundings that the proposed junction into the site from Tapster Street is acceptable. In terms of parking provision, between 11 and 17.5 spaces is required to meet the parking standards. Having regard to the site's PTAL rating, 14 spaces should be provided. Nine parking spaces are proposed (ie one space per unit) and this results in a shortfall of 5 spaces. The application site is within a controlled parking zone (CPZ), and the Traffic and Development team have recommended that occupants of the proposed residential development should be exempted from purchasing parking permits, to ensure the development does not result in any additional pressures on this already very busy CPZ. This will be secured by condition, and subject to the condition no objections are raised in respect of the highway impact.

Impact on Biodiversity

- 5.55 Policy DM16 states that when considering development proposals, the council will seek the retention and enhancement, or the creation of biodiversity. It requires development to meet the requirements of London Plan Policy 7.19E. This requires development to follow a hierarchy of 1) avoid adverse impact to the biodiversity interest; 2) minimise impact and seek mitigation; 3) only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.
- 5.56 The submitted ecology report sets out that this site supports very little biodiversity. The proposed landscaping scheme and associated provision of bird boxes will assist nesting birds following completion of the development, and will be secured by condition. A single common lizard was identified on the site, and a condition will therefore be attached to ensure details of appropriate methods of working are submitted to and approved in writing prior to works taking place to safeguard any other reptile populations at the site. The site has limited opportunities for bat roosting or foraging and overall the ecological impacts of the proposal are low.

Sustainability

- 5.57 The dwellings would all be built to achieve a balance between solar gain and heat loss. In addition, photovoltaics have been specified for the buildings, sited on flat roofs or unobtrusive sloping roofs. Further details of these will be secured by condition. The submitted energy reports confirm the proposal has been designed to improve on 2010 building regulations requirements by 40% and this is in accordance with the requirements of the London Plan.
- 5.58 The site is not in an area of high flood risk, and a detailed drainage scheme has been submitted. Thames Water have no objections to the submitted details. No objections are raised in respect of drainage matters.
- 5.59 The proposed commercial element has been designed to meet a BREEAM 'Very Good' standard and will accord with the council's guidance.

Other Matters

- 5.60 The scheme would be liable for the council's Community Infrastructure Levy, chargeable at £135 per square metre. This will be secured through the CIL Regulations and would go toward highways, education, health, community and open space projects in the borough. The scheme would also be liable for Mayoral CIL, which goes toward Crossrail.

6.0 Response to Public Consultation

- 6.1 The comments received are addressed in the appraisal above, either within the main body of the report or by means of planning conditions.

7.0 Equality and Diversity Issues

7.1 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."

7.2 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.

7.3 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.

7.4 The site would provide various tenures of housing and units varying in number of bedrooms and overall size. All tenure types have been designed to be accessible and dedicated parking spaces for people with a disability will be provided.

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

8.0 Conclusion

8.1 The application is acceptable in land use terms and whilst there would be a net loss of employment floorspace, the employment floorspace being reprovided within the development would a higher potential employment density than the existing employment uses on site. The introduction of residential uses onto the site is considered to be appropriate. 3 of the 12 units being provided would be affordable representing an affordable housing level of 25%. Whilst this is below the policy target of 40%, the level of 25% has been fully justified through a viability assessment which has been independently reviewed on behalf of the Council.

8.2 The development would provide a good standard of accommodation for future occupiers and would not result in harm to the residential amenity of adjoining residential occupiers. The development provides an appropriate level of parking and would be acceptable in terms of its highways impacts.

8.3 Officers consider that the key issue in determining the application is the design and appearance of the development and its heritage and conservation impact. As set out within Sections 5.24-5.40 of this report and on balance, officers consider that the development offers a well-executed and elegant design which would not result in harm to the character and appearance of the Wood Street Conservation Area, surrounding streetscene and would not harm the setting of the Grade II listed no.9 Moxon Street.

8.4 Based on the all of the above and subject to the conditions listed at the start of this report, it is considered that the application is acceptable and as such is recommended for approval.

9.0 Recommendation: To approve application 15/06410/FUL subject to the conditions listed

Location **Garages Off Linden Road And Pine Road London N11 1ER**

Reference: **16/3377/FUL**

Received: 24th May 2016

Accepted: 31st May 2016

Ward: Brunswick Park

Expiry 26th July 2016

Applicant: Ms Sally Young

Proposal: Demolition of existing garages. Erection of 1no two storey houses and a two storey building comprising 4no self-contained flats on site A and 1no two storey house on site B. Provision of 6 x car parking spaces on site C in Linden Road. Associated cycle parking, landscaping and refuse storage (AMENDED DESCRIPTION AND REVISED PLANS)

AGENDA ITEM 10

Recommendation: Approve subject to conditions

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

Design and access statement (HTA); Planning Statement (HTA); Arboricultural Impact Assessment (AGB); Sustainability Statement (BBS); Transport Statement (Campbell Reith); Daylight, Sunlight and Overshadowing Report (HTA); Land Contamination Report (SRS Ltd); Utility Site Investigation Report (Premier Energy); A_BA1-S06-DR_001; A_BA1-S06-DR_0200 Rev B; A_BA1-S06-DR_202 Rev B; A_BA1-S06-DR_400 Rev B; A_BA1-S06-DR_401 Rev B; A_BA1-S06-DR_402 Rev B; LBB-SMP-200_HTA-A_BA1-S06_DR_0110_Linden Road and Pine Road_Site Sections-REV -; LBB-SMP-200_Linden Pine Rd_3D View 1 from Pine Road; LBB-SMP-200_Linden Pine Rd_3D View 2 from Linden Road
LBB-SMP-200_Linden Pine Rd_3D View 3 from Thorndene Avenue; LBB-SMP-200_Linden Pine Rd_3D View 4 from Prevost Road;

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

- 4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 5 a) Prior to the commencement of development details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the commencement of above ground construction work.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

7 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

8 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm 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 Development Management Policies DPD (adopted September 2012).

9 Prior to the first occupation of the new dwelling(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency

measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 10 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent, the two ground floor units shall have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). All other dwellings shall have been constructed to meet and achieve all the relevant criteria of Part M4(1) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 11 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 12 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. LBB-SMP-200_HTA-A_BA1-S06_DR_0100-REV B shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 13 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and

approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

14 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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

15 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop

study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 16 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as shown on the tree protection plan approved under Condition 1 of this permission has been erected around existing trees on site and/or at neighbouring sites. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this permission.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 17 a) No site works or works on this development including demolition or construction work shall commence until details of the temporary means of enclosure, including

boundary treatments to neighbouring properties, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before site works including demolition and construction work commence, and retained as such throughout the demolition and construction period of the development.

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

- 18 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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

- 19 Details of balustrades, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in accordance with the approved details.

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

- 20 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (agb Environmental Ltd).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 21 Notwithstanding the approved plans and elevations, prior to the commencement of development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of

the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development complies with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

- 22 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise from the adjoining premises on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations
- b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries.

Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

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

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.
- 6 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 2 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

Officer's Assessment

1. Site Description

The land subject to the planning application consists of three separate sites located around the junction of Linden Road, Pine Road, Prevost Road and Thorndene Avenue and are known as sites A, B and C. At present the largest site, which is known as Site A, is a disused garage block which has an access from Linden Road. To its immediate east is an area of green space. This space is replicated on the eastern side of Thorndene Avenue which is known as Site B. Site B is enclosed by Prevost Road to the north, Thorndene Avenue to the west and Pine Road to the south. The land is sharply sloping downwards from south to north. Site C is located on the eastern side of Pine Road and also contains a garage block which is accessed from Pine Road. The area is residential in use and character. The site is not located in a conservation area and there are no listed buildings on either site or adjoining either site. Linden Road and Pine Road is a newer estate of residential properties accessed from Brunswick Park Road with more traditional semi detached housing situated around along Dene Road, Prevost Road and Thorndene Avenue.

2. Site History

None

3. Proposal

Planning permission is sought for the demolition of garages on site A and site C and the erection of a two storey block of four flats on site A, the erection of a two storey, 2 bed dwelling house on site A and a two storey two bed dwelling house on site B and the formation of a car parking area on site C.

The proposed development on site A would involve the demolition of the garage block, the removal of the crossover and the construction of a two storey block of four, two bed flats. The building would be constructed from brick with a low profiled zinc roof. The building would be 7.6m in height, 19.65m in width and 11.8m in depth. It would be set back from the highway by approximately 2.0m. The rear elevation would be between 8.75 and 11.3m away from the rear boundary. The rear elevation to rear elevation distance in Dene Road would be over 26m at their closest. The front elevation to front elevation distance across Linden Road would be 18.2m at their shortest.

There would be balconies to the front elevations. Ground floor flats would have private terraces to the front and rear with communal gardens also to the rear. The other part of Site A would include a two storey, two bed property oriented perpendicular to the flatted block. It would have a height of 7.15m and would have a width of 10m and a depth of 5.4m. The dwelling on site B would be a mirror image of the detached dwelling on site A. It would be 12m from the flank elevation of the nearest property in Prevost Road.

In order to facilitate the construction of the proposed dwelling, an excavation into the bank will be required. This will facilitate level access from the street, throughout the building and into the rear garden. A boundary fence on Pine Road would prevent overlooking into the rear of the property. The proposed development at site C would involve the demolition of the existing garages the laying out of six car parking spaces and the retention of the existing means of access.

4. Public Consultation

Consultation letters were sent to 190 neighbouring properties on two occasions. The first consultation exercise took place on the 19 June 2016. Following the submission of amended plans, a further consultation took place for a period of 14 days commencing on 20 September 2016

46 responses have been received, comprising 46 letters of objection across both periods of consultation.

The objections from the first period of consultation can be summarised as follows:

- o A three storey block would be out of keeping with the area which is mainly two storey.
- o Green spaces should be retained.
- o The two green spaces are small but essential oases.
- o The proposed development would jut out in front of the established building line.
- o Removing the garages and adding new residents would put pressure on the highway for existing residents.
- o Infilling the sites would be harmful to the character of the area.
- o Two bungalows would be more acceptable.
- o The proposed development would be dangerous for drivers using the existing surrounding road junctions.
- o The proposed front elevation would be less than 21m from the front elevation of the properties opposite and would therefore harm the amenity of the neighbours opposite.
- o The green spaces break up the built up character of the area. In addition, it would take away from the general well being of the area.
- o The building would constitute overdevelopment.
- o The proposed development would have a harmful impact on local infrastructure.
- o The proposed development is located within a conservation area. The proposed development does nothing to conserve the local area.
- o The proposed development would result in overlooking.
- o The proposed development would cause a loss of light in neighbouring gardens.
- o The street is currently incapable of providing sufficient space to permit the passage of ambulances safely to neighbouring houses.
- o Disruption caused during the construction phase.
- o The refuse storage is questionable
- o There is no information concerning landscaping.
- o Site C is too remote from the proposed housing.
- o There is no convenient disable parking.
- o The street is too narrow to have buildings on both sides of the street. The
- o A major development in the area of 7000 homes means that additional housing here is not needed.

The objections from the first period of consultation can be summarised as follows:

- o The perspectives along the street are not sufficient
- o A full and realistic assessment of the likely parking impact has not been provided.
- o The reduction by two units is not going to be sufficient to reduce the impact to an acceptable level.
- o Parking is already difficult and as homes now have more than one car, the impact would be harmful.
- o The proposed dwellings would be harmful to amenity in respect of overlooking and privacy.

- o The Right to Light (Prescriptions Act 1832) should be enforced.
- o The distance between properties is not sufficient and where land slopes, the distance should increase between properties.
- o There would be a harmful impact on natural drainage.
- o Although the plans have changed there is still a total disregard for the protection of open space.
- o The amended plans do not address the issue of overcrowding of the immediate area.
- o Where any open space is built on, this should be replaced in the local area.
- o Inadequate parking is provided.
- o Reduction of the ridge heights does not improve the overcrowding that the development would cause.
- o There will be a loss of light and privacy.
- o The development on nearby sites would have a grave impact on the streets around Linden Road and Pine Road.
- o The proposed development still does not address the privacy of 1 - 7 Linden Road. Commuter parking from nearby developments as well as overspill parking from Russell Lane has an impact on this area which will not be able to accommodate parking demand from this proposed development.
- o The two week reconsultation period is not sufficient.
- o There would be light pollution.
- o The description does not describe the loss of amenity space

Highways and transport: No objections subject to conditions

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 2015

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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Principle of development and redevelopment of the site

For areas such as the application site policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The proposed development would result in the demolition of the garages on sites A and C and the construction of a two storey block of four flats and two detached dwelling houses.

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing.

The proposed development would take place on two existing garage blocks. These garages are not being used for car parking purposes and are not suitable for the parking of modern vehicles. The provision of 6 spaces for off street parking at Site C would alleviate the parking demand on the basis of a 1 space per unit ratio.

Part of the proposed development would take place on two existing grassed areas which contribute to the visual amenity of the immediate area. These spaces do not contribute to the Borough's open space hierarchy and open space network. As such, the provision of open space in the Borough would not be harmed. Furthermore, the site is not located in an area deficient in open space.

In such circumstances, Planning Officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

As such the principle of redevelopment of the site is deemed acceptable

Affordable housing

The National Planning Policy Framework and the National Planning Policy Guidance states that where small scale development of less than 11 units come forward for determination, they should not need to make a contribution towards either affordable housing or other tariff style obligations.

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

During the pre-application phase and within the application documentation, Barnet Homes have advised that the proposed residential accommodation coming forward for all the sites for both the DCLG defined categories of major and minor applications would be delivered as affordable housing. These units would be brought forward as affordable rent with a rent level indicated as being 65% of the market rent. Based on this commitment, the provision of affordable housing constituted a significant material consideration which was dominant in the planning balance evaluation if there were any disbenefits associated with particular schemes.

The applications which have been submitted by Barnet Homes are at present a mixture of small schemes of less than 11 units (so far forming the greater majority) and a small number of major schemes delivering 11 or more units. Nevertheless, all the applications which have been put forward to the Planning and Environment Committees on 14 and 27 July, contained a planning condition which the applicant to enter into a legal agreement to secure affordable housing on an affordable rent basis at 65% of market rent. The planning consultants representing Barnet Homes are firmly of the view that the amendment to the NPPG following the *West Berkshire District Council and Reading Borough Council v Secretary of State for DCLG* means that the Council should not be seeking to secure affordable housing by condition or by legal agreement for the smaller schemes. In addition, the applicant is of the view that the imposition of a requirement to enter into a legal agreement to secure affordable housing would have an impact on the ability of the developer to secure the levels of further funding to provide more homes in the future.

Barnet Homes is a wholly owned subsidiary of Barnet Council, responsible for the management and maintenance of the Council's 15,000 rental properties. Barnet Homes is in the process of setting up a new Registered Housing Provider known as Open Door Homes as a further subsidiary, committed to providing affordable housing. Utilising a loan from Barnet Council, the first programme of homes will be let at affordable rents. This position will be protected by the terms of the loan agreement and by the transfer of the sites from Barnet Council. Barnet Homes are therefore contractually obliged to provide affordable (rent) housing.

With respect to the larger sites where both Local Plan Policy DM10 supported by the London Plan and the NPPF states that there is a Borough wide target to bring forward 40% of new dwellings in a tenure that meets the definition of affordable housing in the NPPF. Barnet Homes is willing to enter into a legal agreement to secure these units. Barnet Homes and subsequently Opendoor have indicated their willingness to enter into a legal agreement in order to deliver a policy compliant affordable housing level. However, as stated, an onerous legal agreement would reduce the ability of Opendoor to raise future funds to continue the development cycle. Barnet Homes have a programme to deliver 326 affordable homes in order to alleviate homelessness in the borough. However, some sites may not be able to deliver the 100% provision on all sites and the monies raised will enable Barnet Homes to deliver more than the identified 326 units.

Barnet Homes recognises the concern that affordable housing secured outside of a legal agreement under Section 106 of the Planning Act, would be susceptible to disposal through Right to Buy, however the monies raised will be recycled for further investment and further build.

The overarching aim of Opendoor Homes is to build 750 units by 2020. Some dwellings will be delivered on the open market which will not be possible if the land value is based on having to provide affordable housing above policy. However, despite the absence of a legal agreement, Opendoor have every intention to provide affordable housing at affordable rent levels based on a local nominations agreement.

Ultimately, the provision of no affordable housing units on the smaller sites and the provision of at least 40% of units in affordable tenure on the larger sites would be policy compliant in respect of all the relevant tiers of policy. Nevertheless, an interpretation of the NPPF and NPPG would suggest that contributions or provision should not be sought, as opposed to must not be sought. As such, the Council could be entitled to secure affordable housing through a legal agreement on the smaller schemes. Furthermore a Council may be able to seek affordable housing at a proportion greater than 40% just as a developer may choose to deliver housing in affordable housing on a small scheme or at a ratio of greater than 40% on larger schemes.

Undoubtedly, the position promoted by Barnet Homes since their engagement with planning officers in December 2015 has been based entirely on a 100% affordable housing provision. Supporting planning documents including the planning statement and the application form has been clear in stating that it is the intention to provide this. The applications came before Committee carrying a condition seeking a legal agreement.

Nevertheless, there is a clear intention to provide affordable housing through other means and securing this for at least the first occupants under a Barnet Nominations procedure. The schemes, both small and large are policy compliant. Barnet Homes will be providing affordable rented housing on these sites although Members are being asked to consider these schemes purely on the basis of them being new dwellings only. Barnet Homes will be able to secure and raise funding on more advantageous site values allowing them to invest and earn greater sums of money. This would enable Barnet Homes to deliver effectively the stated aim of 326 units in this next phase and 750 in total by 2020. In a holistic view, this is a tangible planning benefit and it is considered that there would be an inherent risk to the programme that could be compromised.

On balance, the amended approach is considered to be acceptable and it is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

In summary, the unit would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

Design, appearance and character matters

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

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

The locality and wider area consists of low to medium density residential development of a suburban character.

Planning permission is sought for the development of the existing garages and the erection of a two storey flatted block containing four flats and the erection of two detached two storey dwellings following the demolition of a garage block.

The proposed development has been revised since the application was first submitted to the Council. The revisions have included a removal of one storey from the flatted block to create a two storey building and a reduction in the roof height of each of the detached dwellings in order to ensure that the proposed dwellings integrate into the streetscene.

The site and surroundings incorporate significant changes of levels along Linden Road and also from Linden Road into Prevost Road and Thorndene Avenue. The flatted block has been designed to respond to these changes in land levels and although the block would be situated to a short terrace of bungalows, it is considered that the levels change would allow the building height to be largely consistent with the ridge height of these bungalows.

The proposed development would be constructed from brick and would use a metal profiled roof which would allow the design to minimise the height impact within the streetscene. It is acknowledged that the proposed development would come forward of the established building line in Linden Road. This is mainly intended to reduce the impact on the amenity of properties in Dene Road. However, it is considered that this development should be taken to be entirely independent of the established principles of site layout in this case. The proposed development would be sufficiently distant from the bungalows to the west so as to reduce the impact on these bungalows.

Nevertheless, it is considered that the proposed development would make a more positive contribution to the character and appearance of the area than the existing garages on the site. Furthermore, given the size and scale of the dwellings in Dene Road and the intervention to their rear elevations which have taken place over time, it is considered that the proposed development would not be so visually harmful in this context.

Two detached dwellings are proposed on the corners of the junction between Thorndene Avenue and Linden Road. These properties have been reduced in height by over half a metre from the original planning application submitted drawings. The proposed

development design would reflect the height as well as the materials, design and appearance of the flatted block. It is considered that this would optimise the use of unused space which does not form part of the Borough's open space hierarchy. In views across the junction and through the site, it is considered that the proposed development would not be incongruous to building heights, design and massing in this context. The properties would terminate with a gable end and would largely reflect the character of this immediate area. The property on site B would act as the counterpoint to the detached dwelling on Site A. However by virtue of the site layout would constitute a striking difference to the terrace in Prevost Road by virtue of its orientation and projection. Nevertheless, it is considered that its separation from the nearest property in Prevost Road would offset this impact. In order to respond to the levels change which is most pronounced on Site B and to provide level access throughout, an excavation would be carried out within this embankment.

Nevertheless, the height and width of the proposed development and the spaciousness to the front and its sides would ensure that the proposed development does not appear visually dominant or overly large within the plot. The use of materials consistent with those used in the area as well as front garden areas emphasise the acceptable appearance, size, scale and massing.

Quality of accommodation for future occupants

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new residential accommodation in addition to the Mayors adopted SPG's (entitled Housing).

The units proposed would have gross internal areas which would meet the requirements of the London Plan for a dwelling of that type. The ground floor dwellings would feature private terraces which would exceed the thresholds set out in the Adopted SPD (Sustainable Design and Construction). This private amenity area would be defensible space to both front and rear. It would be functional space. The communal garden space would also exceed the requirements for the two first floor units, which would in any case be supported by two small balconies. The two detached dwellings would have a small garden area which would be small but would in any case exceed the requirements for open space. Nevertheless, the proposed development would have

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. In respect of garden depths, the proposed distances from rear elevations would vary. In the flatted block it would vary from 8.5m to 11.3m. In the detached houses it would be much less than this. In respect of the detached houses, this would not satisfy the requirements of policy, however, it is considered that in the context of the proposed development it would not outweigh the benefits that would accrue from the development of affordable housing.

It is considered that each of the units proposed in this instance have an acceptable degree of outlook.

The orientation of buildings on site A suggests that there will be some overlooking from the detached house into the garden of the flat block. The bedrooms in the detached dwelling would be dual aspect and it would be possible therefore to secure the prevention of overlooking through imposing obscured glazing at the first floor level.

The submission documents include an assessment of the levels of daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. This was carried out by HTA Design LLP.

The evaluation found that all of the habitable rooms proposed would be provided with adequate levels of daylight and adequate levels of sunlight throughout the year.

Although it is recognised in the study that the proposed garden areas of the buildings may suffer from overshadowing due to their orientation, taking into consideration the planning merits of this scheme, this is deemed acceptable.

The proposal is found to be acceptable in this regard.

Whether harm would be caused to the living conditions of neighbouring residents.

The proposed development has been designed to prevent any harmful impact on the amenity of adjoining residents. While it is acknowledged that the proposed development would be two storeys within a very short garden depth to the rear, it is considered that no harm in relation to sense of enclosure, loss of privacy through overlooking or loss of light would occur.

The proposed development would not affect the daylight or sunlight conditions of any other neighbouring property in Linden Road, Pine Road or Prevost Road. In respect of privacy, the proposed front elevation of the development would be at least 17m distant from the front elevation of Linden Road properties. Objections have been received which state that this would be less than the 21m set out in Council's guidance. However, this should be taken as a rear elevation rear to rear elevation distance and not between front elevations. The distance across the street is comparable to many other streets in the Borough and although the character around the site is of a more spacious arrangement it is considered that this would not be detrimental to the amenity of existing neighbours.

The London Plan Housing SPG states that developments should be able to protect the amenity of existing neighbours. However, local authorities should avoid using specific distance and separation standards to achieve this. Increasing the separation would make the scheme unviable in this regard as it would push the proposed development rearwards, reducing the garden space, reducing the quality of amenity for the proposed development and would also harm the amenity of the occupiers to the rear of the development in Dene Road. On this basis, it is suggested that the proposed level of separation would not be unduly harmful.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide at least one car

parking space. Each unit would be provided with an off street car parking space within a dedicated parking area a short distance away.

The proposal would result in the loss of 15 garages. Nine of these are tenanted, two of which are known to be let to people living more than half a kilometre away. Of the seven that remain, it is asserted that these garages constructed several decades ago would be too small to be able to park a private car. The highways officers have considered the application and are of the view that it would be unlikely that any overspill parking would occur and that the parking demand associated with the development would be adequately met by the proposed parking area at site C.

It is considered that the proposed development would not lead to any impediment to highway safety within Linden Road and Pine Road and that sufficient visibility splays would remain in place at the relevant junctions to maintain driver and pedestrian safety.

Each unit has provision for cycle parking. Refuse collection can be undertaken from kerbside.

Sustainability

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. A large part of this saving arises from the use of photovoltaics at roof level.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. Each dwelling house would be provided with step free access from the street and would therefore qualify as M4(2) accommodation which would be acceptable. Both properties would also have toilets on the ground floor.

The applicant has advised that the inclusion of lifts in small blocks such as this has an impact on viability of the development. As such, the remaining four units on the upper floors of the buildings will meet the requirements of M4(1) of the 2013 Building Regulations.

Taking into consideration the merits of the proposed scheme, this is deemed acceptable.

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

5.4 Response to Public Consultation

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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Location **West Farm Place Garages Land Rear Of Westpole Court And 18-20 Langford Road Barnet EN4 9TY** AGENDA ITEM 11

Reference: **16/4150/FUL** Received: 23rd June 2016
Accepted: 29th June 2016

Ward: East Barnet Expiry 24th August 2016

Applicant: **Mrs Christine Coonan**

Proposal: Demolition of existing garages and erection of 2no. two storey semi-detached dwellinghouses and 2no. single storey semi-detached bungalows with associated cycle storage, refuse storage, amenity space and hard and soft landscaping. Provision of 4no. parking spaces

Recommendation: Approve subject to conditions

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

15-290-11 D11 01 Rev A; 15-290-11 D11 02 Rev A; 15-290-11 D11 10 Rev A; 15-290-11 D11 11 Rev A; 15-290-11 D11 50 Rev A; 15-290-11 D11 100 Rev A; 15-290-11 D11 101 Rev A; 15-290-11 D11 200 Rev A; 15-290-11 D11 201 Rev A; 15-290-11 D11 300 Rev A; 15-290-11 D11 301 Rev A; 15-290-11 D11 302 Rev A; 15-290-11 D11 500 Rev A; Design and access statement (BPTW); Planning Statement (BPTW); Arboricultural Method Statement (AGB Environmental); Daylight and Sunlight Statement (HTA); Sustainability Statement (BBS); Transport Statement

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any

other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

4 a) Notwithstanding the details submitted with the application and otherwise hereby approved, occupation shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

5 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the above ground construction works (excluding demolition).

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 6 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

- 8 The new dwelling(s) (Use Class C3) hereby approved shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 9 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent, the two ground floor units shall have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). All other dwellings shall have been constructed to meet and achieve all the

relevant criteria of Part M4(1) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 10 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 11 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. 15-290 D11.50 Revision A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 12 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 13 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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

14 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,

- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 15 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as shown on the tree protection plan approved under Condition 1 of this permission has been erected around existing trees on site and/or at neighbouring sites. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this permission.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 16 a) No site works or works on this development including demolition or construction work shall commence until details of the temporary means of enclosure, including boundary treatments to neighbouring properties, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before site works including demolition and construction work commence, and retained as such throughout the demolition and construction period of the development.

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

- 17 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (agb Environmental Ltd).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 18 Before the development hereby permitted commences details of dry risers shall be submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire and Emergency Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason: To protect the safety of future and neighbouring residents

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £5145 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £19845 payment under Barnet CIL.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 6 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

Officer's Assessment

1. Site Description

The application site is situated to the north of Langford Road in the Mount Pleasant Area of the London Borough of Barnet. The site is known as garages at West Farm Place but actually consists of land to the rear of Langford Road to the rear of Cheriton Close and Lockwood Close. The site consists of a small garage block and unused and enclosed land.

The land levels rise northeast away from Langford Road and northwest through the land to the rear of Langford Road properties. The site is accessed from Langford Road between 1 - 4 Westpole Court and 18 Langford Road. 18 Langford Road is situated recessed behind an area of turfed amenity space which forms part of the character of the area around Mount Pleasant.

The proposed development would extend into land that is situated to the rear of 18 - 28 and is retained within the ownership of Barnet Homes. To the rear of 22 Langford Road is an amateur radio communications mast which has a height of approximately 12m (unextended).

The site is not in a conservation area and there are no listed buildings on the site or adjacent to the site which the proposed development might affect the setting of. Trees on the northern boundary with the rear of Cheriton Close are subject to a Tree Preservation Order.

2. Site History

Conditional planning permission granted in April 2002 for the erection of a block of 4 x 1 bedroom flats (with four parking spaces) on land adjacent to 18 Langford Road (now known as 1 - 4 Westpole Court) (N07167A).

3. Proposal

Planning permission is sought for the demolition of the existing garage block and the erection of a pair of single storey bungalows and the erection of a pair of semi detached two storey dwelling houses. The bungalows are situated directly to the rear of the car parking area at the rear of Westpole Court and are enclosed by the side boundary of the development at Lockwood Close and Cheriton Close. At the far northern end of the site on the land at the rear of 18 - 28 Langford Road, the application proposes a pair of semi detached properties with rear gardens which form a continuation of the terrace at 17 - 21 Cheriton Close. The development provides four parking spaces at a ratio of one space per unit.

The bungalows which are also semi detached, have two bedrooms, private garden space, defensible space to the front elevation approach would each have a flat roof and gable end to the front and rear elevation. They would have a width of approximately 9.2m, a maximum height of 4.9m and a depth of 12.5m. Each would have a garden of approximately 46.5sq.m and 42.5sq.m respectively. The garden depths are 4.5m and the boundary separation is up to 2m to the south and up to 1m to the north.

The semi detached pair is approximately 10.5m wide and approximately 11.0m deep. The properties have garden areas of 199.5sq.m and 161sq.m respectively. The distance from the northeastern boundary is 2.8m and generally 4.0m from the rear of Langford Road properties. The houses are 8.2m high.

4. Public Consultation

Consultation letters were sent to 120 neighbouring properties on two occasions.

11 responses have been received, comprising 11 letters of objection across both periods of consultation.

The objections from the first period of consultation can be summarised as follows:

- o Additional residents including children would cause anti social behaviour
- o Social housing is undesirable and causes well document problems.
- o There are too many houses being built.
- o The space would be too limited and would not allow for a refuse vehicle to enter.
- o When the Cheriton Close development was constructed, a proposal to build a pair of dwellings on this land was rejected but is being proposed now.
- o What considerations have been given to fire risk.
- o The scheme would give rise to more noise and light pollution.
- o There would be an overspill of parking on to the local highway network.
- o The gardens are too small and would focus the noise impact to immediate neighbours.
- o The bungalows far exceed the height of surrounding buildings.
- o The site would impact on local ecology.
- o The proposed development in conjunction with the proposal opposite at 106 Mount Pleasant would be a burden on the local environment.
- o The development would harm outlook.
- o Loss of privacy from windows and over the side garden fence.
- o The scheme constitutes overdevelopment.
- o The trees were retained between Cheriton Close and Langford Road to act as a screen between sites. This undermines this.
- o The road is too narrow to permit access by a fire engine and requires a sufficiently sized turning circle.
- o There is an amateur radio communications mast within the rear garden which would be too close to the new housing which would harm their health and amenity and which would be impaired by the proposed development.
- o The proposal blocks a right of way to the land behind the rear gardens of the Langford Road properties.
- o Due to the sloping land levels, the proposed houses would be much larger than 17 Cheriton Close.

Highways and transport: No objections subject to conditions

Environmental Health: No objections. The proposed communications mast would be significantly weaker than the background radiation levels present in the locality which were traced back to Alexandra Palace transmitter. The mast would offer a very low wave frequency which would not impair the health of neighbours.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 2015

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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Principle of development and redevelopment of the site

Planning permission is sought for the erection of a three storey building to provide six flats adjoining an existing residential apartment block. The proposed development would comprise of three, one bed flats and three, two bed flats. The development would be for the benefit of Barnet Homes.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough. Borough wide target for 40% affordable housing provision.

Land use - the provision of new housing

The provision of new housing would be supported in respect of the stated aim to meet London Plan and Local plan targets for the Borough. The provision of new housing should be supported as sustainable development provided that it complies with other policies in all other respects.

Affordable housing

The National Planning Policy Framework and the National Planning Policy Guidance states that where small scale development of less than 11 units come forward for determination, they should not need to make a contribution towards either affordable housing or other tariff style obligations.

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

During the pre-application phase and within the application documentation, Barnet Homes have advised that the proposed residential accommodation coming forward for all the sites for both the DCLG defined categories of major and minor applications would be delivered as affordable housing. These units would be brought forward as affordable rent with a rent level indicated as being 65% of the market rent. Based on this commitment, the provision of affordable housing constituted a significant material consideration which was dominant in the planning balance evaluation if there were any disbenefits associated with particular schemes.

The applications which have been submitted by Barnet Homes are at present a mixture of small schemes of less than 11 units (so far forming the greater majority) and a small number of major schemes delivering 11 or more units. Nevertheless, all the applications which have been put forward to the Planning and Environment Committees on 14 and 27 July, contained a planning condition which the applicant to enter into a legal agreement to secure affordable housing on an affordable rent basis at 65% of market rent. The planning consultants representing Barnet Homes are firmly of the view that the amendment to the NPPG following the West Berkshire District Council and Reading Borough Council v Secretary of State for DCLG means that the Council should not be seeking to secure affordable housing by condition or by legal agreement for the smaller schemes. In addition,

the applicant is of the view that the imposition of a requirement to enter into a legal agreement to secure affordable housing would have an impact on the ability of the developer to secure the levels of further funding to provide more homes in the future.

Barnet Homes is a wholly owned subsidiary of Barnet Council, responsible for the management and maintenance of the Council's 15,000 rental properties. Barnet Homes is in the process of setting up a new Registered Housing Provider known as Open Door Homes as a further subsidiary, committed to providing affordable housing. Utilising a loan from Barnet Council, the first programme of homes will be let at affordable rents. This position will be protected by the terms of the loan agreement and by the transfer of the sites from Barnet Council. Barnet Homes are therefore contractually obliged to provide affordable (rent) housing.

With respect to the larger sites where both Local Plan Policy DM10 supported by the London Plan and the NPPF states that there is a Borough wide target to bring forward 40% of new dwellings in a tenure that meets the definition of affordable housing in the NPPF. Barnet Homes is willing to enter into a legal agreement to secure these units. Barnet Homes and subsequently Opendoor have indicated their willingness to enter into a legal agreement in order to deliver a policy compliant affordable housing level. However, as stated, an onerous legal agreement would reduce the ability of Opendoor to raise future funds to continue the development cycle. Barnet Homes have a programme to deliver 326 affordable homes in order to alleviate homelessness in the borough. However, some sites may not be able to deliver the 100% provision on all sites and the monies raised will enable Barnet Homes to deliver more than the identified 326 units.

Barnet Homes recognises the concern that affordable housing secured outside of a legal agreement under Section 106 of the Planning Act, would be susceptible to disposal through Right to Buy, however the monies raised will be recycled for further investment and further build.

The overarching aim of Opendoor Homes is to build 750 units by 2020. Some dwellings will be delivered on the open market which will not be possible if the land value is based on having to provide affordable housing above policy. However, despite the absence of a legal agreement, Opendoor have every intention to provide affordable housing at affordable rent levels based on a local nominations agreement.

Ultimately, the provision of no affordable housing units on the smaller sites and the provision of at least 40% of units in affordable tenure on the larger sites would be policy compliant in respect of all the relevant tiers of policy. Nevertheless, an interpretation of the NPPF and NPPG would suggest that contributions or provision should not be sought, as opposed to must not be sought. As such, the Council could be entitled to secure affordable housing through a legal agreement on the smaller schemes. Furthermore a Council may be able to seek affordable housing at a proportion greater than 40% just as a developer may choose to deliver housing in affordable housing on a small scheme or at a ratio of greater than 40% on larger schemes.

Undoubtedly, the position promoted by Barnet Homes since their engagement with planning officers in December 2015 has been based entirely on a 100% affordable housing provision. Supporting planning documents including the planning statement and the application form has been clear in stating that it is the intention to provide this. The applications came before Committee carrying a condition seeking a legal agreement.

Nevertheless, there is a clear intention to provide affordable housing through other means and securing this for at least the first occupants under a Barnet Nominations procedure. The schemes, both small and large are policy compliant. Barnet Homes will be providing affordable rented housing on these sites although Members are being asked to consider these schemes purely on the basis of them being new dwellings only. Barnet Homes will be able to secure and raise funding on more advantageous site values allowing them to invest and earn greater sums of money. This would enable Barnet Homes to deliver effectively the stated aim of 326 units in this next phase and 750 in total by 2020. In a holistic view, this is a tangible planning benefit and it is considered that there would be an inherent risk to the programme that could be compromised.

On balance, the amended approach is considered to be acceptable and it is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

In summary, the unit would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

Design, appearance and character matters

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

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

The locality and wider area consists of low to medium density residential development of a suburban character.

Planning permission is sought for the erection a pair of semi-detached two storey dwellings and a pair of semi-detached single storey bungalows. The proposed development would in part replace a garage block and also develop an area of redundant undeveloped land which separates Langford Road and Cheriton Close. The proposed bungalows would be a low rise low scale development which would not have a significant visual impact on the character and appearance of the area and would constitute a smaller scale and expanse of development than the existing garages. The provision of soft landscaping and garden space would soften the visual appearance of the site and surroundings.

The pair of semi-detached dwellings would be situated on higher land to the northwest. The land rises from the bungalows and also from the rear elevation of the properties in Langford Road. These properties would again be largely screened from the public realm in Langford Road, Cheriton Close or Lockwood Close. At 33 units per hectare, it is considered that the proposed development would reflect the spatial character of the area without giving rise to overdevelopment of the site. There would be adequate spaciousness around the building and between buildings within the red line site.

The proposed semi detached dwellings would be of a design and appearance that would blend in with the character, appearance and materials used in neighbouring dwellings on

the northern side of Langford Road. Although it is accepted that the proposed development would be on land higher than the existing dwellings in Langford Road, it is considered that the additional built height of 8.2m at a distance of 25m would not be visually dominant in this context.

The proposed development seeks to retain trees which form part of a Tree Preservation Order Grouping at the northern and northeastern boundaries of the site. It is considered that these trees would not harm the amenity conditions of future occupiers and it is considered that subject to appropriate construction method and protection, the trees would not be harmed by the proposed development and would continue to co exist with the proposed development.

Quality of accommodation for future occupants

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new residential accommodation in addition to the Mayors adopted SPG's (entitled Housing).

The proposed development would be able to provide sufficient internal floorspace for two bedroom dwellings which would exceed the National Technical Standard adopted as a mandatory requirement within the London Plan. Furthermore, the proposed development would be provided with an acceptable open space area, although the garden depths for the bungalows would be much less than set out in the SPD (Sustainable Design and Construction). Nevertheless, the proposed development would not be unacceptably overlooked from neighbouring properties.

The bungalows in particular would be surrounded by trees on the boundary with Cheriton Close and Lockwood Close which may limit the daylight and sunlight however, the submitted daylight and sunlight assessment demonstrates that the impact would be acceptable for future occupiers.

The occupiers of the proposed development would be separated by a sufficient distance across the car park area between the bungalows and the houses. There would be no overlooking from adjoining properties with the rear elevation windows over 20m away.

The proposal is found to be acceptable in this regard.

Whether harm would be caused to the living conditions of neighbouring residents.

The proposed bungalows would constitute a small additional height over and above the existing garages which run around the periphery of the site and as such would not be visually dominant for the occupiers surrounding the site. In any case, its primary windows would face both southeast and northwest and would not have any overview into adjoining sites or gardens. Furthermore, the land continues to rise towards Cheriton Close and as such, the impact on these properties would be diminished.

The proposed dwelling houses would also be orientated in a similar fashion with windows facing northwest and southeast. There would be no habitable room windows in the flank elevations in either direction and as such, the proposed development would therefore not overlook towards the properties in Langford road. Any overview would be acute and would only be over parts of the gardens of 18 and 28 Langford Road.

In respect of distance, the flank elevation would have a median distance from the rear elevation of Langford Road properties of around 25m. This would be slightly shorter to the rear of 18 - 20 Langford Road because of the orientation of the footprint as it converges towards the rear boundary of Langford Road. However, the distance of 25m would alleviate concerns about loss of light. In respect of privacy, there is a concern that the current end of garden boundary treatment would be permeable and would allow views through from the gardens in Langford Road to the proposed development. It is suggested that details of boundary treatment should be secured to ensure that the privacy between gardens and properties would not be affected.

The proposed development would affect the neighbour's enjoyment of a leisure pursuit which in this case involves participation of amateur radio communication. There is a substantial mast in the rear garden of 22 Langford Road (which benefits from planning permission) which is used for the receipt and sending of radio waves. The owner of this mast has advised that development around the site in recent years has limited the scope and strength of the mast. This development would result in the site being fully encircled by development which would limit the strength further.

The Human Rights Act 1998 is applicable in some respect. Article 1 of the First Protocol (Part II) sets out a protection of property as a right. Every person is entitled to the peaceful enjoyment of his/her possessions. No one shall be deprived of his possessions except in the public interest. There is therefore a balance between the interests of the neighbour to pursue their interest and the overarching important objective of providing affordable housing for the community and improving the quality of the environment for neighbours.

The neighbour has advised that the impact would diminish the strength but not render the equipment useless. This is a significant intervention given the neighbour's other personal circumstances which shall not be outlined here. However, the proposed development would deliver two significant benefits which would support a wider number of people including those already in situ around the site and those who are yet to be resident here. The scheme is not considered to be unduly harmful in other respects and as such, the proposed scheme provides an overriding level of benefit which exceeds the neighbour's right which in the Council's opinion would not be totally extinguished. In this regard the proposed development would not be harmful in respect of the Human Rights Act.

The proposed development would not give rise to significant light or noise pollution concerns. The proposed development is located in a residential area and the proposed residential use would be complimentary to the location that it would be situated in.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide at least one car parking space. Each unit would be provided with an off street car parking space within a dedicated parking area a short distance away.

The proposal would result in the loss of all twelve garages with the exception of one to the rear of 18 Langford Road which is owned by that property and is outside of the red line site. It will be retained with access on to the access road.

Of the 12 garages, 7 are vacant. The applicants have taken a worst case scenario and assumed that the remaining five may still be usable for the purposes of parking. Of these five, three garages are used by people living 200m away from the site. The applicant suggests that this distance would be too great and as a result, people would not be likely to walk from this garage to their property. However, this distance remains eminently walkable and as a result, the overspill could potentially be five vehicles rather than the two that the applicant suggests. Nevertheless, the applicant has demonstrated that the parking stress within a close radius from the site is only 71% and as such, even the worst case scenario can be accommodated on the street. .

The access to the site is as existing and would be shared with pedestrians. The access road widens towards the rear and is no less than 3.0m in width. The proposed width of the road does not prevent the access for ambulances. However it prevents access for both fire engines and refuse vehicles. Refuse will be stored within 10m of Langford Road with refuse moved to the collection point by residents. Fire engines will not be able to access the site however, it is recommended that risers should be laid along the route to ensure that fire fighting can take place if required. A construction method statement including servicing, storage and other construction logistics can be agreed and implemented.

The proposed use of the site as four houses would be of a similar intensity to that of the garages and it is considered the blind right hand bend turn would be similar to that proposed now. It is recommended that some form of assistance is provided within the site such as mirrors to enable drivers, cyclists and pedestrians to recognise that there are other users within the road.

The scheme has been considered by a highways officer who raises no objections to the application provided that the development is carried out in accordance with conditions as recommended.

Arboriculture

The proposed development is located adjacent to a TPO which is wholly located within the Chalk Lane development to the north of the application site. All of the protected trees are located outside the red line site. No details have been provided relating to arboricultural protection and these will need to be secured through a range of conditions to be discharged prior to the commencement of development.

Sustainability

The Sustainability Statement submitted with the application indicates that the scheme will secure a reduction in the CO₂ emissions of 35% below the 2013 Building Regulations. This commitment will also be secured by planning condition.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. Each dwelling house would be provided with step free access

from the street and would therefore qualify as M4(2) accommodation which would be acceptable. Both properties would also have toilets on the ground floor.

Taking into consideration the merits of the proposed scheme, this is deemed acceptable.

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

5.4 Response to Public Consultation

The objections to this application have been addressed in the report above.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



LOCATION: Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9
5JE

AGENDA ITEM 12

REFERENCE: 16/5050/S73

Received: 29 July 2016

Accepted: 12 August 2016

WARD(S): Colindale

Expiry: 11 November 2016

Final Revisions:

APPLICANT: Redrow Homes Limited

PROPOSAL: Variation of condition 1 (Approved Plans) pursuant to Planning Permission H/04753/14 dated 23/12/2015 for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 951 units in full detail and up to 1,949 units in outline in buildings ranging from 2-21 storeys, up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2), the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking.

Variations include: Amendments to Application Description increasing number of units in Stage 1 (from 888 to 951) and decreasing number of units in future phases Stages 2 and 3 (from 2012 to 1949); Blocks P and Q are increased in height by 1 storey from part 3, 6 and 8 to part 4, 7 and 9 storeys; Introduction of a new residents hub in Block P including a reception, residents gym, function/class room and office space; increase in number of units in Blocks P and Q from 96 units each to 119 and 122 units; Alterations to unit mix; Alterations to layout and road network; Increase in cycle spaces.

Background

Hybrid planning permission for the phased comprehensive redevelopment of the site was granted on the 23rd December 2015 (Ref: H/04753/14). It allows the comprehensive redevelopment of part of the former Peel Centre site (now known as 'Colindale Gardens') for 2,900 homes and associated development including the creation of new public open space and the provision of a new primary school. It was granted subject to 60 conditions and a Section 106 agreement.

The development was designed as part of a masterplan and will be constructed in three development stages, each comprising a number of 'phases'.

The application was granted in hybrid form. Full planning permission was granted for part of the development comprising Development Stage 1, with outline planning permission (with all matters reserved except for access) granted for Development Stages 2 and 3.

The S73 Application

The current application is made under Section 73 of the Town and Country Planning Act 1990 (as amended). The principal purpose of this application is to seek approval for amendments to the wording of the description of development and planning condition 1 attached to planning permission H/04753/14 (dated 23rd December 2015), as the mechanism for the approval of revised plans for Blocks P and Q located within Development Stage 1.

The amendments to Blocks P and Q of the approved scheme are as follows:

- i. An additional storey has been added to both Blocks P and Q meaning they will change from being part 3, 6 and 8 levels as permitted to part 4, 7 and 9 levels. This translates into a typical increase in overall building height of 1.85 metres.
- ii. The number of residential units accommodated within Blocks P and Q will increase by a total of 49 units.

However, the increase of units in these two blocks will be accounted for by an equal decrease in the total number of units in Block B located within Development Stage 2. This means the site-wide total of 2,900 residential units will be unchanged.

- iii. Minor changes to the residential mix
- iv. Three-storey town houses within Blocks P and Q have been replaced with a four-storey element comprising 'street' and 'podium' level duplex family homes, with additional accommodation incorporated into the two storeys above. The number of three or more bedroom units has risen from 37 to 46 units in Block P and from 37 to 49 units in Block Q.
- v. Introduction of a Residents' Hub to the ground floor of the north-eastern corner of Block P.
- vi. Reconfiguration of the internal layouts in Blocks P and Q
- vii. Pedestrianisation of the Mews Street located between Blocks P and Q
- viii. There is an overall reduction of two car parking spaces
- ix. There is an overall increase of 66 cycle spaces

The permitted tenure for all residential units in Blocks P and Q is market housing units and this will remain unchanged. All affordable housing units in Development Stage 1 will be provided in Block H and this remains unaffected by the changes to the approved development. Therefore, there will be no change to the approved tenure mix.

The proposed changes to the resultant buildings are not fundamentally or substantially different to the approved scheme. These amendments are minor and follow a similar high quality design to that previously approved under the hybrid

planning approval. The resultant buildings are considered appropriate in their scale based on the context of the site, are similar in architectural treatment to the original approval and will have no impact on amenity, neighbouring properties or the surrounding road network or parking. All units meet the requirements set out in the Mayor of London's new Housing SPG and accord with all of the policies of the updated London Plan.

The proposed amendments are therefore considered acceptable and the proposal is recommended for **APPROVAL**

RECOMMENDATIONS

Approve subject to:

Recommendation 1

The applicant and any other person having a requisite interest in the site be invited to enter into a Deed of Variation varying the extant section 106 Agreement dated 23 December 2015 in accordance with the terms set out in the Application Summary section of this report.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, , the Service Director Development Management & Building Control approve the planning application reference 16/5050/S73 under delegated powers subject to the following conditions and any changes to the wording of the conditions considered necessary by the , the Service Director Development Management & Building Control:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following Primary Control Documents and approved plans and Supporting Documents:

Primary Control Documents

- i. PC5 Revised Development Schedule, Revision 4 (July 2016)
- ii. PC6 Revised Parameter Plans Nos. Prefix: 1735-FCB-SITE: 0102-P2; 0103-P2; 0104-P2; 0105-P2; 0106-P3; 0107-P2; 0108-P5; 01089-P2
- iii. PC7 Revised Design Principles Document (June 2015)

Approved Plans and Supporting Documents

BLOCK H:

- BLOCK H GA PLAN – LEVEL 0 (MAY 2015) REF: 1735-FCB-ZH – 0200 P2
- BLOCK H LEVEL 1 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0201 P2
- BLOCK H LEVEL 2 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0202 P2
- BLOCK H LEVEL 3 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0203 P2
- BLOCK H LEVEL 4 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0204 P2
- BLOCK H LEVEL 5 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0205 P2
- BLOCK H LEVEL 6 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0206 P2
- BLOCK H LEVEL 7 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0207 P2
- BLOCK H LEVEL 8 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0208 P2
- BLOCK H LEVEL 9 – GA PLAN (MAY 2015) REF: 1735-FCB-ZH – 0209 P2
- BLOCK H LEVEL 10 – GA ROOF PLAN (MAY 2015) REF: 1735-FCB-ZH – 0210 P2
- BLOCK H WEST ELEVATION (MAY 2015) REF: 1735-FCB-ZH – 0600 P7
- BLOCK H SOUTH ELEVATION (MAY 2015) REF: 1735-FCB-ZH – 0601 P7
- BLOCK H EAST ELEVATION (MAY 2015) REF: 1735-FCB-ZH – 0602 P7
- BLOCK H NORTH ELEVATION (MAY 2015) REF: 1735-FCB-ZH – 0603 P6
- BLOCK H EAST COURTYARD ELEVATION (MAY 2015) REF: 1735-FCB-ZH – 0604 P7
- BLOCK H WEST COURTYARD ELEVATION (MAY 2015) REF: 1735-FCB-ZH – 0605 P7

BLOCK J:

- BLOCK J GA PLAN – GROUND FLOOR (MAY 2015) REF: BJ 1100 02
- BLOCK J GA PLAN – FIRST FLOOR (MAY 2015) REF: BJ 1101 02
- BLOCK J GA PLAN – SECOND FLOOR (MAY 2015) REF: BJ 1102 01
- BLOCK J GA PLAN – THIRD FLOOR (MAY 2015) REF: BJ 1103 01
- BLOCK J GA PLAN – FOURTH FLOOR (MAY 2015) REF: BJ 1104 01
- BLOCK J GA PLAN – FIFTH FLOOR (MAY 2015) REF: BJ 1105 01
- BLOCK J GA PLAN – ROOF (MAY 2015) REF: BJ 1106 02
- BLOCK J GA ELEVATION – NORTH (MAY 2015) REF: BJ 1300 02
- BLOCK J GA SECTIONAL ELEVATION – AA (MAY 2015) REF: BJ 1301 02
- BLOCK J GA SECTIONAL ELEVATION – BB (MAY 2015) REF: BJ 1302 02
- BLOCK J GA SECTIONAL ELEVATION – CC (MAY 2015) REF: BJ 1303 02
- BLOCK J GA ELEVATION – SOUTH (MAY 2015) REF: BJ 1304 02
- BLOCK J GA ELEVATION – EAST (MAY 2015) REF: BJ 1305 02
- BLOCK J GA SECTIONAL ELEVATION – DD (MAY 2015) REF: BJ 1306 02
- BLOCK J GA SECTIONAL ELEVATION – EE (MAY 2015) REF: BJ 1307 02
- BLOCK J GA ELEVATION – WEST (MAY 2015) REF: BJ 1308 02
- BLOCK J GA SECTIONAL ELEVATION – FF (MAY 2015) REF: BJ 1309 02
- BLOCK J GA SECTIONAL ELEVATION – GG (MAY 2015) REF: BJ 1310 02

BLOCK K:

- BLOCK K GA PLAN – GROUND FLOOR (MAY 2015) REF: BK 1100 02
- BLOCK K GA PLAN – FIRST FLOOR (MAY 2015) REF: BK 1101 02
- BLOCK K GA PLAN – SECOND FLOOR (MAY 2015) REF: BK 1102 01
- BLOCK K GA PLAN – THIRD FLOOR (MAY 2015) REF: BK 1103 01
- BLOCK K GA PLAN – FOURTH FLOOR (MAY 2015) REF: BK 1104 01
- BLOCK K GA PLAN – FIFTH FLOOR (MAY 2015) REF: BK 1105 01
- BLOCK K GA PLAN – ROOF (MAY 2015) REF: BK 1106 02
- BLOCK K GA ELEVATION – NORTH (MAY 2015) REF: BK 1300 02
- BLOCK K GA SECTIONAL ELEVATION – AA (MAY 2015) REF: BK 1301 02
- BLOCK K GA ELEVATION – SOUTH (MAY 2015) REF: BK 1302 02
- BLOCK K GA SECTIONAL ELEVATION – BB (MAY 2015) REF: BK 1303 02
- BLOCK K GA SECTIONAL ELEVATION – CC (MAY 2015) REF: BK 1304 02
- BLOCK K GA ELEVATION – EAST (MAY 2015) REF: BK 1305 02
- BLOCK K GA SECTIONAL ELEVATION – DD (MAY 2015) REF: BK 1306 02
- BLOCK K GA SECTIONAL ELEVATION – EE (MAY 2015) REF: BK 1307 02
- BLOCK K GA ELEVATION – WEST (MAY 2015) REF: BK 1308 02
- BLOCK K GA SECTIONAL ELEVATION – FF (MAY 2015) REF: BK 1309 02
- BLOCK K GA SECTIONAL ELEVATION – GG (MAY 2015) REF: BK 1310 02

BLOCK L & N (APPROVED UNDER NON-MATERIAL AMENDMENT APPLICATION 16/2646/NMA):

- BLOCK LN GA PLAN - SITE PLAN BLOCKS L & N COMBINED GROUND FLOOR REV B (MARCH 2016) REF: 537/F001
- BLOCK L GA PLAN - GROUND FLOOR REV B (MARCH 2016) REF: 537/F100
- BLOCK L GA PLAN - FIRST FLOOR REV B (MARCH 2016) REF: 537/F101
- BLOCK L GA PLAN - SECOND FLOOR REV B (MARCH 2016) REF: 537/F102
- BLOCK L GA PLAN - THIRD FLOOR REV B (MARCH 2016) REF: 537/F103
- BLOCK L GA PLAN - FOURTH FLOOR REV B (MARCH 2016) REF: 537/F104
- BLOCK L GA PLAN - ROOF REV A (MARCH 2016) REF: 537/F105
- BLOCK L GA ELEVATION - SOUTH REV B (APRIL 2016) REF: 537/F201
- BLOCK L GA ELEVATION - NORTH REV B (APRIL 2016) REF: 537/F202
- BLOCK L GA ELEVATION - EAST REV B (APRIL 2016) REF: 537/F203
- BLOCK L GA ELEVATION - WEST REV B (APRIL 2016) REF: 537/F204
- BLOCK LN GA SECTION - AA REV B (APRIL 2016) REF: 537/F301

- BLOCK LN GA SECTION - BB REV B (APRIL 2016) REF: 537/F302
- BLOCK N GA PLAN - GROUND FLOOR REV B (MARCH 2016) REF: 537/F106
- BLOCK N GA PLAN - FIRST FLOOR REV B (MARCH 2016) REF: 537/F107
- BLOCK N GA PLAN - SECOND FLOOR REV B (MARCH 2016) REF: 537/F108
- BLOCK N GA PLAN - THIRD FLOOR REV B (MARCH 2016) REF: 537/F109
- BLOCK N GA PLAN - FOURTH FLOOR REV B (MARCH 2016) REF: 537/F110
- BLOCK N GA PLAN - ROOF REV A (MARCH 2016) REF: 537/F111
- BLOCK N GA ELEVATION - SOUTH REV B (APRIL 2016) REF: 537/F205
- BLOCK N GA ELEVATION - NORTH REV B (APRIL 2016) REF: 537/F206
- BLOCK N GA ELEVATION - EAST REV B (APRIL 2016) REF: 537/F207
- BLOCK N GA ELEVATION - WEST REV B (APRIL 2016) REF: 537/F208

BLOCK M:

- BLOCK M GA PLAN – GROUND FLOOR (MAY 2015) REF: BM 1100 02
- BLOCK M GA PLAN – FIRST FLOOR (MAY 2015) REF: BM 1101 02
- BLOCK M GA PLAN – SECOND FLOOR (MAY 2015) REF: BM 1102 02
- BLOCK M GA PLAN – THIRD FLOOR (MAY 2015) REF: BM 1103 02
- BLOCK M GA PLAN – FOURTH FLOOR (MAY 2015) REF: BM 1104 02
- BLOCK M GA PLAN – FIFTH FLOOR (MAY 2015) REF: BM 1105 02
- BLOCK M GA PLAN – ROOF (MAY 2015) REF: BM 1106 02
- BLOCK M GA ELEVATION – NORTH 01 & 02 (MAY 2015) REF: BM 1300 02
- BLOCK M GA SECTIONAL ELEVATION – AA & BB (MAY 2015) REF: BM 1301 02
- BLOCK M GA ELEVATION – SOUTH 03 & 04 (MAY 2015) REF: BM 1302 02
- BLOCK M GA ELEVATION – EAST (MAY 2015) REF: BM 1303 02
- BLOCK M GA SECTIONAL ELEVATION – CC (MAY 2015) REF: BM 1304 02
- BLOCK M GA ELEVATION – WEST (MAY 2015) REF: BM 1305 02
- BLOCK M GA SECTIONAL ELEVATION – DD (MAY 2015) REF: BM 1306 02

BLOCK P:

- BLOCK P GA PLAN – GROUND FLOOR (JULY 2016) REF: 537/FP101 REV G
- BLOCK P GA PLAN – FIRST FLOOR (JULY 2016) REF: 537/FP102 REV F
- BLOCK P GA PLAN – SECOND FLOOR (JULY 2016) REF: 537/FP103 REV F
- BLOCK P GA PLAN – THIRD FLOOR (JULY 2016) REF: 537/FP104 REV F
- BLOCK P GA PLAN – FOURTH FLOOR (JULY 2016) REF: 537/FP105 REV F
- BLOCK P GA PLAN – FIFTH FLOOR (JULY 2016) REF: 537/FP106 REV F
- BLOCK P GA PLAN – SIXTH FLOOR (JULY 2016) REF: 537/FP107 REV F
- BLOCK P GA PLAN – SEVENTH FLOOR (JULY 2016) REF: 537/FP108 REV F
- BLOCK P GA PLAN – EIGHTH FLOOR (JULY 2016) REF: 537/FP109 REV F
- BLOCK P GA PLAN – ROOF (JULY 2016) REF: 537/FP110 REV F
- BLOCK P GA ELEVATION – EAST (JULY 2016) REF: 537/FP200 REV E
- BLOCK P GA ELEVATION – SOUTH (JULY 2016) REF: 537/FP201 REV E
- BLOCK P GA ELEVATION – WEST (JULY 2016) REF: 537/FP202 REV C
- BLOCK P GA ELEVATION – NORTH (JULY 2016) REF: 537/FP203 REV E
- BLOCK P GA ELEVATION – EAST COURTYARD (JULY 2016) REF: 537/FP204 REV C
- BLOCK P GA ELEVATION – SOUTH COURTYARD (JULY 2016) REF: 537/FP205 REV B
- BLOCK P GA ELEVATION – WEST COURTYARD (JULY 2016) REF: 537/FP206 REV C
- BLOCK P GA ELEVATION – NORTH COURTYARD (JULY 2016) REF: 537/FP207 REV C

BLOCK Q:

- BLOCK Q GA PLAN – GROUND FLOOR (JULY 2016) REF: 537/FQ101 REV D
- BLOCK Q GA PLAN – FIRST FLOOR (JULY 2016) REF: 537/FQ102 REV D
- BLOCK Q GA PLAN – SECOND FLOOR (JULY 2016) REF: 537/FQ103 REV C

- BLOCK Q GA PLAN – THIRD FLOOR (JULY 2016) REF: 537/FQ104 REV C
- BLOCK Q GA PLAN – FOURTH FLOOR (JULY 2016) REF: 537/FQ105 REV C
- BLOCK Q GA PLAN – FIFTH FLOOR (JULY 2016) REF: 537/FQ106 REV C
- BLOCK Q GA PLAN – SIXTH FLOOR (JULY 2016) REF: 537/FQ107 REV C
- BLOCK Q GA PLAN – SEVENTH FLOOR (JULY 2016) REF: 537/FQ108 REV C
- BLOCK Q GA PLAN – EIGHTH FLOOR (JULY 2016) REF: 537/FQ109 REV C
- BLOCK Q GA PLAN – ROOF (JULY 2016) REF: 537/FQ110 REV C
- BLOCK Q GA ELEVATION – EAST (JULY 2016) REF: 537/FQ200 REV D
- BLOCK Q GA ELEVATION – SOUTH (JULY 2016) REF: 537/FQ201 REV C
- BLOCK Q GA ELEVATION – WEST (JULY 2016) REF: 537/FQ202 REV C
- BLOCK Q GA ELEVATION – NORTH (JULY 2016) REF: 537/FQ203 REV D
- BLOCK Q GA ELEVATION – EAST COURTYARD (JULY 2016) REF: 537/FQ204 REV C
- BLOCK Q GA ELEVATION – SOUTH COURTYARD (JULY 2016) REF: 537/FQ205 REV C
- BLOCK Q GA ELEVATION – WEST COURTYARD (JULY 2016) REF: 537/FQ206 REV B
- BLOCK Q GA ELEVATION – NORTH COURTYARD (JULY 2016) REF: 537/FQ207 REV B

BLOCK R & S (APPROVED UNDER NON-MATERIAL AMENDMENT APPLICATION 16/1668/NMA):

- PLOT RS: COMBINED LEVEL 0 PLAN 15017-RS-00-100
- PLOT R: PROPOSED LEVEL 0 PLAN 15017-R-03-100
- PLOT R: PROPOSED LEVEL 1 PLAN 15017-R-03-101
- PLOT R: PROPOSED LEVEL 2 PLAN 15017-R-03-102
- PLOT R: PROPOSED LEVEL 3 PLAN 15017-R-03-103
- PLOT R: PROPOSED LEVEL 4 PLAN 15017-R-03-104
- PLOT R: PROPOSED LEVEL 5 PLAN 15017-R-03-105
- PLOT R: PROPOSED LEVEL 6 PLAN 15017-R-03-106
- PLOT R: PROPOSED ROOF PLAN 15017-R-03-107
- PLOT S: PROPOSED LEVEL 0 PLAN 15017-S-03-100
- PLOT S: PROPOSED LEVEL 1 PLAN 15017-S-03-101
- PLOT S: PROPOSED LEVEL 2 PLAN 15017-S-03-102
- PLOT S: PROPOSED LEVEL 3 PLAN 15017-S-03-103
- PLOT S: PROPOSED LEVEL 4 PLAN 15017-S-03-104
- PLOT S: PROPOSED LEVEL 5 PLAN 15017-S-03-105
- PLOT S: PROPOSED LEVEL 6 PLAN 15017-S-03-106
- PLOT S: PROPOSED ROOF PLAN 15017-S-03-107
- PLOT R: PROPOSED SECTION AA 15017-R-04-100
- PLOT R: PROPOSED SECTION BB 15017-R-04-101
- PLOT R: PROPOSED SECTION CC 15017-R-04-102
- PLOT R: PROPOSED SECTION DD 15017-R-04-103
- PLOT S: PROPOSED SECTION AA 15017-S-04-100
- PLOT S: PROPOSED SECTION BB 15017-S-04-101
- PLOT R: PROPOSED ELEVATIONS SOUTH 15017-R-05-100
- PLOT R: PROPOSED ELEVATIONS NORTH 15017-R-05-101
- PLOT R: PROPOSED ELEVATIONS EAST 15017-R-05-102
- PLOT R: PROPOSED ELEVATIONS WEST 15017-R-05-103
- PLOT S: PROPOSED ELEVATIONS SOUTH 15017-S-05-100
- PLOT S: PROPOSED ELEVATIONS NORTH 15017-S-05-101
- PLOT S: PROPOSED ELEVATIONS EAST 15017-S-05-102
- PLOT S: PROPOSED ELEVATIONS WEST 15017-S-05-103
- PLOT R&S REFUSE AND RECYCLING STRATEGY 15017-PL(23)-005
- PLOT R&S BICYCLE PARKING 5017-PL(57)-004

BLOCK T (APPROVED UNDER NON-MATERIAL AMENDMENT APPLICATION 16/1683/NMA):

- 3520-PL(03)200 1:100 A0 GA - GROUND FLOOR PLAN
- 3520-PL(03)201 1:100 A0 GA - 1ST FLOOR PLAN
- 3520-PL(03)202 1:100 A0 GA - 2ND FLOOR PLAN
- 3520-PL(03)203 1:100 A0 GA - 3RD FLOOR PLAN
- 3520-PL(03)204 1:100 A0 GA - 4TH FLOOR PLAN
- 3520-PL(03)205 1:100 A0 GA - 5TH FLOOR PLAN
- 3520-PL(03)206 1:100 A0 GA - 6TH FLOOR PLAN
- 3520-PL(03)207 1:100 A0 GA - 7TH FLOOR PLAN
- 3520-PL(03)208 1:100 A0 GA - 8TH FLOOR PLAN
- 3520-PL(03)209 1:100 A0 GA - 9TH FLOOR PLAN
- 3520-PL(03)210 1:100 A0 GA - 10TH FLOOR PLAN
- 3520-(PL)200 1:100 A1 BLOCK T SOUTH ELEVATION
- 3520-(PL)201 1:100 A1 BLOCK T EAST ELEVATION
- 3520-(PL)202 1:100 A1 BLOCK T NORTH ELEVATION
- 3520-(PL)203 1:100 A1 BLOCK T WEST ELEVATION
- 3520-(PL)204 1:100 A1 BLOCK T NORTH COURTYRAD ELEVATION
- 3520-(PL)205 1:100 A1 BLOCK T SOUTH COURTYRAD ELEVATION

BLOCK U (APPROVED UNDER NON-MATERIAL AMENDMENT APPLICATION 16/1683/NMA):

- 3520-PL(03)100 1:100 A0 GA – GROUND FLOOR PLAN
- 3520-PL(03)101 1:100 A0 GA – 1ST FLOOR PLAN
- 3520-PL(03)102 1:100 A0 GA – 2ND FLOOR PLAN
- 3520-PL(03)103 1:100 A0 GA – 3RD FLOOR PLAN
- 3520-PL(03)104 1:100 A0 GA – 4TH FLOOR PLAN
- 3520-PL(03)105 1:100 A0 GA – 5TH FLOOR PLAN
- 3520-PL(03)106 1:100 A0 GA - 6TH FLOOR PLAN
- 3520-PL(03)107 1:100 A0 GA - 7TH FLOOR PLAN
- 3520-PL(03)108 1:100 A0 GA - 8TH FLOOR PLAN
- 3520-PL(03)109 1:100 A0 GA - 9TH FLOOR PLAN
- 3520-PL(03)110 1:100 A0 GA - 10TH FLOOR PLAN
- 3520-PL(03)111 1:100 A0 GA - 11TH FLOOR PLAN
- 3520-PL(03)112 1:100 A0 GA - 12TH FLOOR PLAN
- 3520-PL(03)113 1:100 A0 GA - 13TH FLOOR PLAN
- 3520-PL(03)114 1:100 A0 GA - 14TH FLOOR PLAN
- 3520-(PL)100 1:100 A0 BLOCK U WEST ELEVATION
- 3520-(PL)101 1:100 A0 BLOCK U SOUTH ELEVATION
- 3520-(PL)102 1:100 A0 BLOCK U EAST ELEVATION
- 3520-(PL)103 1:100 A0 BLOCK U TOWER NORTH ELEVATION
- 3520-(PL)104 1:100 A0 BLOCK U NORTH ELEVATION
- 3520-(PL)105 1:100 A0 BLOCK U SOUTH COURTYARD ELEVATION
- 3520-(PL)106 1:100 A0 BLOCK U WEST COURTYARD ELEVATION
- 3520-(PL)107 1:100 A0 BLOCK U NORTH COURTYARD ELEVATION
- 3520-(PL)108 1:100 A0 BLOCK U EAST COURTYARD ELEVATION

PC9 LANDSCAPE DRAWINGS (DETAILED COMPONENTS):

HARDWORKS PLANS:

- PRIMARY ROUTE (BLOCK H) (MAY 2015) REF: PCC398-P01-HW-00-1-001-P 03
- GREEN STREETS (BLOCK J AND K) (MAY 2015) REF: PCC398-P01-HW-00-1-002-P 01

- GREEN STREETS (SOUTHERN BOUNDARY) (MAY 2015) REF: PCC398-P01-HW-00-1-003-P 01
- GREEN STREETS (BLOCK M) (MAY 2015) REF: PCC398-P01-HW-00-1-004-P 01
- CENTRAL GARDEN SQUARE (BLOCKS L AND N) (MAY 2015) REF: PCC398-P01-HW-00-1-005-P 01
- GREEN STREETS (BLOCKS P AND Q) (MAY 2015) REF: PCC398-P01-HW-00-1-006-P 01
- GREEN STREETS (SOUTHERN BOUNDARY) (MAY 2015) REF: PCC398-P01-HW-00-1-007-P 01
- PRIMARY ROUTE (BLOCKS R AND S) (MAY 2015) REF: PCC398-P01-HW-00-1-008-P 01
- PEEL PARK (PRIMARY ROAD) (MAY 2015) REF: PCC398-P01-HW-00-1-009-P 01
- PEEL PARK (PEEL LINK) (MAY 2015) REF: PCC398-P01-HW-00-1-010-P 01
- PEEL PARK (SCHOOL ENTRANCE) (MAY 2015) REF: PCC398-P01-HW-00-1-011-P 01
- PEEL PARK (BLOCK W) (MAY 2015) REF: PCC398-P01-HW-00-1-012-P 01
- PRIMARY ROUTE (BLOCK T) (MAY 2015) REF: PCC398-P01-HW-00-1-013-P 02
- SECONDARY ROUTE (BLOCK U) (MAY 2015) REF: PCC398-P01-HW-00-1-014-P 01
- PEEL PLAZA (MAY 2015) REF: PCC398-P01-HW-00-1-015-P 01
- PEEL LINK (MAY 2015) REF: PCC398-P01-HW-00-1-017-P 00

SOFTWARES PLANS:

- PRIMARY ROUTE (BLOCK H) (MAY 2015) REF: PCC398-P01-SW-00-1-001-P 01
- GREEN STREETS (BLOCK J AND K) (MAY 2015) REF: PCC398-P01-SW-00-1-002-P 01
- GREEN STREETS (SOUTHERN BOUNDARY) (MAY 2015) REF: PCC398-P01-SW-00-1-003-P 01
- GREEN STREETS (BLOCK M) (MAY 2015) REF: PCC398-P01-SW-00-1-004-P 01
- CENTRAL GARDEN SQUARE (BLOCKS L AND N) (MAY 2015) REF: PCC398-P01-SW-00-1-005-P 01
- GREEN STREETS (BLOCK P AND Q) (MAY 2015) REF: PCC398-P01-SW-00-1-006-P 01
- GREEN STREETS (SOUTHERN BOUNDARY) (MAY 2015) REF: PCC398-P01-SW-00-1-007-P 01
- PRIMARY ROUTE (BLOCKS R AND S) (MAY 2015) REF: PCC398-P01-SW-00-1-008-P 01
- PEEL PARK (PRIMARY ROAD) (MAY 2015) REF: PCC398-P01-SW-00-1-009-P 01
- PEEL PARK (PEEL LINK) (MAY 2015) REF: PCC398-P01-SW-00-1-0010-P 01
- PEEL PARK (SCHOOL ENTRANCE) (MAY 2015) REF: PCC398-P01-SW-00-1-0011-P 01
- PEEL PARK (BLOCK W) (MAY 2015) REF: PCC398-P01-SW-00-1-0012-P 01
- PRIMARY ROUTE (BLOCK T) (MAY 2015) REF: PCC398-P01-SW-00-1-0013-P 01
- SECONDARY ROUTE (BLOCK U) (MAY 2015) REF: PCC398-P01-SW-00-1-0014-P 01
- PEEL SQUARE (MAY 2015) REF: PCC398-P01-SW-00-1-0015-P 01
- SOFTWARES LEGEND (AUGUST 2014) REF: PCC398-P01-SW-00-1-0016-P
- PEEL LINK (MAY 2015) REF: PCC398-P01-SW-00-1-0017-P 00

PODIUM PLANS:

- PODIUM GARDEN (BLOCK H) (MAY 2015) REF: PCC398-P01-GE-02-1-001-P 01
- PODIUM GARDEN (BLOCK J) (AUGUST 2014) REF: PCC398-P01-GE-01-1-002-P
- PODIUM GARDEN (BLOCK K) (AUGUST 2014) REF: PCC398-P01-GE-01-1-003-P
- PODIUM GARDEN (BLOCK M) (MAY 2015) REF: PCC398-P01-GE-01-1-004-P 01
- PODIUM GARDEN (BLOCK P) (MAY 2015) REF: PCC398-P01-GE-01-1-005-P 01
- PODIUM GARDEN (BLOCK Q) (MAY 2015) REF: PCC398-P01-GE-01-1-006-P 01
- PODIUM GARDEN (BLOCK R) (AUGUST 2014) REF: PCC398-P01-GE-01-1-007-P

- PODIUM GARDEN (BLOCK S) (AUGUST 2014) REF: PCC398-P01-GE-01-1-008-P
- PODIUM GARDEN (BLOCK U) (AUGUST 2014) REF: PCC398-P01-GE-01-1-009-P
- RETAINED TREES – PLANS
- RETAINED TREE PROTECTION MEASURES - SOUTHERN BOUNDARY (AUGUST 2014) REF: PCC398-P01-RT-00-1-001-P
- RETAINED TREE PROTECTION MEASURES - SOUTHERN BOUNDARY (AUGUST 2014) REF: PCC398-P01-RT-00-1-002-P
- RETAINED TREE PROTECTION MEASURES - TREE 136 (AUGUST 2014) REF: PCC398-P01-RT-00-1-003-P

SECTIONS:

- SECTIONS 1, 2 – PEEL PARK EAST SIDE (AUGUST 2014) REF: PCC398-P01-GE-00-2-001-P
- SECTIONS 3, 4 – PEEL PARK WEST SIDE (AUGUST 2014) REF: PCC398-P01-GE-00-2-002-P
- SECTIONS 5, 6 – PEEL LINK (AUGUST 2014) REF: PCC398-P01-GE-00-2-003-P
- SECTIONS 7, 8 – PEEL PARK - NORTH SIDE (AUGUST 2014) REF: PCC398-P01-GE-00-2-004-P
- SECTIONS 9, 10 – PEEL PARK – WEST SIDE (AUGUST 2014) REF: PCC398-P01-GE-00-2-005-P
- SECTIONS 11, 12 – GREEN STREETS - SOUTHERN BOUNDARY (MAY 2015) REF: PCC398-P01-GE-00-2-006-P 01
- SECTIONS 13, 14 – GREEN STREETS AND SOUTHERN BOUNDARY (MAY 2015) REF: PCC398-P01-GE-00-2-007-P 01
- SECTIONS 15, 16 – GREEN STREETS (MAY 2015) REF: PCC398-P01-GE-00-2-008-P 01
- SECTIONS 17, 18 – GREEN STREETS (MAY 2015) REF: PCC398-P01-GE-00-2-009-P 01
- SECTIONS 19, 20 – GARDEN SQUARE CENTRAL AND PRIMARY ROUTE (AUGUST 2014) REF: PCC398-P01-GE-00-2-010-P
- SECTIONS 21, 22 – GARDEN SQUARE CENTRAL (AUGUST 2014) REF: PCC398-P01-GE-00-2-011-P
- SECTIONS 23, 24 – PRIMARY ROUTE AND BLOCK U (MAY 2015) REF: PCC398-P01-GE-00-2-0012-P 01
- SECTIONS 86, 87 – PEEL SQUARE (AUGUST 2014) REF: PCC398-P01-GE-00-2-013-P
- SECTION 58 – RETAINED TREE SECTIONS & SOUTHERN BDY PROPOSED LEVELS (AUGUST 2014) REF: PCC398-P01-RT-00-2-001-P
- SECTIONS 59, 60 – RETAINED TREE SECTIONS & SOUTHERN BDY PROPOSED LEVELS (AUGUST 2014) REF: PCC398-P01-RT-00-2-002-P
- SECTIONS 61, 62 – RETAINED TREE SECTIONS & SOUTHERN BDY PROPOSED LEVELS (AUGUST 2014) REF: PCC398-P01-RT-00-2-003-P
- SECTIONS 63, 64 – RETAINED TREE SECTIONS & SOUTHERN BDY PROPOSED LEVELS (AUGUST 2014) REF: PCC398-P01-RT-00-2-004-P
- SECTIONS 88, 89 – RETAINED TREE SECTIONS & SOUTHERN BDY PROPOSED LEVELS (AUGUST 2014) REF: PCC398-P01-RT-00-2-005-P
- SECTIONS 65, 66 – PODIUM BLOCK H (AUGUST 2014) REF: PCC398-P01-GE-02-2-032-P
- SECTIONS 67, 68 – PODIUM BLOCK J (AUGUST 2014) REF: PCC398-P01-GE-01-2-033-P
- SECTIONS 69, 70 – PODIUM BLOCK K (AUGUST 2014) REF: PCC398-P01-GE-01-2-034-P
- SECTIONS 71, 72 – PODIUM BLOCK M (MAY 2015) REF: PCC398-P01-GE-01-2-035-P 01

- SECTIONS 73, 74 – PODIUM BLOCK P (AUGUST 2014) REF: PCC398-P01-GE-01-2-036-P
- SECTIONS 75, 76 – PODIUM BLOCK Q (AUGUST 2014) REF: PCC398-P01-GE-01-2-037-P
- SECTION 77 – PODIUM BLOCK R (AUGUST 2014) REF: PCC398-P01-GE-01-2-038-P
- SECTIONS 83, 84 – PODIUM BLOCK U (AUGUST 2014) REF: PCC398-P01-GE-01-2-039-P
- SECTION 85 – BLOCK T (AUGUST 2014) REF: PCC398-P01-GE-00-2-040-P
- STAGE 1 SITE WIDE SECTION A-A (AUGUST 2014) REF: PCC398-P01-GE-00-2-042-P
- STAGE 1 SITE WIDE SECTION B-B (AUGUST 2014) REF: PCC398-P01-GE-00-2-043-P
- STAGE 1 SITE WIDE SECTION C-C (AUGUST 2014) REF: PCC398-P01-GE-00-2-044-P
- STAGE 1 SITE WIDE SECTION D-D (AUGUST 2014) REF: PCC398-P01-GE-00-2-045-P
- STAGE 1 SITE WIDE SECTION E-E (AUGUST 2014) REF: PCC398-P01-GE-00-2-046-P
- STAGE 1 SITE WIDE SECTION E-E2 (AUGUST 2014) REF: PCC398-P01-GE-00-2-047-P
- STAGE 1 MPS BOUNDARY TREATMENT NON-SECURE ZONE (AUGUST 2014) REF: PCC398-P01-FW-2-003-P
- TYPICAL DETAILS (MAY 2015) REF: PCC398-P01-GE-01-3-001-P 00

PC9 LANDSCAPE DRAWINGS (ILLUSTRATIVE)

SITE WIDE MASTERPLAN:

- LANDSCAPE MASTERPLAN – GENERAL ARRANGEMENT LOCATION PLAN (MAY 2015) REF: PCC398-KP-00-0-001-P 01
- LANDSCAPE MASTERPLAN – SECTIONS LOCATION PLAN (MAY 2015) REF: PCC398-KP-00-0-002-P 01
- LANDSCAPE MASTERPLAN – RETAINED TREE SECTIONS LOCATION PLAN (AUGUST 2014) REF: PCC398-KP-00-0-003-P
- LANDSCAPE MASTERPLAN – PODIUM GARDENS LOCATION PLAN (AUGUST 2014) REF: PCC398-KP-00-0-004-P
- LANDSCAPE MASTERPLAN – SITE WIDE SECTIONS LOCATION PLAN (AUGUST 2014) REF: PCC398-KP-00-0-005-P
- LANDSCAPE MASTERPLAN (MAY 2015) REF: PCC398-MP-00-0-001-P 01
- LANDSCAPE MASTERPLAN (ILLUSTRATIVE MASTERPLAN) (MAY 2015) REF: PCC398-MP-00-1-002-P 01
- LANDSCAPE MASTERPLAN (EXISTING TREE RETENTION & REMOVAL PLAN) (AUGUST 2014) REF: PCC398-MP-00-0-007-P
- LANDSCAPE MASTERPLAN (ECOLOGY STRATEGY) (AUGUST 2014) REF: PCC398-MP-00-0-008-P
- LANDSCAPE MASTERPLAN (SOIL STRATEGY) (AUGUST 2014) REF: PCC398-MP-00-0-009-P
- LANDSCAPE MASTERPLAN (TREE STRATEGY) (MAY 2015) REF: PCC398-MP-00-0-010-P 01
- LANDSCAPE MASTERPLAN (SITE WIDE PLAY STRATEGY) (MAY 2015) REF: PCC398-MP-00-0-011-P 01
- LANDSCAPE MASTERPLAN (PUBLIC OPEN SPACE STRATEGY) (MAY 2015) REF: PCC398-MP-00-0-012-P 02
- LANDSCAPE MASTERPLAN (TREE REMOVAL PLAN) (MAY 2015) REF: PCC398-TP-00-0-001-P 02

- LANDSCAPE MASTERPLAN (PROPOSED DRAINAGE AND LEVELS) (MAY 2015)
REF: PCC398-DL-00-0-001-P 01
- LANDSCAPE MASTERPLAN (STAGE 1) (MAY 2015) REF: PCC398-P01-MP-00-1-006-P 01

STAGE 2 DRAWINGS (PLANS):

- SOUTHERN BOUNDARY (BLOCK F) GENERAL ARRANGEMENT PLAN (MAY 2015)
REF: PCC398-P02-GE-00-1-001-P 01
- GARDEN SQUARE (WEST) GENERAL ARRANGEMENT PLAN (MAY 2015) REF:
PCC398-P02-GE-00-1-002-P 01
- STATION PLAZA GENERAL ARRANGEMENT PLAN (MAY 2015) REF: PCC398-P02-
GE-00-1-003-P 01
- AERODROME ROAD GENERAL ARRANGEMENT PLAN (MAY 2015) REF: PCC398-
P02-GE-00-1-004-P 01
- COLINDALE AVENUE GENERAL ARRANGEMENT PLAN (MAY 2015) REF: PCC398-
P02-GE-00-1-005-P 01

STAGE 2 DRAWINGS (SECTIONS):

- SECTIONS 41, 42 – GREEN STREETS (AUGUST 2014) REF: PCC398-P02-00-2-022-
P
- SECTIONS 43, 44 – GREEN STREETS (AUGUST 2014) REF: PCC398-P02-00-2-023-
P
- SECTIONS 45, 46 – NORTH STREETS (AUGUST 2014) REF: PCC398-P02-00-2-024-
P
- SECTIONS 47, 48 – STATION PLAZA (AUGUST 2014) REF: PCC398-P02-00-2-025-P
- SECTIONS 49, 50 – STATION PLAZA AND COLINDALE AVENUE (MAY 2015) REF:
PCC398-P02-00-2-026-P 01
- SECTIONS 51, 52 – GARDEN SQUARE WEST (AUGUST 2014) REF: PCC398-P02-00-
2-027-P
- SECTIONS 53, 54 – STREETS (AUGUST 2014) REF: PCC398-P02-00-2-028-P
- SECTIONS 55, 56 – STREETS (AUGUST 2014) REF: PCC398-P02-00-2-029-P

STAGE 3 DRAWINGS (PLANS):

- GARDEN SQUARE EAST GENERAL ARRANGEMENT PLAN (MAY 2015) REF:
PCC398-P03-GE-00-1-001-P 01
- NORTH EASTERN GARDENS GENERAL ARRANGEMENT PLAN (MAY 2015) REF:
PCC398-P03-GE-00-1-002-P 01
- PEEL LINK GENERAL ARRANGEMENT PLAN (AUGUST 2014) REF: PCC398-P03-
GE-00-1-003-P 00

STAGE 3 DRAWINGS (SECTIONS):

- SECTIONS 25,-26— GARDEN SQUARE EAST (AUGUST 2014) REF: PCC398-P03-00-
2-014-P
- SECTIONS 27,-28— STREETS (AUGUST 2014) REF: PCC398-P03-00-2-015-P
- SECTIONS 31,-32— NORTH EASTERN BOUNDARY (AUGUST 2014) REF: PCC398-
P03-00-2-017-P
- SECTIONS 33,-34— NORTH EASTERN BOUNDARY (AUGUST 2014) REF: PCC398-
P03-00-2-018-P
- SECTIONS 35,-36— NORTH EASTERN BOUNDARY (AUGUST 2014) REF: PCC398-
P03-00-2-019-P
- SECTIONS 37,-38— SOUTHERN STREETS (AUGUST 2014) REF: PCC398-P03-00-2-
020-P

PC10 HIGHWAYS DRAWINGS (DETAILED COMPONENTS) – FOR APPROVAL:

- SITE WIDE ACCESS AND STREET IMPROVEMENTS (MAY 2015) REF: 70001368-GA-03 F
- WESTERN SITE ACCESS AND STREET IMPROVEMENTS (MAY 2015) REF: 70001368-GA-04 I
- EASTERN SITE ACCESS AND STREET IMPROVEMENTS (MAY 2015) REF: 70001368-GA-05 H
- PEEL LINK PEDESTRIAN AND CYCLE CROSSING (MAY 2015) REF: 70001368-GA-06 D
- COLINDEEP LANE ACCESS ALIGNMENT CYCLE AND PEDESTRIAN ROUTE (MAY 2015) REF: 70001368-GA-08 E
- COLINDALE AVENUE STREET IMPROVEMENTS INCORPORATING RELOCATED STATION AND WIDENED BRIDGE (MAY 2015) REF: 70001368-GA-11 D
- COLINDALE AVENUE IMPROVEMENTS INCORPORATING RELOCATED STATION AND EXISTING BRIDGE (MAY 2015) REF: 70001368-GA-12 D
- AERODROME ROAD / COLINDALE AVENUE ROUNDABOUT PROPOSED JUNCTION IMPROVEMENTS (MAY 2015) REF: 70001368-GA-22 D
- WESTERN SITE ACCESS AND STREET IMPROVEMENTS – 3M WIDE FOOTPATH COLINDALE AVENUE (MAY 2015) REF: 70001368-GA-23 A
- COLINDALE AVENUE STREET IMPROVEMENTS & 3M FOOTWAY OPTION INCORPORATING RELOCATED STATION AND WIDENED BRIDGE (MAY 2015) REF: 70001368-GA-24 A
- COLINDALE AVENUE STREET IMPROVEMENTS & 3M FOOTWAY OPTION INCORPORATING RELOCATED STATION AND EXISTING BRIDGE (MAY 2015) REF: 70001368-GA-25 A
- AERODROME ROAD / COLINDALE AVENUE ROUNDABOUT – 3M FOOTWAY OPTION PROPOSED JUNCTION IMPROVEMENTS (MAY 2015) REF: 70001368-GA-26 A

PC1 APPLICATION FORMS & CERTIFICATES (JULY 2016)

PC2 PLANNING APPLICATION SPECIFICATION (AUGUST 2014)

PC2 ADDENDUM TO PLANNING APPLICATION SPECIFICATION (MAY 2015)

PC3 EXISTING SITE LAYOUT AND SECTIONS:

- RED LINE BOUNDARY PLAN (AUGUST 2014) REF: 1735-FCB-SITE-0110 P1
- SITE SECTIONS EXISTING (AUGUST 2014) REF: 1735-FCB-SITE-0701 P1
- SITE SECTIONS EXISTING (AUGUST 2014) REF: 1735-FCB-SITE-0702 P1
- SITE SECTIONS EXISTING (AUGUST 2014) REF: 1735-FCB-SITE-0703 P1
- SITE SECTIONS EXISTING (AUGUST 2014) REF: 1735-FCB-SITE-0704 P1

PC4 RED LINE BOUNDARY PLAN (AUGUST 2014) REF: 1735-FCB-SITE-0110 P1

PC5 DEVELOPMENT SCHEDULE REVISION 1 (APRIL 2016 – INCORPORATING CHANGES TO BLOCKS T & U APPROVED UNDER 16/1683/NMA)

PC5 DEVELOPMENT SCHEDULE REVISION 2 (APRIL 2016 – INCORPORATING CHANGES TO BLOCKS R & S APPROVED UNDER 16/1668/NMA)

PC5 DEVELOPMENT SCHEDULE REVISION 3 (APRIL 2016 – INCORPORATING CHANGES TO BLOCKS L & N APPROVED UNDER 16/2646/NMA)

PC5 DEVELOPMENT SCHEDULE REVISION 4 (JULY 2016)

PC6 PARAMETER PLANS (OUTLINE COMPONENTS):

- PARAMETER PLAN 0101 (RED LINE BOUNDARY) (AUGUST 2014) REF: 1735-FCB-SITE-0101 P1
- REVISED PARAMETER PLAN 0102 (PROPOSED DEVELOPMENT ZONES PLAN) (AUGUST 2014) REF: 1735-FCB-SITE-0102 P2
- REVISED PARAMETER PLAN 0103 (ACCESS & CIRCULATION PLAN) (AUGUST 2014) REF: 1735-FCB-SITE-0103 P2

- REVISED PARAMETER PLAN 0104 (LANDSCAPE TREATMENT) (AUGUST 2014) REF: 1735-FCB-SITE-0104 P2
- REVISED PARAMETER PLAN 0105 (GROUND FLOOR FRONTAGES PLAN) (AUGUST 2014) REF: 1735-FCB-SITE-0105 P2
- REVISED PARAMETER PLAN 0106 (DEVELOPMENT ZONES – HORIZONTAL LIMITS OF DEVIATION) (AUGUST 2014) REF: 1735-FCB-SITE-0106 P3
- REVISED PARAMETER PLAN 0107 (PROPOSED SITE LEVELS & VERTICAL LIMITS OF DEVIATION) (AUGUST 2014) REF: 1735-FCB-SITE-0107 P2
- REVISED PARAMETER PLAN 0108 (PROPOSED DEVELOPMENT ZONES & MAXIMUM HEIGHTS) (AUGUST 2014) REF: 1735-FCB-SITE-0108 P5
- REVISED PARAMETER PLAN 0109 (PROPOSED SITE BASEMENT LEVELS & LIMIT OF DEVIATION) (AUGUST 2014) REF: 1735-FCB-SITE-0109 P2

PC7 REVISED DESIGN PRINCIPLES DOCUMENT (26th JUNE 2015)

PC8 PLANS AND ELEVATIONS (DETAILED COMPONENTS)*

PC9 LANDSCAPE DRAWINGS (DETAILED COMPONENTS)*

PC10 HIGHWAYS DRAWINGS (DETAILED COMPONENTS)*

PC11 ILLUSTRATIVE MASTERPLAN (MAY 2015) REF: PCC398-MP-00-1-002-P 01

PC12 PLANNING STATEMENT (AUGUST 2014)

PC12 PLANNING STATEMENT (STATEMENT OF CONFORMITY) (MAY 2015)

PC13 DESIGN AND ACCESS STATEMENT (VOLUMES I, II, III) (AUGUST 2014)

PC13 ADDENDUM TO DESIGN AND ACCESS STATEMENT VOLUME I, II, III (MAY 2015)

PC13 ADDENDUM REPORT TO REVISED LIGHT WITHIN ASSESSMENT – DESIGN AND ACCESS STATEMENT VOLUME III: MINOR MATERIAL AMENDMENTS TO BLOCKS P AND Q (AUGUST 2016)

PC14 ENVIRONMENTAL STATEMENT (VOLUMES I, II, III) (AUGUST 2014)

PC14 ENVIRONMENTAL STATEMENT (STATEMENT OF CONFORMITY) (MAY 2015)

PC14 ENVIRONMENTAL STATEMENT – STATEMENT OF CONFORMITY: MINOR MATERIAL AMENDMENTS TO BLOCKS P & Q (AUGUST 2016)

PC15 ENVIRONMENTAL STATEMENT NON-TECHNICAL SUMMARY (AUGUST 2014)

PC15 ENVIRONMENTAL STATEMENT NON-TECHNICAL SUMMARY (STATEMENT OF CONFORMITY) (MAY 2015)

PC16 TRANSPORT ASSESSMENT (AUGUST 2014)

PC16 ADDENDUM TO TRANSPORT ASSESSMENT (MAY 2015)

PC16 TRANSPORT STATEMENT: MINOR MATERIAL AMENDMENTS TO BLOCKS P & Q (AUGUST 2016)

PC17 DRAFT TRAVEL PLAN FRAMEWORK (AUGUST 2014)

PC18 AFFORDABLE HOUSING & VIABILITY STATEMENT (AUGUST 2014)

PC19 RETAIL IMPACT ASSESSMENT (AUGUST 2014)

PC19 SUPPLEMENTARY RETAIL REPORT (DECEMBER 2014)

PC20 OPERATOR MARKET REVIEW REPORT (SEPTEMBER 2014)

PC21 OPEN SPACE, SPORTS AND RECREATION STRATEGY (AUGUST 2014)

PC21 ADDENDUM TO OPEN SPACE, SPORTS AND RECREATION STRATEGY (MAY 2015)

PC22 WASTE MANAGEMENT PLAN (AUGUST 2014)

PC22, 25, 27, 28, 29 STATEMENT OF CONFORMITY (WASTE, WATER AND UTILITIES TECHNICAL) (MAY 2015)

PC23 SUSTAINABILITY STATEMENT (AUGUST 2014)

PC23 SUSTAINABILITY STATEMENT ADDENDUM (MAY 2015)

PC24 ENERGY STATEMENT (AUGUST 2014)

PC24 ENERGY STATEMENT ADDENDUM (MAY 2015)

PC25 FLOOD RISK ASSESSMENT (AUGUST 2014)

PC26 TREE SURVEY AND ARBORICULTURE STATEMENT (AUGUST 2014)

PC26 TREE SURVEY AND ARBORICULTURE STATEMENT ADDENDUM (SEPTEMBER 2014)

PC27 FOUL AND SURFACE WATER DRAINAGE ASSESSMENT (AUGUST 2014)
PC28 UTILITIES STRATEGY (AUGUST 2014)
PC29 VENTILATION AND EXTRACTION PRINCIPLES (AUGUST 2014)
PC30 CONSTRUCTION MANAGEMENT PLAN AND DELIVERY STRATEGY (AUGUST 2014)
PC31 OUTLINE ESTATE MANAGEMENT STRATEGY (AUGUST 2014)
PC32 STATEMENT OF COMMUNITY INVOLVEMENT (AUGUST 2014)
PC32 CONSULTATION RESPONSE REPORT (MAY 2015)
PC33 PEEL LINK FEASIBILITY STUDY (DECEMBER 2014)
PC34 ARBORICULTURAL IMPACT ASSESSMENT (DECEMBER 2014)
PC35 ARBORICULTURAL METHOD STATEMENT

S73 16/5050/S73 SUPPORTING DOCUMENTS:

- PC12 PLANNING STATEMENT: MINOR MATERIAL AMENDMENTS TO BLOCKS P & Q (JULY 2016)
- PC13 DESIGN SUMMARY: MINOR MATERIAL AMENDMENTS TO BLOCKS P & Q (JULY 2016)
- PC13 DESIGN & ACCESS STATEMENT ADDENDUM (PAGES 230-259) – BLOCKS P+Q (JULY 2016)
- COMPARISON DOCUMENT – BLOCKS P+Q (JULY 2016)
- SCHEDULE OF ACCOMMODATION BLOCK P (JULY 2016) REF: 537/FP610
- SCHEDULE OF ACCOMMODATION BLOCK Q (JULY 2016) REF: 537/FQ610
- COMPARATIVE SCHEDULE OF ACCOMMODATION BLOCKS P (JULY 2016) REF: FP612 REV A
- COMPARATIVE SCHEDULE OF ACCOMMODATION BLOCKS Q (JULY 2016) REF: FQ612 REV A

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

2. The development hereby permitted shall begin no later than 3 years from the date of this permission and, in the case of Development Phases, no later than 2 years from:
 - i. the final approval of the last Reserved Matters Application pursuant to Condition 3, or
 - ii. The final approval of any pre-commencement condition associated with that Development Phase.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

3. Applications for the approval of the reserved matters (being scale, layout, appearance, landscaping and siting) for Stages 2, 3 and the school plot shall be made to the Local Planning Authority before the expiration of seven years from the date of this permission.

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

4. With the exception of Ground Works and Site Preparation Works, no development shall commence until a Phasing Plan identifying the Development Phases and associated infrastructure works (including highways works) has been submitted to and approved by the Local Planning Authority. This shall be in general accordance with the Construction Management Plan and Delivery Strategy (ref. PC30) unless otherwise agreed in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in appropriate phases and to allow the phasing plan to be amended to reflect changes to the phasing of the development that were not foreseen at the date when the phasing plan was approved.

5. Prior to Ground Works and Site Preparation Works, no development shall commence within a Development Phase until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the ES (ref. PC14) and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority) -

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice
- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures
- Demolition and waste management
- xix. Demolition Audit

- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management (including access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution)

Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation any existing ecological features that may be affected by works in that Development Phase
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction
- xxvii. Measures to minimise dust levels during construction
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxix. Construction lighting strategy, including measures to minimise light spill
- xxx. Measures to reduce water usage during construction
- xxxi. Measures to reduce energy usage during construction
- xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2016.

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012),

DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2016.

7. In accordance with the ES, and unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside the following times:

08:00 – 18:00 hours weekdays

08:00 – 13:00 hours Saturdays

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

8. Vegetation clearance should take place outside the bird breeding season (October to February). In accordance with the ES, any clearance of vegetation with the potential to support nesting birds during this period may only occur following a check by a qualified ecologist. If any active nests are found, works must cease, the area left in situ and an appropriate buffer zone established until such time as a qualified ecologist confirms that the nest is no longer in active use.

The clearance of vegetation within the gardens of properties that adjoin Rowan Drive must be undertaken according to a precautionary working method, with progressive clearance undertaken under the supervision of a qualified ecologist during the period that reptiles are active (April to September).

Reason: To avoid the potential for an offence under the Wildlife and Countryside Act 1981, as amended.

9. No works within 7m of a watercourse shall commence without first obtaining Watercourse Consent from the council in pursuance to the Flood and Water Management Act 2010.

Reason: To protect the waterway in accordance with LB Barnet Policies CS13 and DM04.

10. No development shall commence within a Development Phase (with the exception of Ground Works and Site Preparation Works) until a scheme of Advanced Infrastructure Works associated with that Development Phase is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Underground drainage details
- ii. Below ground energy infrastructure
- iii. Below ground services and utilities
- iv. Groundworks, earthworks, contouring and levels

- v. A statement of compliance with the site wide strategies (including the DAS Volume I and Addendum sections 6.19, 7.1 - 7.16, 8.1 - 8.3 and approved Primary Control Documents)

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure appropriate arrangements are made for servicing, utilities and infrastructure and to avoid potential conflicts between impacts upon the development as proposed and its servicing, utilities and infrastructure, in the interests of a sustainable development in accordance with the NPPF.

11.No Surface Infrastructure Works shall commence within the relevant Development Phase until a scheme of Landscaping Works for that Development Phase is submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the scheme shall include:

- i. Design and location of electricity sub stations, including surface treatment and means of enclosure
- ii. Vehicle parking and surfacing treatment (including petrol/oil interceptors)
- iii. Surface drainage details
- iv. Surface materials and finishes
- v. Cycle parking locations and details
- vi. Highways details (e.g. crossings and kerb heights)
- vii. Access and wayfinding strategy
- viii. Materials, types and siting of all fencing, boundary treatments, gates or other enclosures (including temporary arrangements to be in place until the site is completed in full)
- ix. Street furniture, lighting and signage
- x. Children's play spaces and play provision
- xi. Details of all proposed trees, hedge, shrub and other planting and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizing, density and arrangement
- xii. Ecological enhancements (in accordance with ES)
- xiii. The position of any existing trees and hedges to be retained or removed and the crown spread of each retained tree
- xiv. details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site
- xv. the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012
- xvi. means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use, referencing details approved under conditions 9 and 14 as relevant
- xvii. Details and specifications of all play, sport and recreational features to be included within the landscaped areas
- xviii. Details of all proposed hard landscape works, including proposed materials, samples and details of special techniques to minimise

- damage to retained trees and details of techniques to be used to provide conditions appropriate for new plantings
- xix. timing of planting

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Prior to completion of the development within the relevant Development Phase the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2016.

12. Discharge from the site shall be limited to a rate of 9.31/s/ha in accordance with the Flood Risk Assessment (PC25) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

13. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall be occupied until a Landscape Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and maintained in accordance thereafter.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2016.

14. If within a period of five years from the date of planting any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place in the next available planting season (unless otherwise agreed in writing with the Local Planning Authority).

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2016.

15. A Site Wide Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment (ref. PC16), Transport

Statement Addendum and section 8.1 of the DAS Addendum Volume I (ref. PC16).

The development shall be carried out in accordance with the approved Site Wide Car Parking Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016) and also, To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

16. The level of parking for all land uses shall be as set out in the Transport Assessment and for residential parking shall be forecast using car ownership demand according to the mix of dwellings using the methodology set out in the Transport Assessment and Addendum. Using this methodology the current indicative mix would result in an estimated average of 0.71 spaces per dwelling across the site and the following Development Stage averages (or as otherwise agreed with the Local Planning Authority), and some 2056 spaces:
- i. Development Stage 1 – 0.72 (644 spaces)
 - ii. Development Stage 2 – 0.68 (794 spaces)
 - iii. Development Stage 3 – 0.72 (618 spaces)

Temporary car parking shall be provided during the build-out of Development Stages to ensure that the forecast ratio for the Development Stage is provided close to the development areas. Plans of the temporary car parking layouts will be submitted for written approval by the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

17. Private parking provision for residential units shall be used for the purpose of residential parking and servicing only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016).

18. Prior to first occupation of the relevant Development Phase a detailed Car Parking Management Plan for that Development Phase, demonstrating compliance with the Site Wide Car Parking Management Strategy (Conditions

16 and 17), shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

- i. Location and layout of car parking spaces
- ii. Allocation of car parking spaces
- iii. On-site parking controls and charges
- iv. The enforcement of unauthorised parking
- v. For Stages 2 and 3 only, monitoring of parking in the development including use of electric vehicle charging points and disabled spaces
- vi. 'Blue badge' space quantities in accordance with London Plan (2015) guidance
- vii. Community transport points and taxi drop-offs
- viii. Location of a minimum of 2 car club spaces per Stage with a minimum of 8 spaces by occupation of the first dwelling in Stage 3
- ix. Electric Charging Points: Location, specification and timing. For residential parking spaces, timing and delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces.
- x. Car parking reconciliation (evidence that the number of vehicular parking spaces proposed for each Development Zone is proportionate having regard to the Site Wide Car Parking Strategy and indicative levels in Conditions 16 and 17)

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan and the abovementioned provisions shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016) and also, To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

19. The Primary Route will be designed in accordance with Transport for London guidance BP2/05 in respect of speed table ramp gradients to accommodate the movement and turning of a London Buses double-decker bus.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety is not prejudiced 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; and to ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016); and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9

of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

20. Residents of the proposed development will be excluded from obtaining resident and visitor parking permits from existing Colindale Controlled Parking Zones.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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.

21. The development shall provide a total of 10% of units across the site designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users unless otherwise agreed in writing by the Local Planning Authority.

Accessible parking bays shall be allocated to wheelchair accessible homes at 1:1 provision and where spaces are in undercroft areas ceiling heights shall meet the recommended height of 2.6 metres above wheelchair accessible spaces, unless otherwise agreed.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016); and to ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

22. Prior to the construction of any building, the following details for that building shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
- ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)
- iii. Details of the design and access controls for the car park gate(s)
- iv. Building lighting
- v. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- vi. Details of biodiverse roofs
- vii. Details of any building security measures including cctv

Thereafter the feature hereby approved shall be installed prior to occupation of the relevant phase and thereafter maintained in secure and good working order for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

23. Notwithstanding the details submitted with the application, prior to the construction of any building within the relevant Development Phase, the following details for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority:

- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. satisfactory points of collection; and
- iii. details of the refuse and recycling collection arrangements

The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

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

24. Prior to the construction of any building details of all extraction and ventilation equipment to be installed for that building shall be submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by a report carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and proposes mitigation measures for the development if necessary to reduce these noise impacts to acceptable level (as defined in the relevant British Standard). The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2016.

25. The level of noise emitted from any plant including ventilation equipment 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 Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

26. Prior to commencement on site a scoping assessment report identifying the need for overheating analysis in respect to that building (and the assumptions to be used in the analysis) shall be submitted to and agreed in writing by the local planning authority. Where the scoping report (based on SAP design stage outputs) identifies a risk of overheating above 'slight', an overheating analysis shall be conducted and any resultant necessary additional passive measures identified. The analysis shall be undertaken using dynamic simulation software to show compliance with CIBSE overheating criteria (using CIBSE TM52 with weather files from TM49). A report providing the results of the analysis and any required mitigation proposals shall be submitted to the local planning authority for approval prior to construction of the building.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2016 policies 5.2 and 5.6.

27. Part A:

Energy provision for the development shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed in writing.

Part B:

Prior to first occupation of Development Stage 1, details of the energy supply network shall be submitted to and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed and shall include:

- i. Details of connections available for each building
- ii. Proposals for the staged installation of plant within the energy centre and any temporary energy provision required
- iii. Details of safeguarded connections to an area wide heat network if found to be feasible following further engagement with the local planning authority and GLA.
- iv. Details of any potential future connections available to nearby buildings
- v. A statement of compliance with the site wide Energy Statement and Addendum (PC24)

Part C:

As part of Reserved Matters applications, details of the energy supply for each building in Development Stages 2 and 3 shall be submitted and approved by the Local Planning Authority. Details shall be in accordance with the Energy

Statement and Addendum (ref. PC24) unless otherwise agreed and shall include:

- i. Details of the energy supply for each building connections, including a statement of compliance with the Energy Statement and Addendum (PC24)
- ii. Details of any temporary energy provision required
- iii. Details of the safeguarded provision for connections to an area wide heat network if feasible (as per Part A)
- iv. A statement of compliance with the site wide Energy Statement and Addendum (PC24)

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2016 policies 5.2 and 5.6

28. CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the construction of Block H, evidence to demonstrate compliance with these emission limits will be required.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan 2016 in relation to air quality.

29. Prior to construction of any building, a rainwater and greywater feasibility study, investigating the potential for incorporating rainwater or greywater recycling into building across the site, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2016 policies 5.13, 5.14 and 5.15.

30. Subject to limited exceptions (to be agreed in writing with the Local Planning Authority), roofs shall be used as amenity space or be biodiverse roofs.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016); and in the interests of protecting and enhancing biodiversity in accordance with policies CS7 and DM16.

31. The development shall achieve a water efficiency target of 105l/d in accordance with the Sustainability Statement (PC23) unless otherwise agreed in writing by the Local Planning Authority

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan 2016.

32. All commercial units shall achieve a minimum of BREEAM Excellent. Within three months of first occupation of the building, a copy of the summary score

sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan 2016.

33. Prior to occupation of the relevant phase of the development hereby approved, an External Lighting Assessment of lighting proposed within that Development Phase shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

34. No building shall be occupied until a Delivery and Servicing Management Plan in respect of that building has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment and Addendum (ref. PC16). The development shall be carried out in accordance with the approved Delivery and Service Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

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

35. No building shall be occupied until an Estate Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the Outline Estate Management Strategy (ref. PC31) unless otherwise agreed.

The development shall be managed in accordance with the approved Estate Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the coordinated management and maintenance in good working order of the site not limited to an including its buildings, roads including the Peel Link, infrastructure including SUDs, parks, gardens,

landscaping, street trees, public squares, energy centre and site network in the interests of sustainable development in accordance with the NPPF, London Plan 2016 and Barnet Core Strategy.

36. No residential unit shall be occupied until the access roads and highways works (on and off-site) associated with the block in which that unit is located (as defined by the approved phasing details) are made available for use.

Reason: To ensure there is adequate access available to all residential units.

37. No building shall be occupied until an Operational Waste Management Plan, setting out the measures for the management of operational waste across the site, has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the Waste Management Plan (ref. PC22) unless otherwise agreed.

The development shall be managed in accordance with the approved Operational Site Waste Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policy 5.3, and to ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

38. No residential unit shall be occupied until the private and/or communal amenity space provision, (excluding public open space) for that unit is available in accordance with the Approved Plans.

Reason: To ensure there is adequate amenity space available for all residential units.

39. Prior to first occupation within the relevant Development Phase, unless otherwise agreed in writing as part of the phasing details approved in condition 4, the play space and sport and recreation features shall be provided in accordance with the approved details for the Development Phase to which the play space relates and thereafter maintained for the lifetime of the development.

Reason: To ensure there is adequate plays space available for all users in accordance with London Plan 2016 policy 3.6 and Barnet Development Management policy DM02.

40. The proposed flexible non-residential floorspace at ground floor hereby approved shall not be used for a nightclub, music venue, concert venue, bingo hall, or a place of worship or any equivalent uses within Classes D2 and D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), and the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or in any provision equivalent to that

Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

41. In respect of any future Class A3/4 occupation, no persons other than staff shall be permitted to be on the premises between the hours of 23.30 and 08.00 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

42. Prior to occupation, a scheme for the provision of communal/centralised satellite and television reception equipment shall be installed on all blocks unless otherwise agreed in writing by, the Local Planning Authority. 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.

43. 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.

44. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall commence until

- a) A scheme for air pollution mitigation measures in accordance with the Environmental Statement shall be submitted to and approved by the Local Planning Authority prior to the construction of the building to which the mitigation relates.

- b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2016.

45. Prior to the construction of any building, details of mitigation measures in accordance with the Environmental Statement to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration shall be submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the (specify plant / equipment) as measured within habitable rooms of the development shall be no higher than 35dB (A) from 7am to 11pm and 30dB (A) in bedrooms from 11pm to 7am.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2016.

46. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of any acoustic walls, fencing and other acoustic barriers to be erected on the site (if identified as necessary mitigation pursuant to conditions 45 has been submitted to the Local Planning Authority and approved in writing.

The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of

the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2016.

47. Development shall be undertaken in accordance with the approved Drainage Strategy (PC27) unless otherwise agreed in writing by the local planning authority in consultation with the sewerage undertaker.

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

48. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent any damage to nearby underground sewerage utility infrastructure.

49. Prior to occupation, details and location on elevations of bat and bird boxes bricks for that Development Phase shall be submitted for approval in writing by the council.

Bat bricks and boxes in the fabric of new buildings and trees will be specified to meet the roosting preferences of species of bat recorded during the baseline surveys and those known to be present in the local area. These will be installed as an inherent component of new buildings to provide new and replacement roosting opportunities as soon as the first phase of development becomes operational.

Prior to completion the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: In the interests of protecting and enhancing biodiversity in accordance with Barnet Core Strategy policy CS7 and Development Management policy DM16.

50. Prior to occupation of the development a Waiver of Liability and Indemnity Agreement in relation to the non-adopted roads within the relevant phase shall be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims

for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2016.

52. No site works or other works within a Development Phase shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the Development Phase, in accordance with British Standard BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2016.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2016.

54. Prior to construction of Blocks H and R/S, the proposed mitigation measures to achieved suitable wind conditions at testing points 43 and 110 respectively shall be submitted to and approved in writing by the council.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: In the interest of a the amenity of future occupiers and users in accordance with London Plan 2016 policies 7.7, and Barnet Development Management policy DM01, DM05.

55. No development shall take place within a Development Phase in Stages 2 and 3 (with the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works) until Reserved Matters Applications, with full details of the amount, layout, scale, appearance and landscaping of development within that Development Phase, are submitted and approved by the Local Planning Authority.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

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

56. Notwithstanding any additional requirements identified by the LPA, any other authority and the National List and Local List, Reserved Matters Applications shall be accompanied by the documents listed below unless the LPA considers and confirms in writing that the submission of any of such documents is not necessary.

Land uses

- i. A statement setting out the proposed land uses and mix of uses including Class C3 dwelling sizes and tenures
- ii. An explanatory statement demonstrating how the quantum of land uses proposed for the Development Phase are consistent with the parameters set out in the Primary Control Documents

Layout

- iii. Siting, design and external appearance of new building[s] and structures including elevations, sections
- iv. Detailed internal layouts including floorplans, sections and supporting details demonstrating compliance with relevant standards and guidance including standards for wheelchair accessible and adaptable units
- v. Private and communal amenity space
- vi. Means of access to new buildings
- vii. Details of the incorporation of accessible showers and toilets for the ground floor non-residential units
- viii. A phasing and reconciliation statement demonstrating how development of the phase is in accordance with the ES, Phasing and Delivery Strategy and how it relates to existing and future Development Phases

- ix. A reconciliation plan showing how the proposed detailed layout of roads, pedestrian and cycle routes and detailed layout of open spaces and public realm within that Development Phase are consistent with the Primary Control Documents
- x. Details of any temporary layout associated with boundary treatments and land and building conditions between Development Phases
- xi. A BRE assessment of daylight and sunlight for residential properties and an overshadowing assessment of private and communal amenity spaces, with the exception of private balconies
- xii. Details of compliance with Lifetime Homes Standards and details of the provision of 10% wheelchair housing

Scale

- xiii. Finished heights above original and finished ground levels of new buildings and structures
- xiv. Internal finished floor levels of new buildings and structures
- xv. A written statement and plans which explain how the details respond to and conform with the Primary Control Documents in terms of scale

Materials

- xvi. A materials strategy for that Development Phase
- xvii. Full details (including samples, where appropriate) of the materials to be used on all external surfaces
- xviii. Door, entrances and windows (including glazing specifications)
- xix. Basement ramps (details of the layout, gradient and design of any access ramp to the basement car parking areas and vertical clearances along the ramps and within the parking areas)
- xx. Building lighting
- xxi. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- xxii. A statement shall be submitted to and approved by the LPA, which demonstrates compliance with the Primary Control Documents in relation to the selection of new construction materials

Landscaping

- xxiii. Roads, vehicle and cycle parking, cycle and pedestrian routes
 - xxiv. Open spaces, sports facilities and play space details, including hard and soft landscaping, surface treatments, street furniture, signage, lighting and play provision
 - xxv. Boundary treatments and means of enclosure
 - xxvi. Existing and finished ground levels of outdoor areas
- A written statement and plans which explain how the details respond to and conform with the Primary Control Documents in terms of layout and access.

Other

- xxvii. A scheme of environmental mitigation measures to be incorporated into the scheme at construction stage and operational stage in accordance with the ES Mitigation Register hereby approved

Reason: For the avoidance of doubt and to ensure the development accords with the outline permission.

57. Cycle parking shall be provided in accordance with the minimum standards in the London Plan (2015) unless otherwise agreed in writing with the Local Planning Authority. Motorcycle parking shall be provided in accordance with the Transport Assessment and Addendum (PC16).

Prior to the construction of any building in Stages 2 and 3, plans identifying cycle and motorcycle parking locations shall be submitted and approved in writing by the Local Planning Authority for that building to demonstrate the provision of secure, convenient and accessible locations.

Cycle and motorcycle parking so designated by detailed approval shall be used for the purpose only and retained thereafter in accordance with the approved details.

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.

58. With the exception of the foodstore, the retail units hereby approved shall not exceed a floorspace of more than 300sqm (unless otherwise agreed in writing). Limited instances of units of up to 500sqm will be permitted subject to agreement in writing by the Local Planning Authority.

Reason: In support of smaller business and an enhanced neighbourhood centre in accordance with London Plan 2016 policies 2.7, 4.8 and 4.9.

59. The provision 70 school parking spaces, designated for pick up and drop off, shall be reduced if the School Travel Plan targets are not met. In addition, storage for 30 scooters at the primary school shall be provided.

Reason: To encourage the use of sustainable forms of transport to the site 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.

60. No works shall commence in Development Stage 2 unless and until all the title to the land within the application site has been transferred to the Applicant, or until all parties with any legal interest in the land have been joined as parties to the Section 106 Agreement on the basis of which this planning permission is granted.

Reason: At the time of this permission being issued the Applicant is not able to bind all relevant interests in the site to the terms of the planning obligations in the Section 106 Agreement.

INFORMATIVE(S):

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

2 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

3 Definitions adopted for the purposes of the planning conditions as follows:-

'Approved Plans'

The plans in the schedule Appended to the Decision Notice and any plans subsequently approved under Reserved Matters Approvals.

'Primary Control Documents'

The detailed components of the Proposed Development are set out in the Development Schedule (PC5) and detailed drawings (PC8). The outline components are set out in three Primary Control Documents (PC5 Development Schedule, PC6 Parameter Plans, and PC7 Design Principles Document), which are submitted for approval.

'Development Phase'

A development component or components (which may include Ground Works and Site Preparation Works, Advanced Infrastructure Works, Surface Infrastructure Works, and construction of buildings) as identified in the Phasing Plan (to be approved). The Phasing Plan shall be in accordance with the Indicative Phasing set out in the Construction Management Plan and Delivery Strategy (PC30) unless otherwise agreed with the LPA.

'Ground Works and Site Preparation Works'

Include the following works:

Demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.

Removal of existing and surplus rubble from the site.

Removal of services on the site including service trenches.

Carrying out CAT scans on the site to confirm all existing services are clear.

The erection or re-establishment of a hoarding line for the construction site.

Providing piling matting.

Providing clear health and safety information on the site.

Piling works.

Substructure and underground drainage works.

'Advanced Infrastructure Works'

Infrastructure required to serve the site as a whole, including:

Installation of services and utilities.

Installation of energy infrastructure.

Construction of basement car parking and ground floor slab.

Ground levelling works.

'Surface Infrastructure Works'

Aboveground infrastructure required to serve the site as a whole, including:

Highways works.

Surface landscaping works to implement public routes/realm.

Surface landscaping works to implement public spaces.

'Construction'

Superstructure works above the ground floor slab.

'Development Zone'

Zones identified in the Parameter Plans in Development Stages 2 and 3 (outline components) within which new buildings may arrive.

'Development Stage'

Refers to the broad sequence of development and defines the components that are submitted for approval in full detail or in outline as part of the Hybrid Planning Application. Development Stage 1 refers to the components of the Proposed Development that are submitted for approval in full detail (Development Stage 1) as part of the Hybrid Planning Application. Development Stages 2 and 3 refers to the components of the Proposed Development that are submitted for approval in outline as part of the Hybrid Planning Application.

4 Please be aware that additional conditions may be imposed as part of reserved matters approval in the event that issues are encountered which are covered by conditions in this decision notice.

5 Should the landowner, Transport for London or Barnet Council identify a demand and funding for a bus service or bus services to enter the site to serve its occupants there shall be adequate notice of no less than four (months) to enable the parties to notify residents of the new service and bus stop locations.

6 In complying with the contaminated land condition, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');

2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);

3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;

4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;

5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;

6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

7 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or

active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

8 Please supply the following information: 1. The proposed hours of use of the equipment. 2. The sound pressure levels of the ventilation/ extraction system to be installed in decibels dB(A) at a specified distance from the equipment. 3. Details of where the equipment will be placed i.e. within or outside of the building, marked on to a scale map. 4. Details of silencers to be fitted, and other sound insulation measures to reduce any noise impacts on neighbours including their noise reduction in dB(A). 5. Distance away from noise sensitive premises and the nature of these premises e.g.: offices, housing flats or storage.

The following should be noted: Given the visual and amenity impacts associated with flues and ductwork, it is strongly recommended that ducting is contained in voids through the building and terminating outside above roof height. Flues should be sited to minimise effects of vibration transmission and noise to internal spaces and any adjacent façade. Flues must incorporate anti-vibration mounts, flexible couplings and silencers. The height of the flue (must be minimum 1.5m above the highest eaves of the building and adjacent buildings) and a reasonable distance approximately 20 metres from any open able residential windows unless there is suitable level of filtration and odour abatement equipment. The final discharge must be vertically upwards. There should be no Chinese hat or cowl on the top of the flue.

9 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

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

The details of acoustic consultants can be obtained from the following contacts: a)

Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

10 Prior to commencement of Stage 3 with particular reference to the construction of blocks Y and Z, Network Rail recommends that the applicant contact its Asset Protection Team at AssetProtectionLNE@networkrail.co.uk to discuss the proposed development and its interaction with the operational railway.

11 The following advice is provided by network rail regarding works which may affect their land and operation track:

Construction

Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Any cranes or other mechanical plant equipment involved during construction should be positioned so that their loads or jibs do not over-sail Network Rail's land.

Scaffolding

(Suggested condition) - Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

(Suggested condition) - Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried

out in accordance with the approved method statement.

Earthworks and Excavations

(Suggested condition) - Prior to commencement of works, full details of excavations and earthworks to be carried out within 10 metres of the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with approved details.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures

Drainage

Storm/surface water and effluent must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Roads and Parking

The Department of Transport recommends the provision of a safety barrier adjacent to the railway, alongside all roads, turning circles and parking areas where the railway is situated at or below the level of the development. The safety barrier should be designed to cater for specific loadings dependent on the road traffic anticipated and in a position to stop vehicles driving into or rolling onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged.

Landscaping

Any hedge planted adjacent to Network Road boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing

or provide means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. A comprehensive list of permitted and no permitted species is available upon request.

12 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

13 The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

14 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

15 With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

16 Your attention is drawn to the need to provide facilities for the disabled, as set out in Building Regulation Part M Access & Facilities for Disabled Persons. A copy of Part M is available via the Planning Portal at <http://www.planningportal.gov.uk/buildingregulations/>.

17 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £9.45M payment under Mayoral CIL. The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a

rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £28.5M payment under Barnet CIL.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

chargeable development.

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

Please visit

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

18 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from:

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

19 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

20 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Building 4 North London Business Park, Oakleigh Road South, London N11 1NP, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.

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

quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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

22 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.

23 Prior to the commencement of each phase within the Outline element of the permission as shown on plan entitled 'Existing Site Plan - Application Boundary' drawing no. 2346_A_101 dated 25.01.2013, details of any highways within the relevant phase which require to be stopped up to facilitate the development shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate public access is provided throughout the development.

2. MATERIAL CONSIDERATIONS

2.1 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 comprises The London Plan (published March 2016) 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. 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.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that

the development will fulfil them to a satisfactory level, subject to the conditions (including reserved matters) and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

National Planning Policy

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

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF also states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan: March 2016

The London Plan (consolidated with alterations since 2011) was adopted in March 2016 and is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004).

Relevant Local Plan 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.

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplement 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:

Local Supplementary Planning Documents and Guidance:

- Sustainable Design and Construction SPD (April 2013)
- Affordable Housing SPD (2007)
- The Residential Design Guidance SPD (April 2013)
- Planning Obligations SPD (April 2013)
- Delivering Skills, Employment, Enterprise and Training from Development through S106 (Oct 2014)

In addition, the following guidance is produced by the DCLG and GLA which is relevant:

DCLG

- Written Statement to Parliament: Planning Update March 2015

GLA

Strategic Supplementary Planning Documents and Guidance:

- Housing SPG (March 2016)
- SPG on Accessible London (October 2014)
- Sustainable Design and Construction SPG (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 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.

The application site falls within the Aerodrome Road Corridor of Change and the Colindale Avenue Corridor of Change. It also sets out general policies and standards for new developments in the area.

Changes to the Policy Framework subsequent to Hybrid Approval

Since hybrid planning permission H/04753/14 was granted, there have been no changes to the Barnet Local Plan but there have been changes to the following:

- Minor Alterations to the London Plan (MALP) – On 14th March 2016, the Mayor of London published an updated version of the London Plan incorporating minor alterations to housing and car parking standards. These alterations were introduced to bring the London Plan in line with the national housing standards (the Government's Housing Standards Review) and car parking policy.

The Mayor of London's Housing Supplementary Planning Guidance – In March 2016, the Mayor of London also published an updated version of the GLA's Housing SPG to reflect the Further Alterations to the London Plan (FALP) (March 2015) and the MALP to the London Plan (March 2016). This SPG replaced the 2012 Housing SPG and the Mayor's Housing Standards Policy Transition Statement.

2.2 Relevant Planning History:

Application Reference:	H/04753/14
Case Officer:	Andrew Dillon
Proposal:	Hybrid planning application for the phased

	comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking.
Stat Start Date	29/08/2014
Application Type	EIAO
Decision	APL
Decision Date	23/12/2015

2.3 Public Consultation and views Expressed

562 local properties and a number of other relevant bodies and elected representatives were consulted on the application by letter and email on the 16th August 2016. The application was also advertised on site and in the local press on the 18th August 2016.

The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy on the consultation to be carried out for schemes of this nature.

As a result of this consultation, no letters of representation have been received.

Ward Councillor Comments

No Comments Received

Consultation Responses from Statutory Consultees and Other Bodies

GLA: Correspondence received advising that the GLA do not wish to make representations on this application as the total number of units in the scheme as a whole is not being increased.

Metropolitan Police Service: No security implications as a result of the proposed amendments.

Internal consultation responses

Traffic and Development Team: Raise no objections to the proposal

Drainage: No objections raised.

Trees and Landscaping: No objections raised.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site is identical to that which formed that basis of hybrid planning permission H/04753/14. It comprises an area of 20.35 hectares and is located in Colindale within the London Borough of Barnet. It is located approximately 14.5 kilometres (9 miles) north-west from Central London and 17 kilometres (10.5 miles) south-east of Watford.

It was formerly occupied by the Metropolitan Police Service (MPS) and used for operational and training purposes. It was acquired by Redrow Homes in 2013 which is now in the process of redeveloping the site for residential-led mixed use redevelopment pursuant to hybrid planning permission H/04753/14.

The S73 Site

Blocks P and Q are centrally located within the site and form part of Development Stage 1 of the development for which full planning permission has been granted. These blocks face Block N to the north and Block M to the west, Peel Park to the east and the London Underground Northern Line to the south.

2.2 Description of Development

Development Approved under Hybrid Planning Permission H/04753/14

The approved hybrid planning permission (Council Ref: H/04753/14) comprises the following:

- Up to 2,900 new dwellings with a mixture of houses, duplexes and apartments;
- A Neighbourhood Centre on Colindale Avenue comprising up to 10,000m² of shops (including a foodstore), cafes/restaurants, community, and leisure uses;
- A three form entry primary school and nursery;
- A minimum of four hectares of public open space (including a 2.3 hectare park); and
- A network of new streets, pedestrian/cycle routes (Including a new pedestrian underpass connection to Colindeep Lane), associated car parking, and site preparation/enabling/landscaping/infrastructure works.

The Full (detailed) component of the extant consent is for development stage 1 which comprises blocks H, J, K, L, M, N, P, Q, R, S, T and U. Stage 1 has a total of 888 dwellings and 179sqm of non-residential floorspaces (Class A1, A2, A3, A4 and D2). Also included in Stage 1 is the provision of a 2.3ha neighbourhood park as well as site preparation/enabling works, landscaping, car parking and infrastructure works including the site access points onto Aerodrome Road. Full plans, elevations,

sections and supporting details are provided for these blocks and related curtilage areas including amenity space.

The Outline component seeks approval for 'access' whilst 'appearance', 'landscaping', 'layout' and 'scale' are reserved for approval at a later stage under Reserved Matters applications.

The Outline component comprises the following stages:

- The remainder of Stage 1: School block – 3 form entry primary school and nursery
- Indicative Stage 2: Blocks A, B, C, D, E, F and G comprising up to 1,160 dwellings and up to 10,000sqm on non-residential floorspace (Class A1, A2, A3, A4, D1 and D2) including a food store of up to 3,000sqm GIA
- Indicative Stage 3: Blocks V, W, X, Y and Z comprising up to 852 dwellings
- Associated demolition and site preparation/enabling works and provision of landscaping, car parking an infrastructure

The Section 73 Application

The current application is made under Section 73 of the Town and Country Planning Act 1990 which seeks planning permission to vary the wording of the description of development and approved planning condition 1 attached to hybrid planning permission H/04753/14.

Amendments to the Description of Development

This application seeks approval to amend the description of development to read as follows (deletions struck through and additions in **bold**):

*Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with ~~888~~ **951** units in full detail and up to ~~2,012~~ **1,949** units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a three-form entry primary school (including nursery provision) and a minimum of four hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement."*

Amendments to Condition 1 (Plan Reference Numbers)

This application seeks approval to vary the wording of Condition 1 to make reference to the amended plans, development Schedule and supporting documents arising out of the changes to blocks P and Q.

Revised Development Schedule (dated July 2016)

The increase of units in Blocks P and Q have been accounted for by an equal decrease in the number of units in Blocks A and B in Development Stage 2. All of these changes have been accounted for in the revised Development Schedule (July 2016), which is submitted for approval.

Proposed Amendments

The effect of the change in wording to Condition 1 is for the approval of a revised set of approved plans for Blocks P and Q, alongside a revised Development Schedule (which accounts for the changes). The revised plans for Blocks P and Q comprise the following amendments:

- An additional storey has been added to both Blocks P and Q meaning they will change from being part 3, 6 and 8 levels as permitted to part 4, 7 and 9 levels. This translates into a typical increase in overall building height of 1.85 metres.
- The number of residential units accommodated within Blocks P and Q will increase by 49 units (in total). The number of residential units in Block P will increase by 23 units from 96 (as approved) to 119 (now proposed). The number of residential units in Block Q will increase by 26 units from 96 (as approved) to 122 (now proposed).

The increase of units in these two blocks will be accounted for by an equal decrease in the total number of units in Block B located within Development Stage 2. This means the site-wide total of 2,900 residential units approved under 2015 Permission will be unchanged.

- The redistribution of units has a knock-on effect on the residential mix within Blocks P and Q, as detailed in the table below:

Unit Size	Block P (Approved)	Block P (Proposed)	Block Q (Approved)	Block Q (Proposed)
Studio	3 (3.1%)	4 (3.4%)	3 (3.1%)	4 (3.3%)
1 Bed	22 (22.9%)	26 (21.8%)	22 (22.9%)	24 (19.7%)
2 Bed	34 (35.4%)	43 (36.1%)	34 (35.4%)	45 (36.9%)
3 Bed	26 (27.1%)	42 (35.3%)	26 (27.1%)	46 (37.7%)
4 Bed	11 (11.5%)	4 (3.4%)	11 (11.5%)	3 (2.4%)
Unit Type	Block P (Approved)	Block P (Proposed)	Block Q (Approved)	Block Q (Proposed)
Flat	72 (75%)	108 (90.8%)	72 (75%)	104 (85.2%)
Duplex	16 (16.7%)	11 (9.2%)	16 (16.7%)	18 (14.8%)
House	8 (8.3%)	0 (0%)	8 (8.3%)	0 (0%)

The permitted tenure for all residential units in Blocks P and Q is market housing units and this will be unchanged. All affordable housing units in Development Stage 1 are proposed to be provided in Block H and this remains unaffected by the proposed changes. Therefore, there will be no change to the approved tenure mix.

- The permitted three-storey town houses within Blocks P and Q have been replaced with a four-storey element comprising 'street' and 'podium' level duplex family homes, with additional accommodation incorporated into the two storeys above. The replacement of these town houses with duplex family

homes enables additional family sized units to be provided within these blocks. The number of three or more bedroom units has risen from 37 to 46 units in Block P and from 37 to 49 units in Block Q (as presented in the table above).

- A Residents' Hub will be introduced to the ground floor of the north-eastern corner of Block P. Services in the Hub will include:
 - Reception and concierge;
 - A residents' gym – to be accessible to the residents of Colindale Gardens only;
 - Function room/class room – this room will be located on the first floor;
 - Estate manager's office; and
 - Lettings office.

All of these functions will be served via a central reception/concierge area located on the ground floor. Access to the dwellings above the Hub will be provided via the reception area.

- Reconfiguration of the internal layouts of Block P and Q have resulted in subtle changes to the external envelope of the buildings including minor revisions to the entrance to the concierge and residents' gym.
- The reconfiguration has also had a minor knock-on effect on private amenity space provision. Each individual dwelling, including the additional units within Blocks P and Q, is provided with private outdoor amenity space. Private amenity space across the blocks remains varied and is made up of a mix of street level front gardens, podium deck terraces, recessed covered terraces and suspended external balconies.
- The street located between Blocks P and Q will become a pedestrianised street with low level planters and street furniture.
- There is an overall reduction of two car parking spaces within Blocks P and Q from 77 to 75 spaces. Car parking provision is provided by a combination of centralised car parking and controlled street parking against the west side of Peel Park. The number of motorcycle spaces is unchanged.
- There is an overall increase of 66 cycle parking spaces within Blocks P and Q from 378 to 444 spaces. Cycle parking is provided by a combination of communal storage directly off the Mews Street, private cycle storage for the gym and a large central communal store accessed from the undercroft car park.

3. PLANNING APPRAISAL

3.1 Principle of Minor Material Amendment (the s.73 application procedure)

The National Planning Practice Guidance (NPPG) advises that a minor material amendment *“is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.”*

In assessing the above account needs to be taken regarding whether the resultant development:

- Would result in a change that is minor in terms of its scale;
- Would result in a change that is minor in terms of its impact on amenity and visual impact;
- Would comply with material planning considerations.

It was judged that the proposed amendments were minor material and the submission of a Section 73 application was the appropriate route for this application.

Baseline Position

As stated above, hybrid planning permission H/04753/14 approved the Colindale Gardens development on 23rd December 2015. In this context, and in accordance with the NPPG, the key considerations in the determination of the application are:

1. Whether planning policies (and other material considerations) have changed since the 2015 Permission was granted; and
2. Whether the proposed amendments are acceptable (having regard to the Development Plan and other material considerations).

Changes to Planning Policy and Other Material Considerations

The planning policy framework affecting the site remains unchanged to that in place in December 2015, with the exception of minor changes to housing and car parking standards.

In order to account for these changes, the revised plans for Blocks P and Q have been designed to accord with the revised housing standards set out in the 2016 London Plan (and associated Housing SPG), and therefore accord with this updated policy position.

The changes to car parking standards do not alter the requirements (relevant to this proposed development) that were in place under the former policy framework. Accordingly, this change in policy has no material effect to this application.

It is considered that there are no further relevant changes to any other relevant material considerations in the period since hybrid planning permission H/04753/14 was granted.

Assessment of Proposed Amendments

The main issues arising out of the current application concern the following:

- Urban Design
- Residential Mix
- Density
- Residential Quality
- Car Parking Provision
- Cumulative Effect of Amendments

Each of these is discussed in turn below.

Urban Design

The approved hybrid consent included full detailed design consent for all development within Development Stage 1, including Blocks P and Q. The proposed amendments ensure that Blocks P and Q remain in accordance with the general design principles for these blocks by retaining their perimeter block-style with ground floor parking and servicing behind a frontage of dwellings and duplexes with podium (first) floor shared amenity space with flats above.

Two sides of the urban blocks form a seven and nine storey L-shape apartment building fronting on to The Avenue (to the north) and Peel Park to the east, respectively. The massing therefore increases in height as a response to the scale of space to which they relate. The seven storey frontage forms a continuous skyline along the southern edge of The Avenue (to the north), whilst the nine storey frontage responds to Peel Park. The remaining two elevations are lower in scale to provide a series of family duplexes matching the scale and massing of the family houses in Block M.

The proposed amendments maintain the contemporary architectural appearance of Blocks P and Q with a limited pallet of high quality materials. The buildings follow a traditional architectural composition or base, middle and top, with façade detailing such as deep recesses.

The Applicant has also undertaken a detailed review of the approved layout for these blocks. The internal arrangement for each floor has been reconfigured and rationalised to comply with Building Regulations. Circulation space has been made more efficient and an additional storey has been added to each block. Notwithstanding this, vertical height has been reduced by narrowing the ceiling services zone on each floor. This has meant the increase to the overall height of the building will be approximately 1.85 metres, less than the height of a typical storey. An increase in height of 1.85 metres is considered minor in scale and nature in the context of the scale of surrounding development, and is considered appropriate in this location, given the role of these buildings in framing Peel Park to the east.

Overall, it is concluded that the design changes are minimal and they do not materially affect the design of the blocks or the masterplan, and will continue to result in a high quality development in accordance with the key design principles of the approved DAS and London Plan policies 7.1 and 7.4.

Residential Mix

The proposed amendments to the residential mix remains proportionate to the mix approved under the hybrid planning permission for these blocks and does not alter the approved site-wide mix.

The increase in the (gross) number of 3+ bedroom units (+21) and the number of wheelchair adaptable units (+7) in these blocks has the benefit of bringing forward much needed 'priority' housing sizes/typologies (from what otherwise would have been later phases). This block is considered particularly suited to family accommodation given its close proximity to Peel Park, the school and the 'green' home zone streets adjacent to the western (front) elevation. The change in typology of the family sized units from town houses to duplexes with similar unit sizes is non-

material in planning terms as the typology of units is not specified in adopted Planning Policy.

In summary, the proposed amendments to the residential unit size and typology mix accord with the existing approved position, and delivers benefits in terms of the acceleration of priority housing sizes/typologies from later phases. The Blocks maintain a genuine mix of unit types catering for housing need, including the provision of studios through to 4-bedroom 8 person units.

As such, the proposed amendments will maintain its contribution to a truly mixed and balanced community, in accordance with London Plan Policies 3.8 and 3.9, Core Strategy Policy CS4 and Colindale Area Action Plan Policy 7.1.

Density

The proposed amendments result in an increase in the amount of residential accommodation in Blocks P and Q, which, in turn, has increased residential density for this part of the site from 201 dwellings per hectare/558 habitable rooms per hectare to 230 dwellings per hectare/705 habitable rooms per hectare.

The submitted Design and Access Statement, advises that the applicant has adopted a design-led approach to determine the appropriate scale and massing of these blocks. In policy terms, such an approach is in accordance with the London Plan (paragraph 3.28) which makes it clear that it is not appropriate to apply the London Plan Density Matrix mechanically, and that a rigorous approach to determining density should be adopted having regard to local context and character, the principles of good urban design, access to and the capacity of public transport and social infrastructure.

On the basis that the revised density for this part of the site is the result of a design-led approach and in the context of the site's high public transport accessibility (and accessibility to key on-site facilities such as the park and school), and broader policy objectives of optimising the output from housing sites, it is considered this slight increase in density is acceptable in planning terms, particularly in respect to London Plan Policy 3.4, and sits firmly in line with the approach taken for the hybrid planning permission.

Residential Quality

All residential units will meet or exceed the minimum dimensions and amenity space requirements specified within the Mayor of London's Housing SPG (2016).

The application is also accompanied by a Daylight and Sunlight Assessment, which concludes there will be an adherence rate ranging from 84%-96%. This is considered an acceptable level of adherence with all of the blocks achieving over three quarters adherence to the habitable rooms tested. No neighbouring properties were materially affected by the proposed change due to the distance of the plots from neighbouring properties.

In relation to sunlight, every block receives over 50% of their windows receiving over the BRE guideline target for annual sunlight and sunlight in the winter months.

Blocks L and N see an improvement in their sunlight compared to the consented scheme. All the amenity areas tested in and around the blocks still obtain good sunlight levels for an urban environment. For the sunlight to the amenity areas, six areas exceed the BRE guidelines in the consented scheme. Although one amenity area falls below the BRE guidelines criteria, it also fell below in the consented scheme too.

For these reasons, the proposed amendments have been designed to maximise privacy and minimise overlooking, and meets acceptable standards in respect to daylight and sunlight admission.

Car Parking Provision

The proposed amendments involve a reduction of two car parking spaces to be provided for within Blocks P and Q, although there are other spaces available for Blocks P and Q across the site. The demand for car parking spaces across the site has decreased from 2,053 to 2,049 meaning the overall site-wide parking ratio is unchanged at 0.71 spaces per unit.

It is considered therefore that the proposed amendments result in a negligible reduction in car parking demand, which ensures there will not be any material effect on the site-wide car parking strategy or the car parking strategy for Blocks P and Q.

Cumulative Effect of Amendments

When considered as a whole, the cumulative effects of the proposed changes to the approved development are considered in the context of the development as a whole minor in scale and nature, and will not result in a development that is substantively different to that already approved.

Environmental Screening

An Environmental Statement, the result of an Environmental Impact Assessment, was submitted with the hybrid application in August 2014 along with a Non-Technical Summary. Subsequently, a Statement of Conformity was submitted in May 2015 in conjunction with the aforementioned s.96a applications.

The Environmental Statement concluded that the Proposed Development would have an overriding beneficial effect on Barnet and Greater London and will, in many ways, regenerate and enhance the Application Site and contribute to the setting of the wider area. Whilst it was acknowledged that some temporary, short-term adverse effects would be experienced during the demolition and construction phase of the development, the benefits of bringing the development forward were considered to far outweigh any temporary adverse demolition and construction effects.

A Section 73 application is considered to be a new application for planning permission under the 2011 Environmental Impact Assessment Regulations.

Where an Environmental Impact Assessment was carried out on the original application, the local planning authority is required to consider if further environmental information needs to be added to the original Environmental Statement to satisfy the requirements of the Regulations.

The Applicant has submitted a 'Statement of Conformity' to support this application and concludes that the Environmental Statement remains valid and its conclusions and assessment of significance does not change.

Having reviewed the environmental information previously provided, it is not considered that the current Section 73 application would result in any significant change in circumstances to warrant a revised Environmental Statement.

Planning Obligations

The hybrid planning permission is subject to a Section 106 agreement. This agreement will be carried over to this planning permission sought via means of a deed of variation. It is not considered that the actual obligations contained within the S106 will need to be amended due to the following reasons.

- The application proposals will allow a revised scheme to be delivered, but one which is not substantively different to that already approved under the hybrid planning permission. The site-wide quantum of development is unchanged meaning the amendments will not give rise to any different impacts which would necessitate any new planning obligations.
- There has been no change to policy to warrant changes to the scope of planning obligations necessary to make the proposed development acceptable.
- There has been no material change to the viability position of the scheme and therefore there are no viability related grounds to seek revisions to the existing s.106 obligations. It is noted that the existing Section 106 Agreement includes a trigger for viability review before the commencement of Stage 2 of the development enabling any changes in Development Stage 1 to be captured at that juncture.

Community Infrastructure Levy

This application results in an increase to the gross internal area of the floorspace within buildings liable to incur a Community Infrastructure Levy contribution. Additional CIL forms were submitted with the current application.

5. EQUALITIES AND DIVERSITY ISSUES

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

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

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

- Age;
- Disability;
- Gender reassignment;

- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex;
- Sexual orientation.

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

The proposed amendments do not affect the following:

- A provision of a minimum of 10% of flats as wheelchair adaptable across the development.
- The inclusion of 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.
- The provision of dedicated parking spaces for people with a disability 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 a high quality inclusive design, providing an environment which is accessible to all and which can be maintained over the lifetime of the development.

6. CONCLUSION

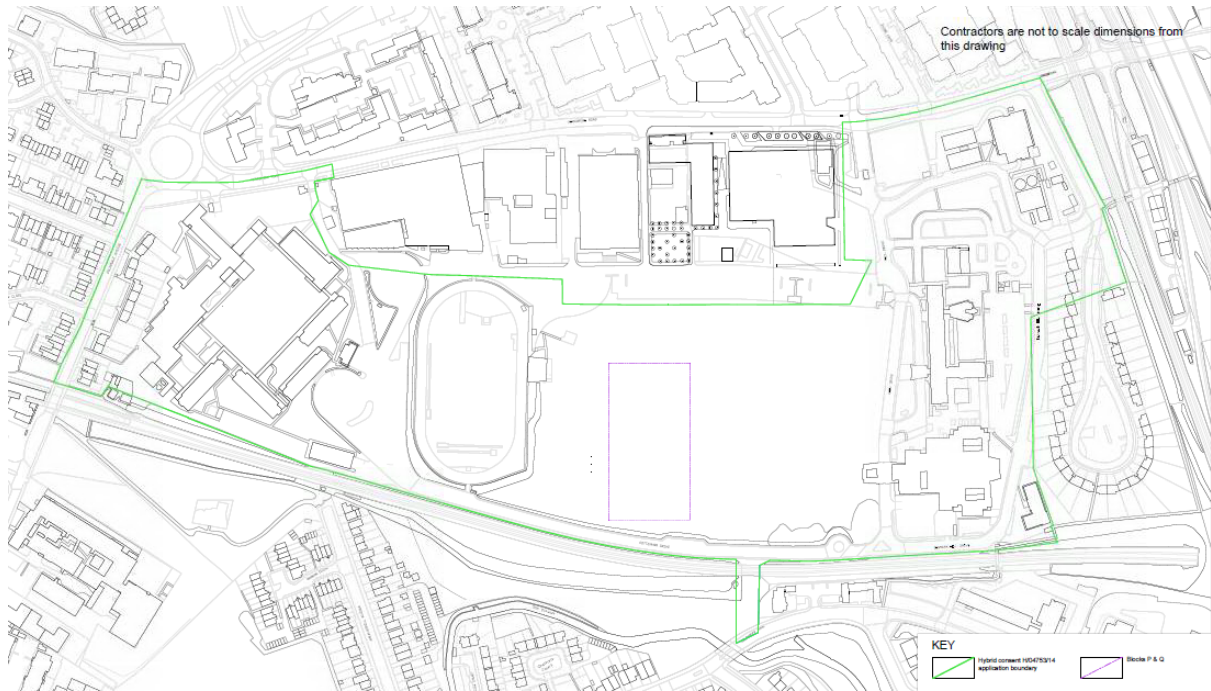
The application is made under Section 73 of the Town and Country Planning Act seeking planning permission to vary the wording of the description of development and planning condition 1 attached to hybrid planning permission H/04753/14.

National Planning Practice Guidance (NPPG) advises that a minor material amendment *“is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.”* In this case, it is not considered that the changes proposed would result in any significant change to the approved scheme.

The amendments proposed are considered acceptable in land use terms and do not raise any significant design, neighbouring amenity or highway implications. The proposed amendments generally and taken overall accord with the relevant development plan policies.

Accordingly, subject to the conditions set out in the recommendations section at the beginning of this report, the application is recommended for **Approval**.

APPENDIX 1: PROPOSED SITE LAYOUT PLAN



LOCATION: Phase 6 Millbrook Park (Former Inglis Barracks) London, NW7
1PX

REFERENCE: 16/4389/RMA

WARD(S): Mill Hill

Received: 4 July 2016
Accepted: 11 July 2016
Expiry: 10 October 2016

APPLICANT: Inglis Consortium

PROPOSAL: Reserved matters application seeking approval for advance infrastructure works in relation to Phase 4b of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/2011.

RECOMMENDATION: Approve Subject to Conditions

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

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

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

Millbrook Plaza Design Statement (ref. A103-MP-RE-01C)
Site Location Plan
Landscape Masterplan (ref. A103-MP-LA01-A)
Millbrook Plaza Sections (ref. A103-MP-SE01)
Millbrook Plaza Sections (ref. A103-MP-SE02)
General Arrangement Plan (ref. A103-MP-LA02-A)
Archaeology Technical Note, prepared by Halcrow (ref. PRHMHE-RPT-X-0007)
Air Quality Assessment, prepared by Atkins (ref. 5106655/ MB/ MPB/ 002)
Geo-environmental Technical Note, prepared by Atkins (ref. 5106655 / MB / MBP / 005)
Drainage Strategy, prepared by Atkins (ref. 5106655/MB/MBP/006)
Ecology Technical Note, prepared by Atkins (ref. 5106655/MB/MBP/003)
Energy Statement (Permanent Energy Centre), prepared by Atkins (ref. 5106655/MB/MBP/004)
Noise Assessment, prepared by Atkins (ref. 5106655/MB/MPB/001)
Design Capacity Statement, prepared by Atkins (ref. 5106655/MB/RM6/001)

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

3. Contaminated Land Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

4. No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan 2015.

5. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing details, including samples of the materials to be used for the external surfaces of hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

6. a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.
- b) 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.
- c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development

Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

7. Before the development hereby permitted is occupied the car parking spaces shown on the plans hereby approved shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

8. a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until a bat survey has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.

b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

9. The disabled parking space shall be provided and clearly marked with a British Standard disabled symbol where appropriate and permanently retained for the use of disabled persons and their vehicles and for no other purpose.

Reason: To ensure and promote easier access for disabled persons to the approved building 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.

10. The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

11. Prior to the commencement of the development hereby approved, details of any highways within each sub-phase to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure that adequate public access is provided throughout the development.

INFORMATIVE(S):

- 1 The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
- 2 The applicant is reminded that Condition 63 (iv) and Condition 65 of the outline consent requires the submission and approval of a contamination remediation verification report, which will require the developer to demonstrate completion of the works set out in the approved remediation strategy.
- 3 The costs of any associated works to the public highway, including temporary traffic order making and related implementation works and reinstatement works will be borne by the applicants and carried out either under rechargeable works Agreement or may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Section – Environment, Planning and Regeneration Directorate.

SUMMARY

Outline planning consent was granted on 22nd September 2011 for the redevelopment of Inglis Barracks situated in Mill Hill East. Consent was granted for a residential-led mixed use development, involving the demolition of all existing buildings (excluding the Officers' Mess building) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP surgery, 1,100sqm of 'High Street' (Class A1, A2, A3, A4 and A5) uses, 3,470sqm of employment (Class B1) uses, a district energy centre and associated open space, means of access, car parking and infrastructure.

The application site extends to 0.44ha and comprises an area of land that is located within the community zone in the southern hub Character Area of the wider Millbrook Park redevelopment. The application site comprises public open space plot OS9 and is located within Phase 6. It is bound to the north by plot FF, to the east by plots HH and GG, to the south by Bittacy Hill and to the west by Royal Engineers Way and Phase 9B. The outline planning permission grants mixed use retail/employment at ground floor with residential above from within the plots which front the Plaza.

The existing site is currently occupied by the Council depot comprising a large scale building with associated car parking and service area. The depot buildings and hardstanding areas will be demolished and removed upon vacation of the site which is currently anticipated to take place in early 2017.

The proposed 'advanced infrastructure works for which approval is sought comprises the landscaping and infrastructure works of the public open space plot OS9 which is located within Phase 6, including the installation of the Permanent Energy Centre.

1. BACKGROUND TO THE CURRENT APPLICATION

1.1 The Mill Hill East Area Action Plan

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

The area was first highlighted as an area which could be redeveloped in the London Plan in 2004. This is primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involves the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008 thereby providing an opportunity for redevelopment. The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2009 adopted an Area Action Plan

(AAP) which covered an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP is to seek to ensure that development takes place in a balanced and coordinated manner by setting out a comprehensive framework to guide the delivery of housing, employment, leisure and associated community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

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

1.2 The outline planning permission

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

The site is divided into a number of Development Land Parcels (DLP) or otherwise known as phases. Following approval of the site wide pre-commencement requirements, reserved matters applications will be brought forward for all detailed elements of the development for each phase, which would deal with all matters not fully addressed within the outline consent (layout, design, appearance and landscaping).

Each phase is to be brought forward in 2 stages (which can be subject to separate reserved matters approvals):

- Firstly, a programme of advance infrastructure works (AiW) to serve the phase; and
- Secondly, the development of the phase itself.

This is controlled by Conditions 5b and 5 respectively of the outline permission (ref H/04017/09, dated 22nd Sept 2011).

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

- Design Statement
- Statement of Compliance;
- Archaeology Technical Note;
- Air Quality Assessment;
- Geo-environmental Technical Note;
- Drainage Strategy;

- Ecology Technical Note;
- Energy Statement (Permanent Energy Centre); and
- Noise Assessment.

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy

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

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

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

The Mayor's London Plan: July 2011 2.13 (Opportunity Areas and Intensification Areas), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.8 (Heritage Assets and Archaeology), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

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

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

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

Relevant Development Management DPD Policies: DM01 (Protecting Barnet’s Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet’s Heritage and Conservation), DM15 (Green Belt and Open Spaces), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

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

The relevant policies for the consideration of this application are: MHE3 (Employment), MHE6 (Community Facilities, Shops and Services), MHE7 (Parks and Public Open Space), MHE8 (Children’s Play Space), MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE18 (Delivering the AAP).

Approved Design Code

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

2.2 Relevant Planning History:

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Proposal:	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and

	infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	EIAO
Decision	APL
Decision Date	22/09/2011

Application Reference:	H/00480/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 1A of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated: 22/9/2011.
Stat Start Date	07/02/2012
Application Type	APD
Decision	APC
Decision Date	08/05/2012

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

Application Reference:	H/04338/11
Case Officer:	Colin Leadbeatter
Proposal:	Submission of details for condition 6 (Overarching Phasing Plan) pursuant to planning permission H/04017/09 dated 22/09/11.

Stat Start Date	24/10/2011
Application Type	APD
Decision	Approve
Decision Date	15/12/2011

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

Application Reference:	H/00670/13
Case Officer:	Wing Lau
Proposal:	Environmental impact assessment screening opinion for infrastructure works for Phase 3, 4a, 4b, 5,10 and 11 of the Mill Hill East development.
Stat Start Date	12/02/2013
Application Type	ES Screening
Decision	ES not required
Decision Date	12/03/2013

Application Reference:	H/00668/13
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for construction of associated advanced infrastructure works and landscaping associated with Phase 3 (public open space OS4) of Mill Hill East development to create 'Panoramic Park' and advance infrastructure works in relation to Phases 3, 4a, 4b and 5, pursuant to Conditions 5 and 5b of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space). Ground re-profiling works to Phases 10, 11 and part of Phase 7.

Stat Start Date	25/02/2013
Application Type	APD
Decision	APC
Decision Date	22/04/2013

Application Reference:	H/03441/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for Phase 3a (Central Community Park) and advanced infrastructure works in relation to phases 3a, 8, 9, 10 and 11 of Millbrook Park (Mill Hill East) pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirement of condition 5 (Reserved matter details), 25 (East-West and North-South links), 26 (Pedestrian and vehicular access points), 48 (Design of open spaces) and 52 (Children's play spaces).
Stat Start Date	23/07/2013
Application Type	APD
Decision	APC
Decision Date	13/02/2014

Application Reference:	16/2719/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 4b of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/2011.
Stat Start Date	25/04/2016
Application Type	Reserved Matters
Decision	Granted
Decision Date	04/07/2016

Application Reference:	16/3111/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4b of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 188 units in

	the form of 88 x 1 bedroom flats, 89 x 2 bedroom flats, 12 x 3 bedroom flats, 3 x 3 bedroom house and 4 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58,63, 69, 70, 80, 83 and 85
Stat Start Date	03/05/2016
Application Type	APD
Decision	APC
Decision Date	29/07/2016

2.3 Consultations and Views Expressed:

Public Consultation

Neighbours Consulted: 52
 Neighbours Wishing To Speak 0

Replies: 1

At the time of writing one response has been received from the Mill Hill Preservation Society. The letter makes the following comments:

- ‘1. The original draft plans had some water elements in the scheme that have been lost.*
- 2. It would be good to see a piece of sculpture in the square – which we feel will be a very important new space for Mill Hill East.*
- 3. It was not possible from the plans to relate the plaza to the activities at ground floor in the buildings round it. We understand this information will not be available until later, but is of importance so as to ensure spaces are allocated properly.*
- 4. A proper crossing to the tube/bus station is a must and this needs to relate to the plaza on the short edge where the ‘market area’ was proposed.’*

Officer Comment: Theses comments are discussed in greater detail in the design section below.

Internal /external and Other Consultations:

Highways

No Objections subject to the attachment of appropriate conditions.

Scientific Services

No objections raised to the proposal.

Environment Agency

No Objections Raised.

Thames Water

Thames Water have made the following comments:

'Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.'

Environmental Health

No objections subject to the attachment of appropriate conditions.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings:

Site in relation to the outline consent:

The site to which this reserved matters application relates comprises an area of land that is located within the community zone in the southern hub Character Area of the wider Millbrook Park redevelopment measuring 0.44ha in area. The application site comprises public open space plot OS9 and is located within Phase 6. It is bound^{ed} to the north by plot FF, to the east by plots HH and GG, to the south by Bittacy Hill and to the west by Royal Engineers Way and Phase 9B. The outline planning permission grants mixed use retail/employment at ground floor with residential above from within the plots which front the Plaza.

The existing site is currently occupied by the Council depot comprising a large scale building with associated car parking and service area. The depot buildings and hardstanding areas will be demolished and removed upon vacation of the site which is currently anticipated to take place in early 2017.

3.2 Proposal

The proposed works for which approval is sought comprise the landscaping and infrastructure works of the public open space plot OS9 which is located within Phase 6, including the installation of the Permanent Energy Centre (PEC).

The proposed public open space within this phase comprises of the main civic square which acts as the gateway into the site from Mill Hill Station to the South.

The proposed square is arranged over two levels, with the lower plaza adjoining Bittacy Hill being design as a predominately open space bordered to the south and west by new street trees and street furniture. The design rationale behind this space is to create a multi-functional space which could be used for other events such as local markets.

The upper plaza will combine two areas, the first a large central lawn incorporating raised areas of stone seating. This will include an ornamental planting bed with a feature tree and some incidental toddlers play equipment, designed to be visually attractive when not in use. This area of lawn, along with a smaller area to the south will allow for informal summertime recreation / relaxation.

The second area lies immediately to the south of the mixed use element within the Phase 6 development. This has been identified for uses that would include small shops, cafes and similar uses and accordingly the space to the front allows for both a visibly clear retail frontage as well as space for out of hours / emergency servicing and managed activities such as café seating.

The lower plaza is separated from the upper plaza by a Permanent Energy Centre which was originally proposed to be erected in the adjoining phase 6B. The Energy Centre is predominately housed underground however due to service, personnel and emergency access needs some parts of the installation will be partly visible within the plaza. The first, a service access area which allows for replacement plant, as well as a separate fire/personnel access. The structure has been designed to obscure the function and will incorporate decorative/ sculptural steel panels, climbing plants and a green roof. The structure also acts as the retaining features for two of the flights of steps, connecting the upper and lower plazas. The second structure houses the secondary fire escape and a separate Gas Meter Station which is required to be located outside of the main below ground energy centre. As with the main service structure, this small kiosk or pavilion style building has been designed using a curved form to complement the space within which it sits and will use similar materials and a green roof.

In addition to the above the Design Code recommends that 11 parking spaces should be provided, however following a design review of the proposed layout and re-configuration of the overall design for the plaza, the parking has moved location to the periphery of the space creating additional public open space, which reduces the number of parking spaces to 9.

The approved site wide drainage strategy also requires that an attenuation tank is provided within the Millbrook Plaza to manage the volume of surface water generated by the Millbrook Park development. This attenuation tank is designed to accommodate approximately 1000m³ of storage.

Discharging of conditions

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

- Condition 26 – Pedestrian and Vehicular Access Points

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

- Condition 27 – Details of Estate Roads

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

- Condition 32 – Shared Footways/ Cycleways

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

- Condition 35 – Petrol/ oil interceptors

This requires details of petrol/ oil interceptors or justification concerning why this is not required.

- Condition 48 – Design of Open Space

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

- Condition 52 – Children’s Play Space

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

- Condition 83 – Greywater/ Rainwater Recycling Provision

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

- Condition 85 – Green/ Brown Roofs Provision

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

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of the public open space is established in the outline consent. The

open public spaces in Millbrook Park are considered to be a key element of the outline consent as it provides essential amenity space for residents, along with providing a key gateway into the site. In terms of site area, the public plaza extends to 0.3ha (total application site area 0.44ha). This is in direct accordance with condition 15 of the outline planning permission (ref. H/04017/09) which states a target provision of 0.3 hectares for the 'Public Square'.

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

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

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

In order to support the detail contained within the parameter plans the outline consent has a number of additional documents that form a 'strategic development framework' in accordance with the requirements of Policy MHE18 of the AAP. The 'framework' establishes a series of development principles that will be used to guide detailed elements and the preparation of reserved matter applications. Of relevance to the consideration of this application are the following documents:

- Design Principles Document;
- Revised Transport Assessment
- Phasing and Delivery Strategy
- Technical/Infrastructure Strategy
- Revised Public Realm and Open Space Strategy (MHE/OPA/5.1)
- Technical and Infrastructure Strategy (MHE/OPA/6)
- Revised Phasing and Delivery Strategy (MHE/OPA/10.2) which includes phasing plan ref Figure 4.1

Design Code

In addition to the above a site wide design code has been approved in the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application is therefore considered within the framework of established broad development principles, Parameter Plans and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates general compliance with the outline planning permission.

The proposals differ in a number of ways which are discussed in greater detail below.

4.2 Design, Character and Amenity

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides safe, secure and attractive streets and spaces respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. It also states that proposals for lighting schemes should not have a demonstrable impact on residential amenity and seeks generally to protect the amenities of adjoining and potential occupiers and users.

Changes from Design Code

The submitted application predominately follows the design parameters as set out in the Design code, i.e. incorporated tree and shrub planting, seating, toddler play features and utilises high quality materials.

The Design Code also advises that the proposal will incorporate public art to enhance and identify the space in the form of a sculpture or water feature and the indicative plan in the design code shows an ornamental pool separating the square and the car parking areas.

The reserved matters application which has been submitted does not contain any water features or free standing sculptures. The Design Statement advises that the water features have not been incorporated due to the design of the square and the desire to design useable public space which can be used for a variety of functions. In relation to the sculpture, the ornate grilling proposed on the Permanent Energy centre facing the lower plaza is considered to fulfil a similar function and it is not considered that a separate statue or sculpture is necessary in this location.

Design of Public Plaza and Energy Centre

The proposed public square is set out over two levels with the lower plaza consisting of an open hard surfaced space with seating and landscaping around the periphery, while the upper plaza contains a raised grassed area with tree and shrub planting which also contains natural play elements. The remainder of the upper plaza is open and covered in hard surfacing to provide for pedestrian movements through the space and providing opportunities for outdoor seating for potential uses fronting the square, which is anticipated in the Design Code to include retail and restaurant type uses.

The two plazas are separated by the new permanent energy centre, with steps either side, with a separate level route being provided along the north of the plazas connecting through to Bittacy Hill. While the majority of the energy centre is underground, a raised service area fronts the northern end of the lower plaza. The front of this is clad in a decorative perforated metal screen containing decorative patterns. The roof of the energy centre is covered by an extensive green roof. An underground secondary fire escape and underground substation is also provided which exits on the eastern edge of the upper plaza in the form of a pavilion structure which is designed to appear similar in appearance to a pop up coffee shop. This structure will provide additional storage space and will also house a gas meter.

Overall the visual appearance of the spaces created will be of high quality, and will provide usable public spaces which would provide an appropriate gateway into the Millbrook Park development.

Landscaping

The landscaping proposals contain a mixture of hard and soft landscaping. In relation to hard surface materials, the application proposes a mixture of natural stone paving, granite paving and patterned concrete block paving along with raised stone planters and seating and stainless steel cycle stands and railings. In relation to soft planting the application proposes the creation of areas of shrubbery, grassed lawn, wildflower mix over the proposed energy centre and trees along the boundary of the lower plaza and within the upper plaza. The submission does not include details of the proposed species and a landscaping condition is attached requiring this information to be submitted to the Council's satisfaction.

Overall it is considered that the proposed landscaping strategy is acceptable and will lead to the delivery of a high quality scheme in keeping with the surrounding area.

Trees

There are currently two existing trees on the site which already have permission to be removed pursuant to the approval of condition 53 of the Outline Planning Permission. The current application proposes new planting in the lower plaza in the form of a row of mature trees with canopies starting at a minimum of 2.2m above ground. Planting species are proposed to be predominantly ornamental with a range of seasonal flower shrubs and herbaceous plants selected for seasonal interest.

Overall, the layout, appearance and landscaping are considered acceptable in principle and it is considered that the design approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

4.3 Transport, Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure efficient use of the local road network, require that development is matched to capacity, seek more environmentally friendly transport networks and promote the delivery of appropriate transport infrastructure. Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately and require acceptable facilities for pedestrians and cyclists.

The Design Code envisaged the provision of 11 drop-off car park spaces on the western edge of the plaza. However in order to maximise the quantum of public open space the number of car parking spaces have been reduced to nine. The site is located on the southern periphery of the site, directly adjoining Mill Hill Station across Bittacy Hill to the south. Due to this location it is considered that the majority of visitors to the plaza are likely to travel by foot and the slight reduction in the car parking provision is considered appropriate in this instance and is supported by the Barnet Highways and Transport Team.

4.4 Drainage and Flooding

Drainage information for the wider site covered by the outline planning permission to which this application relates was submitted (under application ref H/04340/11) under conditions 43, 44 and 46 of that consent. The current application includes a plan providing details of surface and foul water drainage and a Drainage Strategy technical note. These documents set out how the drainage infrastructure proposed would be consistent with the site wide approach to drainage.

In relation to Surface Water, the Plaza forms part of the wider drainage strategy, with surface water coming from the north of the site, through the plaza connecting into the existing Thames Water surface water sewer present at Bittacy Hill.

In order to manage flows into this sewer an attenuation tank is proposed to be provided within the Millbrook Plaza to manage the volume of surface water generated by the development. This attenuation tank is designed to accommodate approximately 1000m³ of storage which will be utilised to cater for a 1 in 30 year design storm event as the surface water modelling which has been carried out does not predict flooding in design storms up to the 1 in 100yr plus 30% for climate change event.

In relation to Foul Water drainage this transverses the site north to south connecting to the main foul water connections in Bittacy hill similar to the surface water drainage.

Thames Water have commenting on the submitted drainage plans stating that they have no objections to the proposed drainage strategy. The proposal is considered to be acceptable and compliant with the principles and objectives of the outline consent to which this application relates in terms of drainage and flooding matters.

4.5 Biodiversity and Nature Conservation

Policy DM16 of the Barnet Local Plan states that when considering development proposals the Council will seek the retention and enhancement, or the creation of biodiversity. Policy DM01 states that proposals for lighting schemes should not have a demonstrably harmful impact on biodiversity. Policy MHE9 of the AAP states that ecological surveys will be required before development can commence, to ensure appropriate mitigation measures are undertaken.

The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place. It is acknowledged by the AAP that the site is of limited nature conservation importance and it is considered that the development provides the opportunity to enhance the diversity of habitats across the site through the planting of native species.

An Ecological Mitigation and Management Plan (EMMP) was approved in order to discharge Condition 60 of the outline planning consent under application reference H/04184/11 (24th November 2011). The purpose of the EMMP was to set out a management programme for the enabling phases of works to safeguard and enhance the features of importance to nature conservation present within the wider application site.

The Ecological Walkover Survey was submitted in support of the current reserved matters application. The Survey found that the site at present has limited wildlife potential but one of the existing buildings could potentially be used by bats for roosting purposes and that there might also be nesting birds within the site. As such the ecological report recommends that if tree removal is to take place within the nesting season, then it would be necessary for the trees to first be checked for nesting birds. It is also recommended that a bat survey is carried out prior to the

demolition of any buildings. A Suitable condition is attached requiring the submission of such a survey to the satisfaction of the Local Planning Authority.

4.6 Contaminated land issues

Following demolition works, the site is to be subject to remediation works, which is in accordance with Condition 63 (Contaminated Land) of the outline consent. A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy and part iv) requires a verification to be submitted for each phase.

The applicant has submitted a Contamination Assessment Report dated June 2016 which provides the findings of ground investigation and the approach to dealing with contamination.

The information submitted is for Condition 63 (iii) of the outline consent. Part iv) of the Condition 63 and Condition 65 of the outline consent would require a contamination remediation verification report to demonstrate completion of the works set out in the approved remediation strategy. The Council's Environmental Health Service has confirmed that the report is comprehensive and recommends that the submitted details are considered acceptable subject to a condition requiring a final verification report following the completion of works.

4.9 Permanent Energy Centre

The application has submitted air quality and noise reports in support of the proposal. The information has been examined by the Council's Environmental Health Service who advise that they are satisfied that the CHP energy centre will not detrimentally affect air quality, and that the noise limits which have been set accord with Barnet's noise level requirements.

4.8 Construction Management and Site Waste Management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matters application.

No Construction Management Plan has been submitted in support of the application, and as such a condition is included requiring the submission of a demolition and construction management plan prior to the commencement of construction. This would ensure the environmental issues are effectively managed with minimum

impact on the surrounding environment by this development including noise disturbances, vibration, dust, smoke, plant emissions and traffic.

4.9 Archaeology

Policy DM06 of the Barnet Local Plan states that any development which may affect archaeological remains will need to demonstrate the likely impact upon the remains and the mitigation proposed to reduce the impact.

When the outline planning application (H/04017/09) was considered an archaeological assessment established that no physical archaeological remains are known to be present in the site but that the potential exists for such remains to be present. The potential adverse impacts identified by the assessment would arise from the loss of physical remains.

Details relating to Condition 61 (Written Scheme of Archaeological Investigation) attached to the outline planning permission was approved under application reference H/04189/11 on 23rd November 2011. Details were submitted that cover a written scheme of investigation for trial trenching on the site. In consultation with Greater London Archaeological Advisory Service (GLAAS) the applicants proposed a series of trial trenches to be dug on the site to evaluate the potential for archaeological finds.

An informative was added to the consent H/04189/11 to ensure any heritage assets of significant archaeological interest that may be uncovered during the course of initial trial trenching, further mitigation may be required, although English Heritage have been advised that they do not want to be formally consulted on future submissions.

It is considered that there would be no adverse impacts in relation to archaeology that will arise from the proposal and that it therefore complies with the relevant national, regional and local policies.

5. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

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

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council’s Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

6. CONCLUSION

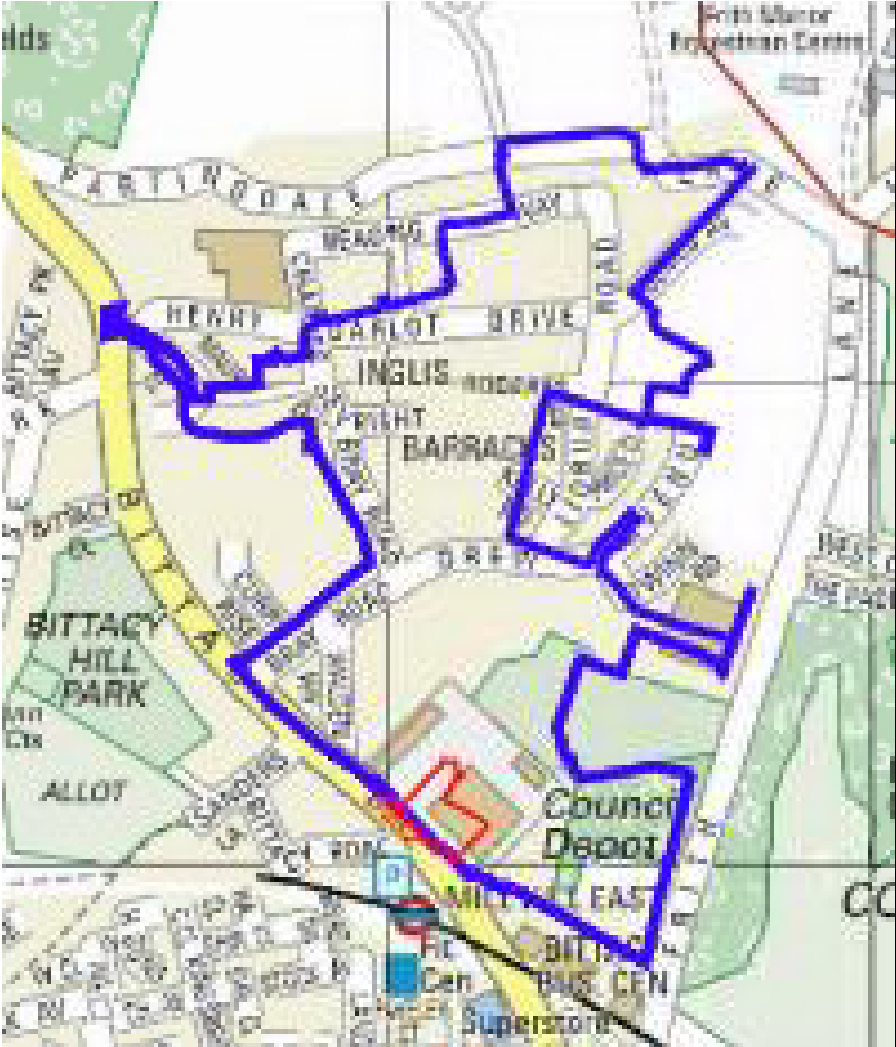
As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code. The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds.

The application also satisfies the requirements of Conditions 26, 27, 32, 35, 48, 52, 83 and 85 of the outline consent.

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

SITE LOCATION PLAN: Phase 6, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: 16/4389/RMA



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LOCATION: Sweets Way, London, N20

REFERENCE: 16/4513/RMA

WARD: Totteridge

AGENDA ITEM 14
Received: 15th July 2016
Accepted: 15th July 2016
Expiry: 14th October 2016

APPLICANT: Taylor Wimpey – North Thames

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping and scale for Sweets Way pursuant to Outline planning permission reference B/04309/14 dated 24.07.2015 involving the erection of 288 dwellings (Use Class C3) and a community building (Use Class D1). The application also seeks the discharge of outline planning conditions 16, 17, 18, 19, 21, 26, 28, 29, 30, 31, 32, 33, 36, 37, 42, 43, 45, 48, 49, & 52 of the Outline Planning Approval.

APPLICATION SUMMARY

The application follows the grant of outline planning permission (with all matters other than access and layout reserved) under planning application reference B/04309/14 on the 24th July 2015 for the redevelopment of the Sweets Way Site to demolish all existing houses and the erection of new residential dwellings (Use Class C3), comprising up to 201 houses and up to 87 flats (up to 288 new dwellings in total), and a community building (Use Class D1) providing up to 255sqm floor space. The provision of pedestrian and vehicular site access from Sweets Way and pedestrian only from Oakleigh Road North.

This application followed the refusal of an earlier application under Planning Application B/02710/13 on the 20th January 2014 for the erection of 360 units on the site.

Following the grant of Outline Planning Permission, all buildings on the site have been demolished and the site cleared by the previous owners of the site Annington Homes. This demolition was authorised under a separate prior notification consent application 15/04051/PND approved on the 28th July 2015. The site has subsequently been sold to Taylor Wimpey North Thames who have prepared the current Reserved Application.

The Reserved Matters Application predominately accords with the provisions of the Outline Planning Application, providing for 288 units with a minor change in configuration providing one additional house (202) and one less flat (86). The number and configuration of the affordable housing element is unchanged at 59 units including 35 flats and 24 houses. There are also minor changes in the layout and height parameters from the Outline Consent as a result of detailed design work to design a workable scheme to build out. The application also includes the provision of a Community Centre in accordance with the Outline Permission.

Overall it is considered that the Reserved Matters Application accords with the principles established under the Outline Planning Permission and represents a high quality of design which would enhance the visual amenities of the surrounding area and is recommended for approval subject to the following conditions.

RECOMMENDATION: Approve Subject to Conditions

Approved Plans

1. No development shall take place unless in accordance with the following Approved Parameter Plans and substantially in accordance with the supporting documents:

Site Location Plan AA6000_2000
Original Site Survey AA6000_2001
Masterplan Layout AA6000_2002C
Proposed Site Plan AA6000_2003E
Typology and Tenure Plan AA6000_2004A
Proposed Roof Plan AA6000_2005C
Storey Heights Plan AA6000_2006A
Proposed Car Parking AA6000_2007A
Refuse and Waste Collect Strategy AA6000_2008A
Proposed Materials Strategy AA6000_2009A
Proposed Open Space Plan AA6000_2010A
Schedule of Accommodation AA6000_2011
Substation Plan and Elevation AA6000_2013
Street Elevations Sheet 1 AA6000_2020B
Street Elevations Sheet 2 AA6000_2021B
Street Elevations Sheet 3 AA6000_2022B
Street Elevations Sheet 4 AA6000_2023A
Street Elevations Sheet 5 AA6000_2024A
Street Elevations Sheet 6 AA6000_2025A
Street Elevations Sheet 7 AA6000_2026B
Street Elevations Sheet 8 AA6000_2027A
Street Elevations Sheet 9 AA6000_2028B
Street Elevations Sheet 10 AA6000_2029B
Housetype 2B-4P_AR-2A Plans and Elevations AA6000_2100
Housetype 3B-5P_AR-3A Plans and Elevations AA6000_2101A
Housetype 3B-5P_AR-3B Plans and Elevations AA6000_2102
Housetype 4B-6P_AR-4A Plans and Elevations AA6000_2103
Housetype 2B-4P_ASO-2A Plans and Elevations AA6000_2104
Housetype 2B-3P_S2A Plans and Elevations AA6000_2105
Housetype 2B-4P_S2B Plans and Elevations AA6000_2106
Housetype 3B-4P_S3A Plans and Elevations AA6000_2107B
Housetype 3B-5P_S3Bv1 Plans and Elevations AA6000_2108
Housetype 3B-5P_S3Bv2 Plans and Elevations AA6000_2109A
Housetype 3B-5P_S3Bv3 Plans and Elevations AA6000_2110B
Housetype 3B-5P_S3C_WCH Plans and Elevations AA6000_2111A

Housetype 3B-5P_S3Dv1 Plans and Elevations AA6000_2112
Housetype 3B-5P_S3Dv2 Plans and Elevations AA6000_2113C
Housetype 3B-5P_S3Dv3 Plans and Elevations AA6000_2114A
Housetype 3B-5P_S3E_WCH Plans and Elevations AA6000_2115B
Housetype 4B-6P_S4A Plans and Elevations AA6000_2116A
Housetype 4B-6P_S4B Plans and Elevations AA6000_2117
Housetype 4B-6P_S4C_WCH Plans and Elevations AA6000_2118B
Housetype 4B-7P_S4D Plans and Elevations AA6000_2119
Housetype 5B-8P_S5Av1_ Plans and Elevations AA6000_2120B
Housetype 5B-8P_S5Av2_ Plans and Elevations AA6000_2121A
Apartment Block A Plans AA6000_2122
Apartment Block A Elevations AA6000_2123
Apartment Block B Plans AA6000_2124
Apartment Block B Elevations AA6000_2125
Apartment Block D Ground floor plan part 1 AA6000_2126B
Apartment Block D Ground floor plan part 2 AA6000_2127B
Apartment Block D First floor plan part 1 AA6000_2128B
Apartment Block D First floor plan part 2 AA6000_2129B
Apartment Block D Second floor plan part 1 AA6000_2130B
Apartment Block D Second floor plan part 2 AA6000_2131B
Apartment Block D Third floor plan AA6000_2132B
Apartment Block D Fourth floor plan AA6000_2133B
Block D Front elevation AA6000_2140B
Block D Rear elevation AA6000_2141B
Block D Side elevation AA6000_2142A
Community Centre Plans and Elevations AA6000_2143
Landscape Masterplan 5798.LM.01G
Hard Surface Overview Plan 5798.HSP.7.0.B
Hard Surface Plan 1 5798.HSP.7.1.B
Hard Surface Plan 2 5798.HSP.7.2.B
Hard Surface Plan 3 5798.HSP.7.3.B
Hard Surface Plan 4 5798.HSP.7.4.B
Hard Surface Plan 5 5798.HSP.7.5.B
Hard Surface Plan 6 5798.HSP.7.6.B
Hard Surface Plan 7 5798.HSP.7.7.B
Hard Surface Plan 8 5798.HSP.7.8.B
Planting Plan Overview 5798.PP.05.0G
Planting Plan 1 5798.PP.05.1G
Planting Plan 2 5798.PP.05.2G
Planting Plan 3 5798.PP.05.3G
Planting Plan 4 5798.PP.05.4G
Planting Plan 5 5798.PP.05.5G
Planting Plan 6 5798.PP.05.6G
Planting Plan 7 5798.PP.05.7G
Planting Plan 8 5798.PP.05.8G
Tree Strategy Plan Overview 5798.TSM.3.0D
Tree Strategy Plan 1 5798.TSM.3.1D
Tree Strategy Plan 2 5798.TSM.3.2D
Tree Strategy Plan 3 5798.TSM.3.3C
Tree Strategy Plan 4 5798.TSM.3.4D

Tree Strategy Plan 5 5798.TSM.3.5D
 Tree Strategy Plan 6 5798.TSM.3.6D
 Tree Strategy Plan 7 5798.TSM.3.7D
 Tree Pits Details 5798.TPD.4.0C
 Tree Pit Details 5798.TPD.4.1
 Public Open Space Plan 1 5798.POS.6.0A
 Public Open Space Plan 2 5798.POS.6.1A
 Public Open Space Plan2 5798.POS.6.2A
 Drainage and Levels Strategy, C6686 – SK5A
 Refuse Vehicle Tracking Diagram C6686 – SK6B
 Fire Appliance Tracking Diagram C6686 – SK7B
 Planning Statement – PPML Consulting Ltd
 Design and Access Statement - PRP Architects;
 Arboriculture Method Statement, 9169_AMS.001 – Aspect
 Arboriculture;
 Biodiversity Enhancement Report – Aspect Ecology;
 Energy Strategy, Revision A, July 2016 – Energist
 BREEAM Pre-assessment Report Rev P3, July 2016 – Energist;
 Noise Assessment, June 2016 – RPS;
 Noise Assessment – Supplementary Statement 4 October 2016 -RPS
 Daylight, Sunlight, Overshadowing Report, July 2016 – RPS
 Reason: For the avoidance of doubt and to ensure the development
 accords with the outline permission 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. 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.

Informatives

1. The applicant is reminded that the conditions and planning controls in the outline permission B/04309/14 for the Sweets Way Development dated 24/07/2015 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
2. The costs of any associated works to public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
3. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more

than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories then

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

You can potentially apply for relief or exemption under the following categories:

1. Charity

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

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

2. Residential Annexes or Extension

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

3. Self-Build

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

Visit

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

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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

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

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that that the development proposed is in broad accordance with the above policies. The application has therefore been recommended for approval on this basis.

National Planning Guidance

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

The London Plan

The London Plan (2015) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

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

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.7 (Large Residential Developments); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use

Schemes); 3.13 (Affordable Housing Thresholds); 3.14 (Existing Housing); 3.16 (Protection and Enhancement of Social Infrastructure); 3.17 (Health and Social Care Facilities); and 3.18 (Education Facilities)

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

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

Implementation, Monitoring and Review:

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

Barnet Local Plan

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

Core Strategy (Adopted 2012):

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

sustainable development)

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

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM06 (Barnet's Heritage and Conservation)

DM07 (Protecting Housing in Barnet)

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

DM10 (Affordable housing contributions)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

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

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Residential Design Guidance (April 2013)

Planning Obligations (April 2013)

Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Wheelchair Accessible Housing (September 2007)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

Land for Industry and Transport SPG (September 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
 Housing (November 2012)

Draft Shaping Neighbourhoods: Character and Context (February 2013)
 Draft Sustainable Design and Construction (July 2013)

1.2 Key Relevant Planning History

Application Reference:	B/02710/13
Case Officer:	Kevin Waters
Proposal:	Demolition of all existing buildings and outline planning permission (with all matters other than access reserved) for new residential dwellings (Use Class C3), comprising up to 189 houses and up to 171 flats (up to 360 new dwellings in total), and a community building (Use Class D1) providing up to 292m ² of floorspace. The provision of site access from Sweets Way and Oakleigh Road North.
Stat Start Date	02.07.2013
Application Type	Outline Application
Decision	Refused
Decision Date	20.01.2014

Application Reference:	B/04309/14
Case Officer:	Andrew Dillon
Proposal:	Demolition of all existing buildings and outline planning permission (with all matters other than access and layout reserved) for new residential dwellings (Use Class C3), comprising up to 201 houses and up to 87 flats (up to 288 new dwellings in total), and a community building (Use Class D1) providing up to 255 sqm floorspace. The provision of pedestrian and vehicular site access from Sweets Way and pedestrian only from Oakleigh Road North.
Stat Start Date	08.08.2014
Application Type	Outline
Decision	Granted
Decision Date	24/07/2015

Application Reference:	15/04051/PND
Case Officer:	Andrew Dillon
Proposal:	Demolition of 142 houses
Stat Start Date	08.08.2014
Application Type	Prior Notification (Demolition)

Decision	Granted
Decision Date	30.06.2015

1.3 Public Consultations and Views Expressed

Pre Application Consultation

Prior to the submission of the Planning Application the applicant Taylor Wimpey North Thames have had discussions with key stakeholders including elected representatives, Queenswell Junior School and members of the Milson Close steering group. In terms of timescale the following consultation events have taken place.

- 12th January 2016 – Meeting with members of Milson Close Steering Group
- 27th January 2016 – Meeting with the Headteacher of Queenswell Junior School
- February 2016 – Newsletter issued to 705 addresses living in the immediate vicinity of the development including properties along Sweets Way, Friern Barnet Lane, Oakleigh Road North and High Road. The newsletter introduced Taylor Wimpey as the new owners of Sweets Way Park, outlined the timeline for bringing forward a reserved matters application and the programme for demolishing the existing properties.
- 30th March 2016 – Attended assembly at Queenswell Junior School where three students were presented with their winning poster designs for the hoarding and book tokens.
- June 2016 - Newsletter issued to the 705 properties who received the newsletter in February, with copies emailed to individuals who registered for updates on the Taylor Wimpey website (11 people). The newsletter included the proposed new layout, the number of homes per unit size and accompanying car parking spaces. It also outlined how people could get in contact to provide feedback on the proposals.
- 29 June 2016 - Meeting with members of Milson Close Steering Group
- 29 June 2016 – Meeting with Business Manager of Queenswell Infant & Nursery School
- A Freephone community line, an email address and web page was also provided for persons to contact Taylor Wimpey and to find out information.

Public Consultation

1222 local properties and a number of other relevant bodies and elected

representatives were consulted on the application by letter and email on the 6th August 2016. The application was also advertised on site and in the local press at that time.

The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy on the consultation to be carried out for schemes of this nature.

The views expressed on the application are summarised under the headings below. Responses by officers to the points made are provided in the relevant section of the committee report.

Number of Responses from Residents and Businesses

28 responses have been received of which 24 are in objection to the proposal from residents and businesses. The remaining 4 correspondents raise concerns in their correspondence but have not formally objected to the application. 3 of the objectors have reserved their right to speak at Planning Committee.

Comments from Residents and Businesses

The comments made in objection to the application are summarised as follows:

- Development of the site providing 288 new residential units represents an overdevelopment of this site.
- Current proposal involves the planting of additional trees which will have maintenance requirements and cause loss of light.
- Disruption from Construction.
- Proposal would be detrimental to highway safety with HGV movements, and traffic from the resultant development.
- Development would add unacceptably to the vehicles and traffic in the area and exacerbate the existing access and congestion problems in this location given proximity to existing schools.
- Height of proposal including apartment block too high not in keeping with area and will affect neighbouring properties.
- Proposal should have a second access to Oakleigh Road North as scheme would result in too many vehicles entering and exiting the site onto Friern Barnet Lane.
- Existing pedestrian link from Oakleigh Road has been blocked up and should be reopened.
- Impact on Local Services
- Changes in plan will result in house being built on the boundary of objectors site in close proximity resulting in loss of light, outlook, privacy etc.
- Changes in plan will result in 4 houses being located opposite objectors house in comparison with 2 in indicative outline plan.

Officer Response: The number of residential units (288), the maximum number of parking spaces (448) and the road connections in the form of a single access via Sweets Way onto Friern Barnet Lane have already been granted planning permission under the Outline Planning Permission.

The height of the proposed buildings including the apartment block are substantially in accordance with the approved parameter plans. While some buildings have been increased in height, these are in the centre of the plot and will not affect the amenities of neighbouring properties.

The Planting of additional trees is not considered likely to result in significant loss of light to neighbouring residents. The future management of the Trees will be the responsibility of the management company of the future development.

The Outline Permission also included a requirement for off-site highway works including signalisation on the junction of High Road Whetstone and Friern Barnet Lane, along with new pedestrian crossing facilities.

In relation to the existing pedestrian link to Oakleigh Road, this was temporarily closed when the properties on Sweets Way were demolished for Health and Safety Reasons. It is the intention of Taylor Wimpey that this will be opened up when it is safe to do so.

The application is liable for Cil payments which would mitigate the impact of the proposal on local infrastructure.

In relation to the changes in the layout, the proposed property is not built on the boundary and is located sideways at a distance of over 25m from the rear wall of the objector's property.

In relation to the comment from the other objector in relation to changes, the 4 houses proposed in lieu of two houses, are significantly smaller in width than the houses which they replace, with setback single storey garages separating the houses, allowing for a similar or better relationship than the outline layout.

Comments from Lawsons Timber Merchants:

- Concerned about potential complaints from future residential occupiers in relation to Lawsons which could affect their long term viability. In this regard:
- Concerned that number of houses adjacent to Lawsons boundary increased from 7-11 properties which are also close to the boundary.
- Limited details of the proposed acoustic fence have been provided.
- Noise survey submitted with the application is based on a survey between 09.30-12 which is Lawsons quietest time. Noise survey produced by Lawsons on a worst case scenario identifies potential noise disturbance which has not been adequately mitigated against.

Officer Comment: The noise survey submitted by Lawsons has been examined by the Council's Scientific Services team who requested additional information from the applicant. Following an examination of this information the Scientific Services Team have raised no objection to the application.

Consultation Responses from Statutory Consultees and Other Bodies

Metropolitan Police Service:

Have responded to the consultation advising that they have no comments on the application. Meetings have been arranged between the applicant and the Metropolitan Police Service to discuss achieving secured by design accreditation.

London Fire and Emergency Planning Authority:

The Fire Brigade have advised that they are not satisfied with the proposals as compliance with Part 5 of the Building Regulations is not shown

Officer Comment: This is a matter for any subsequent Building Regulations Application as this level of detail would not be expected to be contained within an application for Planning Permission.

Highway England:

No Objections raised to proposal.

Environment Agency:

- 'Additional permeable paving to attenuate the storm water flows is included in the drainage scheme instead of the original proposal for ponds and swales due to safety reasons and the root protection areas of existing trees. Based on the further information submitted we can recommend that Condition 37 (surface water drainage scheme) is discharged.'

Thames Water:

Thames Water have responded to the consultation and have advised that they have no objections to the discharge of Condition 37.

Natural England:

Have responded to the consultation advising that they do not wish to make any comments on the current application.

English Heritage Archaeology:

Have responded to the consultation and have not raised any objections to the proposal. They have also recommended that any requirement for an assessment of the archaeological interest of the site be waived in this instance.

Internal consultation responses

Traffic and Development Team:

The Traffic and Development Team have following the receipt of additional information and design amendments raise no objection in principle to the application. Transport, parking and highways matters are set out in greater detail in the relevant sections of the report.

Scientific Services Team:

The Scientific Services Team response is set out in greater detail in the relevant sections of the report below. In summary following the receipt of

additional information and design amendments the Scientific Services Team have raised no objections to the proposal.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site covers an area of land approximately 6.28 hectares in size situated to the east of the High Road (A1000) in the Totteridge Ward. Whetstone Town Centre is located to the north-west of the site. Oakleigh Road North is situated to the north of the site and Friern Barnet Lane is positioned to the south and south-west of the land. To the east of the site Sweets Way connects through to Domville Close, Millson Close, Attfield Close and Darcy Close. Greenside Close is located to the south of the site and the Queenswell primary schools are situated to the east and south-east of the site (accessed off Sweets Way). Totteridge and Whetstone Underground Station (on the Northern Line) is located to the north-west of the land covered by the application.

The site is currently cleared but previously contained 142 dwellings which were constructed in the 1970's to provide accommodation for the Ministry of Defence (MoD). Following the cessation of the use by the MoD, approximately 4-5 years ago the owner of the site reached agreement with the Notting Hill Housing Trust allowing the empty properties to be used to house unsecured tenants pending redevelopment. The site also previously contained a Community Building which was used as a Sure Start Children's Centre.

Vehicular and pedestrian access to the site is available from Sweets Way. To the west this joins Friern Barnet Lane and to the east it links into the Queenswell school sites. Vehicular and pedestrian access is also possible from the site into Domville Close and the roads which run off of this. However, these streets do not link into the wider surrounding road network. There are also three solely pedestrian access routes into the site from Oakleigh Road North, the High Road and Sweets Way. The submission identifies that the site presently has 300 parking spaces within it. Currently there are no parking controls in place on the site. The majority of the land within the site has a Public Transport Accessibility Level (PTAL) of 3, which represents a medium level accessibility. Part of the north-west corner of the site has a PTAL of 4.

In terms of landscaping the application site contains over 200 trees and also areas of grassland, shrubs, hedging, hard landscaped surface and private rear gardens (to the existing houses). The trees on the site are covered by a Tree Preservation Order (Reference Number TRE/BA/86). To the south of the community building (north- east part of the site) there is an area of land which contains play equipment.

The area surrounding the application site varies significantly in its character, both in terms of the scale of the built form and the use of the buildings and their surrounding spaces. The roads accessed from Sweets Way to the east of the site contain two storeys houses with pitched roofs. Houses are also located in other areas surrounding the site including in parts of Whetstone

Close, the southern side of Sweets Way, the southern side of Oakleigh Road North and parts of Friern Barnet Lane. The properties in the High Road adjoining the site and also those located at the western end of Oakleigh Road North contain a range of uses including a builder's yard, offices, bank, medical practice and a postal sorting office. The scale and height of the existing buildings in this location is very varied. The Council has also recently granted planning permission for a 6 storey mixed use building on the High Road (at number 1230) with a significant residential component. This is being constructed at the time of writing this report. Further to the east, on the north side of Oakleigh Road North and on Oakleigh Park North, uses include blocks of flats, houses and a Church. Some of the blocks of flats in this location comprise substantial buildings, up to six storeys in height, positioned in significant landscaped settings.

2.2 Description of the Proposed Development

The proposal is to seek approval of matters reserved under outline planning consent ref B/04309/14 (layout, scale, appearance and landscaping) to redevelop the site, predominately for residential development along with a 255 square metre community centre and new landscaping and open space.

Discharging of conditions:

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

- Condition 16 Car parking details
- Condition 17 Electric vehicle charging
- Condition 19 Cycle parking
- Condition 21 Refuse and recycling facilities
- Condition 26 Detailed highway design
- Condition 28 Levels details
- Condition 29 Hard & Soft Landscaping
- Condition 30 Play areas
- Condition 31 Protective Fencing
- Condition 32 Trees and location of services
- Condition 33 Tree Protection Plan
- Condition 36 Biodiversity
- Condition 37 Surface water drainage
- Condition 42 Residential amenity

- Condition 43 Energy strategy
- Condition 45 BREEAM for community building
- Condition 48 Noise mitigation measures
- Condition 49 Noise mitigation measures
- Condition 52 Daylight and sunlight assessment

3. PLANNING CONSIDERATIONS

3.1 Principle of Development

The principle of constructing 288 residential dwellings and provision of public open space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

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

Layout – the way in which buildings, routes and open spaces are provided was approved at Outline Stage. There are some minor changes which are discussed and assessed below in this report.

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

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

Access – The internal road layout was established at outline stage. This current application shows roads in the same location in compliance with the outline parameters for access.

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

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

- Site Location Plan – 931-005
- Site Layout Parameter Plan - 931-006B

- Maximum Storey Heights Parameter Plan - 931-007B
- Housing Mix Parameter Plan - 931-008B
- Parking Parameter Plan – 931-009B
- Landscape Parameter Plan – A102-LA04E

3.2 Amount of Development

Housing

The amount and mix of development for 288 dwellings within the development including 59 affordable units is in accordance with the outline consent and the s.106 schedule of accommodation.

In relation to the proposed housing the application proposes the following housing mix:

Total Dwelling Mix:

- 23 No. 1 bedroom apartments
- 63 No. 2 bedroom apartments
- 28 No. 2 bedroom houses
- 135 No. 3 bedroom houses
- 30 No. 4 bedroom houses
- 9 No. 5 bedroom houses
- **288 No. dwellings in total**

Open Market Housing Mix:

- 5 No. 1 bedroom apartments
- 46 No. 2 bedroom apartments
- 18 No. 2 bedroom houses
- 125 No. 3 bedroom houses
- 26 No. 4 bedroom houses
- 9 No. 5 bedroom houses
- **229 No. dwellings in total**

Affordable Rent:-

- 6 No. 1 bedroom apartments
- 9 No. 2 bedroom apartments
- 4 No. 2 bedroom houses
- 10 No. 3 bedroom houses
- 4 x No. 4 bedroom houses
- **33 No. dwellings in total**

Shared Ownership:-

- 12 No. 1 bedroom apartments
- 8 No. 2 bedroom apartments
- 6 No. 2 bedroom houses
- **26 No. dwellings in total**

- **Total Affordable Housing**
- **59 No. dwellings in total (20.4% of overall numbers)**

In comparison with the schedule of accommodation approved at outline, the number and configuration of the affordable units is unchanged. In relation to the private units, there are 13 fewer one bed apartments, 12 additional 2 bed apartments, 18 additional 2 bed houses, 59 additional 3 bed houses, 68 fewer 4 bed houses and 8 fewer 5 bed houses. Overall the number of houses as a proportion of the scheme increase from 201 to 202 and the number of apartments decreases by 1 from 87 to 86. The total floorspace of the development is also marginally increased from 28,813 sq.m to 29,417 sq.m. A comparison of the current scheme with the approved parameters approved in the outline is set out below.

		Approved	Proposed
Affordable Dwellings	1B Flats	18	18
	2B Flats	17	17
	Sub total	35	35
	2B House	10	10
	3B House	10	10
	4B House	4	4
	5B House	0	0
	Sub total	24	24
	Total	59	59
Private Sale Dwellings	1B Flats	18	5
	2B Flats	34	46
	Sub total	52	51
	2B House	0	18
	3B House	66	125
	4B House	94	26
	5B House	17	9
	Sub total	177	178
Total	229	229	
Total dwellings	288	288	
Total GIA m²		28813	29417

Policy CS4 (Providing Quality Homes and Housing Choice in Barnet) of the Core Strategy and Policy DM08 (ensuring a variety of sizes of new homes to meet housing need) of the Development Management Policies) advise that in relation to private units homes with 4 bedrooms are considered the highest priority and homes with 3 bedrooms are a medium priority.

While the proposed changes will result in a reduction in the number of 4 bed units, the number of 3 and 4 bed units are increased as are the number of 2 bed units, which are often the most affordable route into housing in the borough for young families. It is not unusual for the mix of units to change to some extent from outline to reserved matters as a result of detailed design

work and overall it is considered that the housing revisions still provide an appropriate mix of differing dwelling types which would provide much needed family accommodation in the borough.

Community Centre

In relation to the proposed centre, the application proposes for the erection of a 255 sq. m community centre which exactly accords with the requirements of the outline planning permission reflecting the size of the previous sure start family centre which was previously located on the northern part of the Sweets Way site.

Density

London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles in chapter 7 of the London Plan and public transport capacity. Developments should optimise housing output for different types of location within the relevant density range shown in Table 3.2 (set out below). Development proposals which compromise this policy should be resisted.

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

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

The application site has an overall PTAL of 3 (a small part of the north-west corner of the site has a PTAL of 4). In terms of its 'setting' the site is considered to have predominantly suburban characteristics. Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 35 and 95 units per hectare or 150 to 250 habitable rooms per hectare (see table above) is appropriate for the site.

As the site has an area of 6.28ha the 288 dwellings proposed would equate to a density of approximately 46 dwellings per hectare. The proposal therefore falls within the relevant density range in respect of the number of units per hectare proposed.

The amount of development and minimum/maximum building dimensions

have already been approved at the outline stage and as has been noted above the total number of units proposed under this reserved matters application has not increased, and while there may be some change in the number of habitable rooms per hectare this is still within the permitted ranges outlined in the London Plan and is considered acceptable.

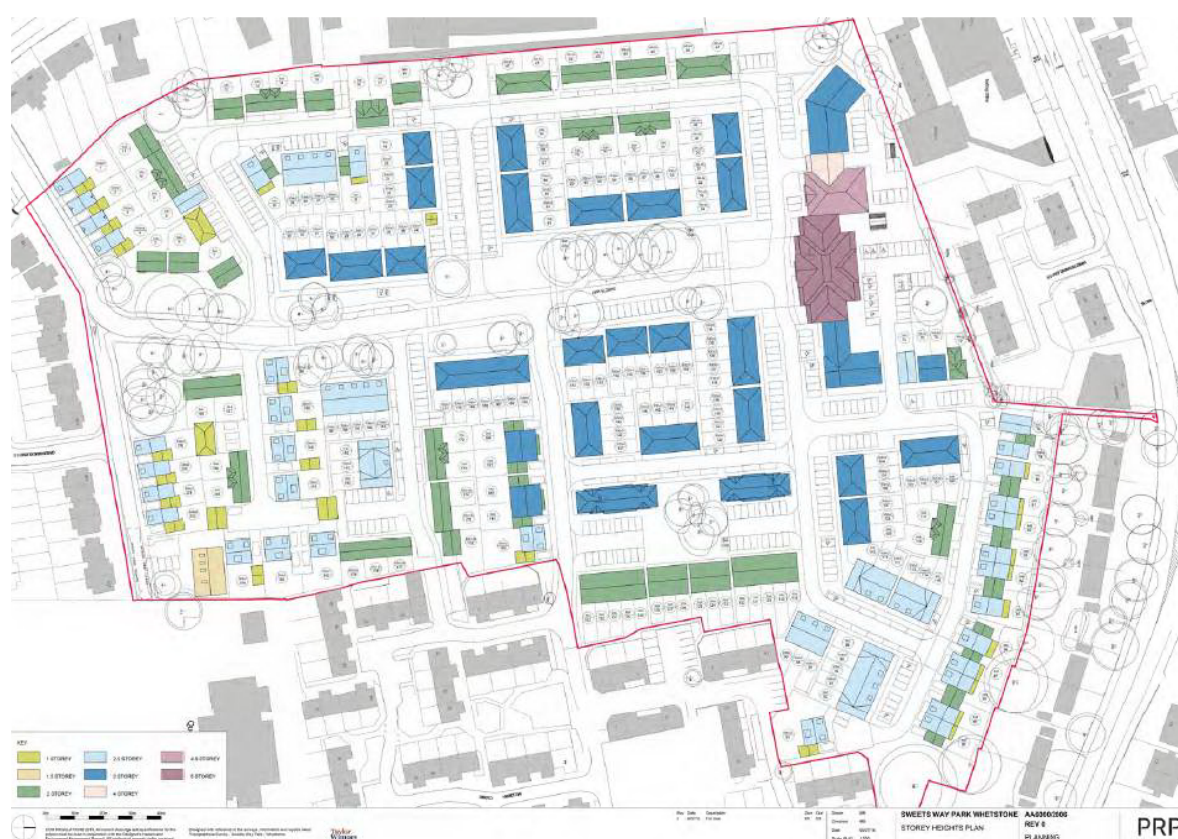
Public Open Space and Children’s Play Space

The application proposes several areas of public open space, including an area on the Spine Road going through the centre of the site incorporating formal square planting on the northern end, a linear grassed area including trip trail through the trees and natural timber log play equipment on the southern edge. Other public spaces include the north eastern corner of the site designated as a LAP (Local Area for Play, where additional play equipment and tree and shrub planting is proposed and a LEAP (Local Equipped Area for Play) area on the north eastern part of the site, including seating and play equipment around the retained trees. In total an area of 3411 sq. m of open space is provided which accords with the Outline Planning Permission.

3.3 Scale



The approved maximum storey heights Parameter Plan 931-007B sets out the approved storey heights throughout the Sweets Way development, with heights ranging between 1-5 storeys in height. The current reserved matters application makes some changes to the approved height parameters increasing the height of some of the properties in the central part of the site from 2.5 to 3 storeys and in turn decreasing the height of other buildings on the periphery of the site from 2.5 to 2 storeys along with reducing the height of the wings of the proposed Apartment Building to the north. The height of the Community Building is also shown as 1.5 storey on the current plan, which accords with the indicative drawings submitted with the Outline Planning Application. It is not considered that these changes would result in any detrimental impact on neighbouring residents and will result in a stronger urban design form running through the site. The amended storey height plan is shown below.



3.4 Layout

Policies CS5 and DM01 require development to be of a high quality design and should ensure attractive, safe and vibrant streets which provide visual interest. Proposals should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime.

The proposals demonstrate an internal road and building layout in broad accordance with the Illustrative Masterplan approved under the Outline Planning Application with a few minor changes in the road layout, with a road

running along the western boundary of the site and linking through the roads in the north-eastern corner of the site in lieu of the cul-de-sacs indicated in the Outline Planning Permission. These changes are considered relatively minor and result in a more useable form of development which will allow for example refuse lorries to access the site without needing to turn around or reverse.

Parking

Parking throughout the development is either on plot, on street in close proximity to the dwellings or in shared parking courts. All surface car parking areas are overlooked in accordance with secured by design principles.

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

Crime

The proposed layout predominately follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages.

Levels

Sweets Way is a relatively level site, with minor and gradual changes of level through the site. Level Access to all buildings is maintained in accordance with the Equality Act 2010 with all dwellings achieving the equivalent of the now deleted lifetime house standards. The applicant has submitted a levels and drainage plan with the application, the content of which is considered satisfactory.

3.5 Appearance

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The application proposes to erect 202 houses, of a traditional brick built design with pitched roofs. The storey heights of the house include 2, 2.5 and 3 storey dwellings with the 3 storey buildings being predominately erected in the centre of the site along the main spine road and avenues off this road. The 2.5 storey buildings are proposed along the northern and southern edges of the site, and the 2 storey buildings are used in more sensitive locations including most of the eastern and western boundaries of the site. The building forms include a mixture of short terraces, semi-detached and detached dwellings.

The Design and Access Statement submitted with the application breaks these down into 5 main house types:

- **Type A** consists of the houses on the primary spine road consisting

mainly of three storey narrow fronted houses, with recess entrance door with a cast stone surround. Windows are double hung sash with cills and lintels. The first floor openings incorporate French casements (generally to living rooms) with painted black Juliet balustrades. The roof pitch is 30 degrees with a slate roof covering. Chimneys and bays are generally located at the ends of terraces.

- **Type B** consists of two and a half storey Gable fronted houses occur along the link road to the existing houses and incorporate a simple pitched roof porch with bracket supports. Double hung sliding sash windows with cast stone sub cills and 4 course voussoir lintels are used for the ground and first floor windows. The roof / wall junction will be a pointed verge.
- **Type C** houses consist of a continuous series of link detached houses along the northern boundary and incorporate steeply pitching roofs to enable accommodation to be planned within the roof space. The proposed flat roof dormers will be metallic finish grp. Sliding sash windows sit on cast stone / concrete sub cills with cast stone lintels with dropped ends. The porch is a simple monopitch with bracket supports.
- **Type D** consist of a collection of detached houses are located towards the front of the site and are relatively wide fronted. These are two and a half storey with accommodation within the roof space incorporating dormers similar to the link detached houses. Generously sized windows are incorporated to all of the habitable rooms and they incorporate similar sub cills and voussoirs as previously described. The porch will be a simple pitched roof porch with bracket supports.
- **Type E** are located on the edges of the site plan, consisting of wide fronted cottage style houses. These houses are based on a symmetrical plan but in some cases include a single storey projecting bay introducing variety in the street scene. As with all of the previous examples, the windows on the front elevations will be double hung sliding sash windows with cast stone sub cills and 4 course voussoir lintels on at ground level and 3 courses at first floor. The porch will be a simple pitched roof porch with bracket supports.

In addition to the above houses, the application also involves the erection of an apartment building on the northern portion of the site. This apartment block measures up to 5 storeys in height in the central section including roof level accommodation in the form of mansards and central gable feature. The wings of the apartment building drop down in height to first four then 3 storeys in height at the wings.

The building is predominately constructed out of brick with a lower rendered ground floor section over the central portion of the apartment block. Balconies are incorporated within the units with the majority of these being inset with some projecting balconies on the wings.

Access to the car parking and amenity areas to the rear of the building are provided via an opening at ground floor level.

Conclusion for External Appearance

The mixture of the traditional form of the properties is considered appropriate to this location and also provides for variety and legibility with the utilisation of differing house types. It is considered that the architectural approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

Material Specification

The proposed materials strategy for the redevelopment has been extensively discussed with Barnet Council officers and the developer prior to the submission of the application. and a strategy for the primary materials palette has been chosen to create a strong sense of legibility for the development.

For the external walls the application proposes a selection of three main brick colours; Buff Multi, Red Multi and Reddish Brown Multi. For the roof materials propose a mixture of Slate grey tiles and Brindle concrete plain tiles. Other materials include uPVC doors and windows, Metallic effect GRP dormers, aluminium sliding doors and metal faced entrance and garage doors, cast stone cills and dressings with steel balustrades and Juliet balconies.

3.6 Landscaping

Trees and landscaping

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

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

Policy DM01 also states that trees should be safeguarded. When protected trees are to be felled the council will require replanting with trees of an appropriate size and species where appropriate.

In terms of landscaping the application site currently contains 213 trees with a further 11 trees located within close proximity to the site boundary along with areas of grassland, shrubs, hedging, hard landscaped surface and private rear gardens (to the existing houses). The trees on the site are covered by a Tree Preservation Order (Reference Number TRE/BA/86). The Arboricultural

Impact Assessment Report (AIA) submitted with the application assesses the impact of the proposed development on 224 trees in and around the site. Using the approach set out in national guidance on this matter (British Standard 5837:2012) 1 of the assessed trees falls within category A, 116 fall into category B; 40 fall into category B/c; 67 fall into category C; and 1 is assessed as category U which is unsuitable for retention.

The trees on the site are prominent, contain a good mix of species and age ranges and a number of them are of a significant size. As such they make a significant positive contribution to public amenity. The trees are visible from around the site and contribute to the character of the area, where they create a green enclave behind the High Road. The trees are also visible above and between the buildings from Oakleigh Road North, High Road, Greenside Close, Darcy Close, Attfield Close, Domville Close and Millsom Close. At present the trees provide significant screening, both within the site and between the site and surrounding residential housing. They also tie the Sweets Way estate into the wider surrounding residential area, in which trees form a significant part of the character.

The Outline Planning Permission granted approval for the loss of 94 of the assessed trees. This included the loss of 48 of the category B, 24 category B/C and 22 Category C trees.

Taylor Wimpey appointed Aspect as to provide specialist arboricultural advice when drawing up the reserved matters application. Aspect have re-examined the original arboricultural assessment and ascertained that several of the trees which were identified for retention would in reality need to be removed in order to implement the proposal as approved, due to a mixture of factors including impacts on the root protection zones of the trees, the land contamination strategy and or in other circumstances when the retention of the trees would result in the entire residential curtilage being taken up by trees. The layout changes which have been made in relation to the current reserved matters applications in some events also result in greater impact on trees on the site, while other changes result in the development being pulled back from retained trees and providing a setting where there will not be future pressure to fell or lop these trees.

Aspect Arboriculture have submitted a revised arboricultural impact assessment which identifies 130 trees plus 1 group to be removed i.e. an addition 36 trees and 1 group in comparison to what was approved at Outline Stage. The AIA also aims to provide a coherent tree protection strategy, protecting the most important trees down the central spine of the site, and clusters throughout the site including around the areas of public open space. The landscaping strategy also seeks to mitigate the loss of the trees through extensive replacement planting. The proposed planting scheme is based around 5 levels of planting. The first of these concerns the focal tree strategy which aims to provide mature feature trees at strategic locations to provide a focus to spaces and vistas. The second plan involves the primary street tree strategy, the third plan shows the secondary street tree strategy plan, the fourth plan shows the Boundary Tree Strategy Plan and the final plan shows

the Back Garden tree strategy plan.

Overall the proposed tree planting plan will adequately compensate for the trees which are proposed to be lost as a result of the development. The use of larger semi-mature stock as part of the tree strategy is welcomed as these trees will have a more immediate impact on the street scene to the benefit of the visual amenities of the area.

Maintenance

Areas of public open space, estate roads and parking court areas will be the responsibility of a future Management Company for ongoing maintenance. It is a requirement of Condition 44 of the Outline Consent that details of the future management of these spaces is submitted prior to the occupation of the development.

Hard areas

A simple, robust palette of materials is provided including black top on the main spine road, and permeable block paving of differing design on the secondary roads and parking areas. The applicant has not applied for the discharge of Condition 25 (Lighting) and details in this regard will need to be submitted separately under a discharge of condition application prior to the commencement of construction works.

Biodiversity matters

Condition 36 of the Outline Planning Permission requires that details of biodiversity enhancements are submitted with any reserved matters application. To this effect a Biodiversity Enhancement Report from Aspect dated June 2016 has been submitted in support of the application. The report recommends that habitat and faunal enhancements are incorporated into the scheme to benefit a wide range of species groups, including bats, birds, and invertebrates. Proposed measures include habitat creation and enhancement measures including the establishment of native shrubs and trees, along with provision made for boxes for nesting birds and roosting bats.

Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set out in parameter plans. It will frame and complement the architectural approach of the development whilst increasing the overall biodiversity of the site's environment. It complies with Policies CS5 and DM16.

3.7 Amenities of Future Occupants

Dwelling outlook and daylighting

Development plan policy requires that new dwellings are provided with

adequate outlook. The layout proposed for Sweets Way maximizes the outlook of occupiers of the new dwellings, with all houses being located on a north south or east west axis. All of the proposed apartment units are either dual aspect or southern facing and it is considered that all units will receive adequate levels of daylight and sunlight.

Privacy

Across the majority of the site privacy distances are considered to be in keeping with policy requirements with rear to rear distances meeting or exceeding the minimum policy requirement of 21m and the window to flank wall of 12.5m. Front to front distances also predominately exceed 21m. However, in some places the distance separation is lower, dropping to a minimum of 12.5m in one instance. However this reflects the relationship of houses facing one another across a street which accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas and similar separation distance have been accepted on earlier phases and were considered acceptable. In these circumstances the relationship achieved is considered to be acceptable without compromising privacy levels.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor's Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon similar standards.

All of the units proposed would have a gross internal floor area which exceeds the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Amenity space

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens with some of the houses also having roof terraces. The proposed flats will all have access to a private amenity area, in the form of a balcony, or patio along with access to shared amenity areas measuring a total of 928 sq.m. of shared communal space.

Noise and air quality

The Outline Planning Permission included a requirement to construct an acoustic fence along the western boundary of the site with Lawson's Timber Merchants along with incorporating noise mitigation measures in the design of the properties located in this portion of the application site.

The applicant has submitted plans and noise calculations showing the erection of a 6m high acoustic fence along the boundary with Lawsons and as also submitted a noise survey showing that habitable rooms will enjoy an acceptable level of noise in accordance with relevant legislative requirements.

A local business; Lawson's has submitted their own acoustic survey raising

concerns relating to the survey which has carried out, in particular with regard to the hours of the survey which were not at the peak hours of Lawson's main activity.

The document from Lawsons has been examined by the Council's Scientific Services Team who requested additional noise information from the applicant. This information has been provided and the applicant has also incorporated additional noise mitigation measures on the rear of the buildings adjoining the timber yard. As a result of which the Council's scientific Services Team have confirmed that they have no objections to the discharge of conditions 48 and 49 of the Outline Consent in conjunction with the current reserved matters application and the additional details submitted.

Conclusions on the amenities of future occupiers

The application is considered to provide adequate amenity space-for all units and acceptable separation distances between elevations. In addition, sufficient noise mitigation measures are incorporated to prevent any further conflict between the development and Lawson's Timber yard. Officers therefore consider the application to be acceptable in these respects.

3.8 Impacts on amenities of neighbouring and surrounding occupiers and users

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design in new development. More specifically policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. Policy DM04 identifies that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Barnet's Adopted Residential Design Guidance SPD (adopted April 2013) provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users.

Overlooking and loss of privacy

The Barnet Residential Design Guidance SPD identifies that privacy is an important design issue, particularly for higher density schemes, and notes that all residents should feel at ease within their home. Paragraph 7.3 of this document states that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden. It also notes that shorter distances may be acceptable where there are material justifications.

In relation to the current scheme, the majority of properties maintain a separation distance of greater than 21m and as such would not result in any significant loss of privacy. The properties located at plots 177, 178 and 179 are located only 15m from the rear building line of numbers 10, 12 and 14 Darcy Close. To avoid loss of privacy the applicant incorporates a bespoke

design for these properties whereby the properties contain no rear facing first floor windows, with outlook being restricted to the front only. Due to this it is not considered that these properties would result in any material loss of privacy.

There are also several other instances where distance separations are less than the relevant 21m distance such as on the south of the site where several dwellings are located approximately 18m from properties located on the southern side of Sweets Way facing across the street. However overlooking distances across a street are generally treated as less critical than rear to rear distances due to the public nature of the space and the proposal is considered acceptable in this regard.

Daylight and sunlight

Development plan policies require that new developments allow for adequate daylight and sunlight at neighbouring properties. The Building Research Establishment (BRE) publication '*Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice*' sets out procedures for assessing impacts on daylight and sunlight at neighbouring properties.

The applicant has submitted a detailed Daylight/ Sunlight and Overshadowing Report in support of the application.

In relation to Daylight the report assessed a total of 118 windows (mainly on ground floor level and where applicable at first floor level) on adjoining residential properties regarding existing and proposed daylight (VSC) levels. The results indicated that all windows would meet the BRE requirements (VSC of 27% or less than 0.8 times the existing value) for daylight access and as such passes the relevant BRE test.

In relation to Sunlight the report assessed the impact on 97 windows of adjoining properties. Of these 96 meet the BRE guidelines for both total and winter sunlight, receiving more than 25% of APSH and more than 5% of winter APSH.

In relation to the window which failed, this concerned a ground floor reception window serving 14 Darcy Close which failed the winter APSH test measuring 4% as opposed to 5% recommended in the BRE guidelines but overall this passed the total ASPH test. Given the scale of the development, the marginal decrease in winter sunlight to one room is considered acceptable in this instance.

Outlook and visual impact

Development plan policy requires that new developments provide neighbouring occupiers with adequate outlook. As noted previously the height of buildings around the periphery of the site are limited to between 2 and 2 and half storeys in height with gaps provided between buildings to provide views and outlook. The application is therefore considered to be adequate in these regards.

Noise and disturbance

The residential dwellings proposed in the development are of a nature that they would not be expected to generate unacceptably high levels of noise and disturbance to an extent that they would harm the amenities of the occupiers of neighbouring properties (which include residential uses) in the normal course of their occupation.

Officers consider that in relation to possible concerns over noise and disturbance from the new community building proposed, these matters have adequately been addressed through conditions attached to the Outline Planning Permission restricting hours of operation.

Conditions were also attached to the Outline consent to ensure that the construction of the development itself would not result in unacceptable levels of noise and disturbance and also to minimise the amenity impacts arising from the construction of the development more widely including a requirement that works are only carried out within certain hours and in accordance with a Construction Management and Logistics Plan the details of which need to be agreed with the Local Planning Authority.

3.9 Transport, parking and highways matters:

Access

Access has already been approved under the Outline Planning Application, with the only access to the development being through Sweets Way from Friern Barnet Lane to the South. Access to retained parts of the original Sweets Way development located to the east is through the application site and will need to be retained throughout the construction process. Pedestrian access to Oakleigh Road North and High Road Whetstone are also proposed under the current Reserved Matters application.

Several comments have been received from neighbouring residents concerning the closing of the previously open pedestrian route between the site and Oakleigh Road North. This access was closed at the time that the existing properties on the development site were being demolished for health and safety reasons. It is the intention of Taylor Wimpey that this access is reopened in due course when it is safe to do so taken into account the need to exclude the public from construction areas.

Parking

Condition 15 of the outline consent limits the number of residential parking spaces to 488 units for the residential element of the development. The current reserved matters application proposes exactly 488 spaces which equates to the majority of houses having 2 parking spaces each including garages in some instances. 42 garages are proposed on the development either being integral, detached or attached. An additional 3 car parking

spaces is also provided for the Community Centre. This accords in its entirety with the Outline Planning Approval.

Electric Charging

Of the 448 spaces the applicant proposes that 89 of these spaces will be provided with active electric charging points and 90 with passive charging infrastructure which equates to the 20/20 provision required under TfL Parking Standards and to comply with Condition 17 of the Outline Consent.

Accessibility and Inclusivity

The submitted planning documents advise that 10% of units will be built to wheelchair standards which is in compliance with Condition 14 of outline permission B/04309/14. The allocated car parking spaces to these properties are in close proximity to their entrance points.

Public transport accessibility

The Public Transport Accessibility Level (PTAL) of a site is used to assess the extent and ease of access to public transport facilities. Using this measurement, the range of accessibility levels is defined as low accessibility (PTAL 1 or 2), medium accessibility (PTAL 3 or 4) or high accessibility (PTAL 5 or 6). The Public Transport Accessibility Level for most of the site is 3, which is a medium accessibility level.

More specifically, most of the area along the northern boundary of the site has an accessibility index (AI) of approximately 14.5 (AI's between 10.01 and 15.00 equate to a PTAL of 3). Therefore, this area is within the higher end of the PTAL 3 range. A small area along the northern boundary of the site immediately adjacent to the pedestrian access link to the A1000 has a PTAL score of 4. The element of the development containing flats and many of the smaller units proposed is mainly within the area along the northern boundary of the site, where the AI's are higher.

Totteridge and Whetstone Underground station is located 700 metres from the centre of the site, providing services on the Northern Line between High Barnet and Morden via Central London.

Oakleigh Park National Rail Station provides access to First Capital Connect Services between Welwyn Garden City and Moorgate/Kings Cross. The station is located within 1300 m walk from the site (which is outside the walking distance threshold adopted within PTAL assessments).

Several Bus Routes also operate in the vicinity of the site.

Cycle Parking

In relation to cycle parking, for the proposed houses the reserved matters application advises that this will be accommodated within the curtilage of each

individual unit. For the flats, space has been reserved for secure and sheltered cycle parking in accordance with London Plan cycle parking standards, as follows:

- 1 per 1 or 2 bedroom dwelling for residents and 1 per 40 units for visitors
- 2 per 3+ bedroom dwellings for residents and 1 per 40 units for visitors

This is considered acceptable being in compliance with Planning Policy and the parameters of the Outline Planning Permission.

Waste Management

Household recycling and refuse waste collection facilities have been designed in accordance with the requirements set out in London Borough of Barnet's guidance note; 'Information for developers and architects, Provision of household recycling and refuse waste collection services.'

The submitted plans show the proposed location for refuse bins and the location where these will need to be taken on collection day.

Turning circles and vehicular tracking diagrams have been included in the application proposal demonstrating that refuse lorries (and emergency vehicles) can adequately access the development. The main internal estate road and other roads serving this development are not proposed to be offered for adoption. Nevertheless, the roads and other shared surfaces on this development must be constructed to withstand the largest type loads of vehicles proposed to enter/exit these areas. An indemnity condition (No. 2) has been included on the outline planning approval.

Street lighting

No detailed lighting plan has been submitted with the current Reserved Matters Application. It is a requirement of Condition 25 of the Outline Planning Consent that lighting details are submitted prior to the commencement of development and as such it is envisaged that these details will be submitted subsequently in the form of a discharge of condition application.

Conclusion for Transport, Parking and Highways

In summary, the application provides for adequate parking without harming the local highway network and promotes sustainable modes of travel and complies with Policies CS9 and DM17.

3.10 Environmental issues

Construction management

It is a requirement of the Outline Planning Consent that a Construction Management Plan is submitted prior to the commencement of development.

The details of this have not been submitted pursuant to the current reserved matters application and will form part of a future discharge of condition application.

Contaminated land:

Condition 38 require the submission of a contaminated land report and Condition 39 requires the submission of a final verification report. The details of this have not been submitted pursuant to the current reserved matters application and will form part of a future discharge of condition application.

3.12 Safety and security matters:

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

The Metropolitan Police Service have advised that they have no objection to the proposal and are intending to have meetings with the developer in order to work towards achieving secured by design accreditation.

3.13 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding. However, as the area that the site covers exceeds 1 hectare a Flood Risk Assessment was submitted as part of the outline planning application. The Environment Agency has responded to that consultation and raised no objections to the proposal subject to the attachment of appropriate conditions.

In relation to the current reserved matters application, the applicant has submitted a site wide drainage plan. The details of which have been examined by both the Environment Agency and Thames Water who raise no objections to the proposal.

3.14 Energy, climate change and sustainable construction matters:

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

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

This development would be required to achieve a 35% reduction in carbon dioxide emissions when compared to a building constructed to comply with the 2013 Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

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

mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

Proposals are expected to comply with the guidance set out in the council's Sustainable Design and Construction SPD in respect of the standard under the Building Research Establishment Environmental Assessment Method (BREEAM) that is met (for the non-residential elements). The council's Sustainable Design and Construction SPD requires that developments achieve BREEAM 'Very Good' or above for their non-residential elements.

While the Code for Sustainable Homes standards have been abolished by the government and does not any longer fall within the Planning remit, these matters are now encompassed under the Building Regulations which require similar standards.

The applicant has submitted an energy statement in support of their application. The energy statement outlines the measures which are proposed to be incorporated into the scheme to achieve this energy reduction. To this effect the application proposes a mixture of measures including utilising energy efficient building materials and the use of low carbon and renewables throughout the scheme. Overall the scheme achieves a 35.04% improvement which complies with the London Plan requirements.

3.15 Archaeological Impacts:

English Heritage – Archaeology, have previously responded to the consultation on the Outline application confirming that there is no archaeological interest in the site. This is due to the lack of recorded archaeological remains in this location and likely disturbance from previous development of the land. They therefore recommended that any requirement for an assessment of the archaeological interest of this site can be waived. Officers accept this assessment and find the proposal acceptable in this regard.

3.16 Environmental Impact Assessment Regulations:

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

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

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

An application (reference H/02048/12) for a Screening Opinion in 2012 found that a proposal for more dwellings on the site than the current application has sought (comprising 407 new dwellings) would not require an Environmental Impact Assessment (and that Environmental Statement, in line with the Regulations, was not required to be submitted with the application for planning permission for that proposal).

A screening opinion was submitted concurrently with the outline application under reference B/04384/14. A screening opinion was issued on the 25th September 2014 advising that an Environmental Impact Assessment was not required in conjunction with the application.

A new screening opinion was also submitted accompanying the current reserved matters application under reference 16/3516/ESR. A screening opinion was issued on the 18th August 2016 advising that an Environmental Impact Assessment was not required in conjunction with the application.

4. EQUALITIES AND DIVERSITY ISSUES

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

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

- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for the proposed development would not conflict with the Council’s statutory duty under this legislation, the Council’s Equalities Policy or the commitments set out in Barnet’s Equality Scheme.

5. COMMENTS ON GROUNDS OF OBJECTIONS

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

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (B/04309/14) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in the approved outline application for the Sweets Way development

The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality family housing that would have a good standard of accommodation including outlook, privacy and access to daylight.

The design of the development is appropriate for the area, which also providing for variety and legibility. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the external area.

The application also satisfies the requirements of Conditions 16, 17, 19, 21, 26, 28, 29, 30, 31, 32, 33, 36, 37, 42, 43, 45, 48, 49, & 52 of the outline consent.

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

APPENDIX 1: PROPOSED SITE LAYOUT PLAN



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