

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 22ND FEBRUARY, 2017

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

Councillors

Maureen Braun

Claire Farrier

Mark Shooter

Eva Greenspan

Tim Roberts

Laurie Williams

Agnes Slocombe

Stephen Sowerby

Jim Tierney

Substitute Members

Anne Hutton

Reema Patel

Dr Devra

Gabriel Rozenberg

Kay Sury Khatri

Hugh Rayner

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

Andrew Charlwood – Head of Governance

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ASSURANCE GROUP

ORDER OF BUSINESS

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3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
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Decisions of the Planning Committee

25 January 2017

Members Present:-

AGENDA ITEM 1

Councillor Wendy Prentice (Chairman)

Councillor Maureen Braun Councillor Agnes Slocombe
Councillor Claire Farrier Councillor Laurie Williams
Councillor Eva Greenspan Councillor Jim Tierney
Councillor Tim Roberts

Apologies for Absence

Councillor Melvin Cohen Councillor Mark Shooter
Councillor Stephen Sowerby

1. MINUTES OF LAST MEETING

It was **RESOLVED** that the minutes of the meeting held on 17th January 2017 were agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from the Chairman Councillor Melvyn Cohen, substituted by Councillor Prentice, Councillor Sowerby, substituted by Councillor Rozenberg and Councillor Shooter, substituted by Councillor Khatri.

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

The following interests were declared:

Councillor	Item(s)	Nature of interest	Detail
Sury Khatri	Minute item 5	Non-pecuniary	One of the Mayor's charities is Noah's Ark Children's Hospice, which he also supports as Deputy Mayor.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. NATIONAL INSTITUTE FOR MEDICAL RESEARCH CENTRE - REDEVELOPMENT TO PROVIDE 460 RESIDENTIAL UNITS , NEW B1 FLOORSFACE, GYM AND CAFE, LONDON, HILL, NW7 (MILL HILL WARD)

The Chairman announced that this application will not be considered this evening and is deferred to a future Planning Committee.

6. UNDERHILL STADIUM AND HOCKEY CLUB, BARNET LANE, BARNET, EN5 (UNDERHILL WARD)

Officers presented the officer report and referred to updates and amendments in the addendum report.

The Chairman invited public speakers, commencing with Robin Bishop, followed by Tim Leffermann, both speaking in opposition to the planning application. Underhill Ward Councillor Paul Roberts, also spoke against the application, as did Caroline Stock, Councillor for neighbouring Totteridge ward. The applicant's agent, Bob Robinson, also spoke.

Following questions, discussion and summing up, the Chairman asked for the vote to be taken.

Committee **RESOLVED** to refuse the application, overturning the officer's recommendation for approval, for the reasons given below.

Votes were as follows:

For (in favour of the officer recommendation)	1
Against	8
Abstain	1

By virtue of the vote, the Chairman asked committee to outline reasons for refusal which were as follows:-

- 1) The proposed development, by virtue of the associated traffic impacts would result in an unacceptable stress on the surrounding vehicular roads to the detriment of the safe and efficient operation of the highway network contrary to London Plan (2016) Policies 6.1 and 6.13, Barnet Local Plan Policies CS9 (Core Strategy) and DM17 (Development Management Policies Document).

The proposed development, and its excessive scale, represents inappropriate development within the Green Belt which would cause substantial harm to the fundamental intention and purposes of including land in the Green Belt and the applicant has failed to demonstrate compelling very special circumstances that warrant an exception to the National Planning Policy Framework (NPPF) (paragraphs 88-90), Policy 7.16 (A) of the London Plan (2016) and Policy DM15 of the Barnet Development Management Policies Document.

There was majority agreement of the reasons for Refusal.

7. VICTORIA RECREATION GROUND, LAND WEST OF PARK ROAD EN4 - ERECTION OF A TWO STOREY LEISURE CENTRE (EAST BARNET)

Officers presented the planning report and addendum recommending approval of the planning application.

The Chairman invited public speakers. David Howard spoke first, followed by Nick Hufton, both speaking in support of the application. Nathan Swift, the applicant's agent also spoke.

It was **RESOLVED** to approve the planning application.

The vote was unanimously in favour of the approval.

8. BARNET COPTHALL LEISURE CENTRE - ERECTION OF A TWO STOREY LEISURE CENTRE, LONDON NW7 (MILL HILL WARD)

Officers presented the planning report and addendum.

The Chairman invited public speakers, commencing with Mary O'Connor, speaking against the application. The applicant's agent Nathan Swift, also spoke.

Following questions and discussion, the Chairman called for the vote on the two recommendations.

It was **RESOLVED** to approve recommendation 1 in the officer report as per the officer recommendations.

Votes were as follows:

In favour	5
Against	4
Abstained	1

It was **RESOLVED** that recommendation 2 was approved by virtue of approval of recommendation 1.

9. BARNET COPTHALL LEISURE CENTRE - DEVELOPMENT OF A GREEN SPACES OPERATIONAL HUB, LONDON NW7 (MILL HILL WARD)

Officers presented the planning report and addendum.

The Chairman invited public speakers, commencing with Mary O'Connor, speaking against the application. The applicant's agent James Wills Fleming, also spoke.

Following questions and discussion, the Chairman called for the vote on the two recommendations.

It was **RESOLVED** to approve the application as per the officer recommendations.

Votes were as follows:

In favour	5
Against	4
Abstained	1

10. 101 BYNG ROAD BARNET EN5 (HIGH BARNET WARD)

Officers presented the planning and addendum reports.

The Chairman invited public speakers, commencing with Dick Elms who spoke in favour of the application. The applicant's agent Mr Ru Watkins also spoke.

It was **RESOLVED** to approve the application as per the officer recommendation.

The vote was unanimously in favour of approval.

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

None.

The meeting finished at 9.43 pm

LOCATION: Hasmorean High School, 2 - 4 Page Street London, Barnet, EN5 2DN

REFERENCE: 16/6662/FUL

Received: 17/10/2016

Accepted: 31/10/2016

WARD: Burnt Oak

Expiry: 30/01/2017

AGENDA ITEM 6

APPLICANT: Mr Andrew McClusky Executive Headteacher

PROPOSAL: Demolition of existing Girls school and construction of a new combined Boys and Girls school with vehicular access from Champions Way including 167 car parking spaces and 220 cycle parking spaces, three pedestrian accesses north, east and south of the site, along with associated landscaping (including swales), sports and recreational areas and ancillary buildings for energy centre and service yard, security gatehouse. School drop-off and pick-up space will be set out adjoining land

RECOMMENDATION 1: The application being one of strategic importance to London and also due to its location within the Metropolitan Green Belt must be referred to the Mayor of London. As such any resolution by the committee will be subject to no direction to call in the application being received from the Mayor of London.

Recommendation 2: That subject to Recommendation 1, the Chief Planning Officer determine the planning application reference 16/6662/FUL under delegated powers and refuse planning permission for the following reasons:

Reasons:

1. The proposed development, by reason of its location and its excessive footprint, represents inappropriate development within the Green Belt which would cause substantial harm to the fundamental intention and purposes of including land in the Green Belt and the applicant has failed to demonstrate very special circumstances necessary to warrant an exception to the National Planning Policy Framework (NPPF) (paragraphs 88-90), Policy 7.16 of the London Plan (2016), Policy CS7 of Barnet's Core Strategy and Policy DM15 of the Barnet Development Management Policies Document.
2. The proposal would result in the loss of a significant area of public open space without replacement, to the detriment of the amenities of users of this space along with neighbouring occupiers contrary to the provisions of Policy 7.18 of the London Plan (2016) and Policy CS7 of Barnet's Core Strategy.
3. The proposed development would result in the permanent net loss of the Cophall South Fields Site of Local Importance for Nature Conservation

(SLINC) involving the loss of 1.2 hectares of woodland and 3.0 hectares of grassland resulting in potential negative impacts to wildlife species. The proposal would therefore be contrary to the aims of the National Planning Policy Framework (NPPF) in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity. The proposal would also be contrary to policies 7.19 of the London Plan 2016 and policies CS7 of Barnet's Core Strategy and Policy DM16 of Barnet's Development Management Policies.

4. The proposed development would result in the direct loss of a substantial numbers of trees of significant amenity value protected by a Tree Preservation Order. The loss of these trees would result in a severe and demonstrable impact upon the character and appearance of this part of the Green Belt and would be severely detrimental to the visual amenities of the area. The proposal is therefore considered contrary to the provisions of the NPPF, Policy 7.21 of the London Plan and policies CS7 of Barnet's Core Strategy and Policy DM15 of Barnet's Development Management Policies.
5. The application does not include a formal undertaking to secure the planning obligations which are necessary for the development to be found acceptable. The application is contrary to London Plan Policies 5.1, 5.2, 6.2, 6.3, 6.9, and 8.2, Policies DM15, DM17, CS7, CS9, CS13 of the Barnet Local Plan Core Strategy and Development Management Policies Document (adopted September 2012), the Barnet Planning Obligations (adopted April 2013).

MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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.

National Planning Policy Framework

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

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

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

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Where permission to be granted, obligations would be attached to mitigate the impact of development are set out below.

London Plan 2016

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking standards Minor Alterations to the London Plan published in March 2016.

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

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open Spaces)

London's People:

Policy 3.1 (Ensuring equal life chances for all)

Policy 3.6 (Children and young people's play and informal recreation facilities)

Policy 3.16 (Protection and Enhancement of social Infrastructure)

3.18 (Education facilities)

Policy 3.19 (Sports facilities)

London's Response to Climate Change:

- 5.1 (Climate Change Mitigation)
- 5.2 (Minimising Carbon Dioxide Emissions)
- 5.7 (Renewable Energy)
- 5.10 (Urban Greening)
- 5.11 (Green Roofs and Development Site Environs)
- 5.12 (Flood Risk Management)
- 5.13 (Sustainable Drainage)
- 5.21 (Contaminated Land)

London's Transport:

- 6.1 (Strategic Approach)
- 6.2 (Promoting 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)
- 6.13 (Parking)

London's Living Places and Spaces:

- 7.4 (Local Character)
- 7.6 (Architecture)
- 7.8 (Heritage assets and archaeology)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing and Managing Noise)
- 7.16 (Green Belt)
- 7.18 (Protecting Open Space and addressing deficiency)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)

Mayoral Supplementary Guidance

Sustainable Design and Construction (May 2006)

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development. In terms of waste, the preferred standard seeks to provide facilities to recycle or compost at 60% of waste by 2015. The SPG also states that the siting of recycling facilities should follow consideration of vehicular access to the site and potential (noise) impacts on amenity.

The Mayor's Climate Change Mitigation and Energy Strategy (October 2011)

The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

Accessible London: Achieving an Inclusive Environment (April 2004)

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

Planning for Equality and Diversity in London (October 2007)

This guidance sets out some of the overarching principles that should guide planning for equality in the London context.

All London Green Grid (March 2012)

This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, we aim to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

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

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

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

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 integrated community facilities and uses)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM04 (Environmental considerations for development)

DM14 (New and existing employment space)

DM13 (Community and education uses)

DM15 (Green Belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

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

Local Supplementary Planning Documents and Guidance:
Sustainable Design and Construction SPD (April 2013)

Copthall Planning Brief

The Council adopted the Copthall Planning Brief following extensive public consultation in September 2016. The brief sets out the spatial strategy for the development of the wider Copthall site.

Local Supplementary Planning Documents:
Sustainable Design and Construction (April 2013)
Planning Obligations (April 2013)

Strategic Supplementary Planning Documents and Guidance:
Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)

1.2 Key Relevant Planning History

In relation to the Current application site, the following history is contained in our electronic records.

- Planning permission was **granted** for Outline Planning Approval for the erection of a school for the Hasmonian Boys Grammar School for up to 900 pupils on the site of the current Girls School Site under planning application reference W00996 following a Public Inquiry in 1969. The planning documentation for this case suggest that it was intended at the time of the application that this site was intended for a relocation of the current Boy's School and for the Girl's School to move into the current boys school site in Holders Hill. However it appears that this did not occur

and has been in use as the Hasmonean Girl's School Site since its inception.

- Detailed planning permission was **granted** for a new 2-form entry and 6th form school for 350 pupils in October 1972 under planning reference W00996C. This appears to be the detailed application following the previous outline approval.
- Planning permission was **refused** on Land South of 2-4 Page Street for the erection of a three form entry school with parking for 48 cars and construction of 2 vehicular accesses to Page Street (For the use of Hasmonean Boys) on 14th July 1992 (Planning Application reference W00996AK). The reasons for refusal of this application concerned the proposal being considered inappropriate development in the Green Belt and the residential and visual impact on adjoining residential properties.
- Numerous Planning Consents have been granted for numerous applications on the girls school site over the years including most recently planning consent for a crèche building in 2008.

1.3 Pre Application Consultation undertaken by the applicant

The application is accompanied by a Statement of Community Involvement which details the Applicant's consultations with the local community prior to the submission of the application. As a result of the feedback received the applicant amended the proposed submission to delete a proposed nursery and pulled back the site application boundary to allow for the creation of an access path along the northern, eastern and southern portions of the proposed development along with the creation of two new points of access.

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

As part of the consultation exercise 979 letters were sent to neighbouring occupiers on the 2nd December 2016, giving an extended period of comment until the 6th January 2017 to allow for the Christmas/ New Year Break. The application was also publicised through site notices and a press notice was published as a departure in the Barnet Press on 17th November 2016. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this scale and nature.

As a result of the consultation, a total of 1469 responses were received with 572 objections, 892 letters of support and 5 neutral responses.

The comments received from members of the public have been summarised as follows:

Summary of main points raised by members of the public in objecting to the scheme.

Impact on neighbouring residents who bought houses due to surrounding green belt which is being systematically destroyed

School need should be met by adding floor to existing school not bulldozing green space

Pursley Road very busy and proposal will add significantly to volume of traffic

Lack of parking in locality

Impact on traffic in conjunction with leisure centre and Saracens stadium

Loss of public ownership, and effective privatisation of public open space.

Loss of 'Site of Importance for Nature Conservation' (SINC)

Extra pollution from cars.

School will provide match day parking for Saracens increasing congestion

Duty of the Council to protect the Green Belt

Impact on air quality and environment

Impact on Global Warming

Noise problems from enlarged school

Loss of immense area of valuable green area for recreation and walking

Proposal would involve the loss of the only wild part of the Copthall estate leaving nowhere for dog walkers

Proposed replacement path alongside a chain link fence is poor compensation for the loss of free access to 15 acres

Site was used for Nordic Walking sessions run by Allianz Park and as such is a valuable community resource that should be retained

Inappropriate development on green belt which under policy should be kept underdeveloped and open

Contrary to recently adopted Planning Brief

Contrary to NPPF and Local Plan

Plans involve a significant land take and is of a very expansive design

Proposal takes up twice the size of the Ark and provides for fewer pupils.

Plenty of brown field sites are available, problem is applicant is too greedy and the new Saracens free school is proposed to be built on a significantly smaller site with more pupils.

Insufficient persons consulted on planning application

Design and landscaping proposed nothing special and BREEAM target of 'Very good' targeting excellent are less than other schools have achieved.

Green space is more necessary due to increases in number of residents and should not be reduced

Green Belts are the lungs of London and need to be maintained for the enjoyment of all

Concrete jungle keeps increasing and green space reducing

No valid very special circumstances have been provided

Previous attempts to build on Dollis Valley green walk were rejected at appeal and this should as well

Previous refusal of boys' school site in 1992.

Lack of need for additional faith school

Proposal would not benefit area as none of the children who attend the school come from the area.

Children live far away and as such often come by car

Council should build mixed secondary schools not religious ones.

Hasmonean should rebuilt existing sites not develop here
Proposal should be sited on the old Copthall South school site
Hasmonean should develop another site not in the green belt
The catchment area of the Hasmonean is wide and as such there are a range of sites where they could relocate to
Significant damage and loss of habitat and damage to wildlife and biodiversity
Loss of Site of Interest of Nature Conservation which is affordable special protection by Policy
Proposed area needs to be kept for wildlife and to keep Mill Hill green
Contrary to the provisions of the laws of Moses and Noah in resulting in harm to living things.
Loss of Significant number of mature trees which are hundreds of years old
Green spaces should not be destroyed to make money for the school
Loss of beautiful nature reserve which improves the health of the user
Loss of 15 acres of public open space
Development should be located elsewhere and not in the green belt.
Proposal will result in significant loss for whole community for the benefit of the view
Application incorrectly identifies the fields as not left to meadow when photographic evidence shows it is.
Proposal is motivated by greed and is unnecessary
Impact on local children, in losing valuable natural environment and nature resource for local schools
Future generations will not have any sanctuary to go due to the loss of this space
More green space not less is needed due to increases in young families in area.
Proposal would set dangerous precedent and lead to further destruction of the green belt
Impact on drainage and flooding through removal of trees
Copthall south fields beautiful and unique and it's not sure applicant understands this.
Proposal would result in loss of ancient hedgerows, trees and wildflower meadows
Once Green Belt is built on it is lost for ever and should be resisted
The Copthall South Fields Site only piece that has continual access and is not subject to lease or hire, essentially the only remaining free to roam area
70 acres of Copthall was purchased by Hendon Urban District Council as part of the creation of the Green Belt in order to ensure that the land was safe from development and is covered by protected covenants preventing uses other than as public open space.
Limited justification for need for additional orthodox spaces
Attempts by the Etz Chaim School to use the old Copthall South school site was rejected due to Green Belt designation as should this school.
The location of the Menorah High School for Girls in Brent while acting as a maintained school for Barnet show that Hasmonean should not be limited to the borough boundary
Current space is an oasis for families with young children and should be retained.
No reason for the boys and girls schools to be co-located as they are completely separated on the site with no sharing of facilities.
Overcrowding is self inflicted due to the Hasmonean taking in too many pupils.
Other schools which have become a victim of their own success have opened second schools on a separate site like Compton II.

Land deal of swapping the fields of Copthall for the boys school site is a terrible deal for Barnet

Proposal is a simple land grab with no special circumstance

Developer has gone for the 'easy' option (easy in terms of finding virgin land that is cheaper and easier to develop) has been pursued without due consideration of the 'strongest protection' constraint which applies to this particular site.

The majority of the parents drive their children to the school resulting in traffic congestion, increase in numbers will result in significant increased impact

Proposal will involve the total loss of the green belt by this development and in particular the habitats of animals ;foxes and sparrows and trees by the enlargement of this proposal.

Proposed replacement landscaping and mitigation measures will fail to adequately replace the damage which will be cause.

This open space is a valuable resource, and provides habitat to nature, and residents. The hedgerows and trees are essential for biodiversity

Proposed development and loss of green space will result in damage to health such as asthma

The current site is a beautiful oasis of tranquillity surrounded by wildlife and trees which will be lost

Where are the studies of animal habitats and loss of protected trees

Supporters of the application don't live in Mill Hill and will not suffer

Proposal involves a massive increase in the footprint 95% and site area 158% in comparison with the existing schools

Site is poorly located in a low PTAL and as such is an unsuitable location

No proper evidence of alternative site search has been carried out.

Other sites such as NIMR and the Watch Tower site are sequentially preferable

Green spaces are the jewels in the crown of the borough and should not be sold for development

Proposed school will be out of scale with its surroundings

Summary of points raised in letters of support.

Proposal would benefit the school and pupils.

Proposed modern building will enhance the surrounding area benefiting the character of the area

Proposed highway improvements will improve local area

Council has obligation to ensure good educational facilities

The boy's school site is inadequate and not fit for purpose

Cramped nature of boys site results in children being hurt in corridors and playgrounds

Girl's school site also not ideal and could do with upgrading

Current campuses too small for growing school which has vital role if growing the next generation of citizens

The existing schools are exemplary and rated outstanding with well-behaved pupils and as such will be an asset to the local area.

Barnet should encourage and enable outstanding local schools to grow

Concern for children should weigh higher than green belt concerns

Children have the right to good quality accommodation and environment which is not provided in the existing schools

Combined campus needed for educational purposes

Proposal will allow economies of scale for the school

Barnet should maintain excellent reputation of Barnet schools by allowing expansion

Impact on Green Belt will be minimal

Highway issues relate to any school.

Any harm is outweighed by the proposed mitigation measures

Proposal would benefit many local children providing a more positive educational experience

Important to have enhanced premises that meet the needs of the community

Improved sports facilities will enhance local community to the benefit of the health of the area.

Existing school always oversubscribed and expansion would allow more children to attend and also take pressure off places in other local schools.

Expansion would mean less disappointed parents that their children didn't get a place

Proposal would stop teachers having to rush between sites which results in delay and congestion and also sometimes lessons being cut short.

Great schools need great environments so that children can flourish

Single school site helps mixed gender families allowing single drop off and pick up
Barnet and NW London require increased capacity for school places: there is a (growing) shortage.

The plans are suitable and proportionate to the location and environment, sympathetic to the greenery and community presently available and nearby.

The plans will improve and enhance the functionality of the land to the community whilst also, allowing much needed housing development elsewhere

The school/teaching has a record of delivering good results which promotes the borough and wider community.

The proposal will help to ameliorate existing traffic problems with parents driving between two sites.

Many people objected to Saracens and this was misplaced, new school can be similar outstanding community resource

Existing pupils travel by bike and bus and as such would not result in traffic congestion

Demand for housing has resulted in less land for schools but more demand,
Proposal would free up the existing boys school for development

Existing boys school is full and cannot take any more pupils

Hasmonean is a fantastic school with excellent results and alumni which deserves fantastic facilities

Moving entrance from Page Street to Champions Way will improve the traffic situation

Existing cramped arrangement with limited sports facility detrimental to the health of the pupils and child (or parent) with ADHD. School needs to be able to move into 21st Century

Proposal would provide enhanced educational facilities at both the Page Street / Copthall and Holders Hill Road sites along with other associated benefits and is supported by policy.

Benefit of reuse of Holders Hill site for education also needs to be taken into account.

Proposed green belt to be lost nothing special and easily outweighed by new school the wider benefit to the local community, from increased quality schooling vastly outweighs these issues

Officer Comment

All of the above representations have been taken into account in the officer assessment, which form part of the officer assessment below.

Elected Representatives.

1 letter of objection received from London Assembly Member Andrew Dismore the conclusion of which advises that:

It is regrettable to have to object formally to an application where the applicants have made a great deal of effort to engage with local people and mitigate against the impact of their development, and have a design that would be completely acceptable in any other location.

However, the principle of defending the Green Belt is a strong one, and if an exemption is created for this site, a precedent is created for more intrusive applications. If however the committee is minded to grant the application despite it being in clear breach of Green Belt policy, then detailed clear and improved public access conditions should be the subject of enforced planning conditions.

Consultation responses from neighbouring associations other non-statutory bodies.

Mill Hill Residents Association

1: Green belt land in the Mill Hill district is scarce and carries a premium for developers. Already we have a number of Green Belt lands under threat in Mill Hill. The cemetery field on Milesplit Hill is under threat and the land at the top of Woodcote Avenue is also under threat. If permission is given to extend the school onto the existing Green Belt land in Copthall this will set a very dangerous precedent and could open the door to further erosion of our much needed Green Space.

2: Traffic in the area is already heavy and congested at school times. Experience shows that the vast majority of parents still insist on driving their children to school and no amount of travel plans and promises by the schools ever stop this. We believe that when operational the school will generate even more traffic than before and will bring a lot of inconvenience and delay for local residents.

Northaw and Cuffley Residents Association

Object to this planning application for which there are no proven "very special circumstances". Developers will always attempt to claim a very special reason. In this case it is clear that the claim does not hold water. London's Green belt is a precious resource which must not be squandered. Once lost it is gone

North Cray Residents Association

Please register our strong opposition to what is being proposed. What Very Special Circumstance can possibly exist to build on precious Green Belt land? And to do so at what cost to the local environment and wellbeing of local people.

Our LPA (the London Borough of Bexley) is resisting moves to build on our Green Belt, and honouring the promises made in planning Policies. In so doing, it is setting an excellent example to other planning authorities.

Last year it refused a planning application similar to yours - which was to build a school on Green Belt land here in North Cray (Ref 16/01466/FUL- 48 Parsonage Lane).

We hope very much that Barnet will follow the example set by Bexley and refuse this application.

Mill Hill Preservation Society

In Summary the Mill Hill Preservation Society raise the following conclusions (The full letter is 8 pages and too long to repeat here)

The Society considers that there is considerable harm to the Green Belt due to this proposal; the disruption to the recently finished Copthall Development Plan, the building itself on the Green Belt, the loss of public access to this recreational area, the destruction of a Site of Importance for Nature Conservation, the loss of trees, hedgerows and mature landscape, the level of on-site car parking and the adjoining drop-off point.

This is not the only harm. There is the harm caused to the area by virtue of the change of use and the increased buildings on what was otherwise a green area, so

there is harm to the wider residential area. Similarly, with the increased number of schools and the increased number of pupils there is going to be an intensification of activity in the locality. Taken all together this is a considerable degree of harm.

In the opinion of The Society, the alternative site search and development alternatives seem insufficient to show that the proposed harm to the Green Belt can be set aside on the basis that it is clearly outweighed by other considerations.

In conclusion, we are convinced that this Green Belt site application is inappropriate and does not meet the requirements of the NPPF, the London Plan, Barnet's Local Plan and even Barnet's own Development Brief for Cophall, nor are the traffic proposals acceptable. We feel there is no special case to answer or 'very special circumstances' that would allow the obvious harm to the Green Belt to be set aside. For these reasons we believe the application should be refused.

Mill Hill Neighbouring Forum

In summary the Mill Hill Neighbouring Forum objects to the planning application for the following reasons:

1. We do not think the "very special circumstances" case has been met to build a new school and associated parking, playgrounds, etc. on Green Belt.
2. The planning application proposes to use land that the Council agreed only 3 months ago at the September meeting of the Policy and Resources Committee should be reserved for natural habitat as part of a wider strategy for the Cophall estate.
3. The impact of a large new school, with 1400 pupils and over 200 teachers and support staff, on a local road infrastructure will lead to a material increase in traffic and congestion in an already heavily congested area.
4. We do not believe that the search for alternative sites has been fully explored. In particular the potential for using the two Jehovah's Witnesses sites in Mill Hill should be further reviewed.

Campaign for the Protection of Rural England (London)

Object to this application on behalf our members.

CPRE London is the London branch of the Campaign to Protect Rural England. We are a membership based charity concerned with the protection and enhancement of

London's Green Belt, Metropolitan Open Land and urban open and green spaces. We have over 2,700 members across London.

Reasons for objection:

- The proposed site is Green Belt and this proposal would be inappropriate development in Green Belt
- There are no very special circumstances: there may be a generalised need for school places but there are generalised needs for much development in London and this is not in itself a very special circumstance
- It does not appear that all reasonable attempts have been made to find alternatives: it appears instead that the 'easy' option (easy in terms of finding space) has been pursued without due consideration of the 'strongest protection' constraint which applies to the relevant land
- The harm to the Green Belt would outweigh any benefits: London's Green Belt has enormous strategic importance for all of London – not simply in this area and not simply in Barnet. Its importance is:
 - In halting urban sprawl which increases burdens on individuals and the state and increases air pollution among other problems. This development in particular would contribute in a severe negative way to increased traffic emissions
 - Increasingly London's Green Belt has strategic importance for improving air quality and water and flood management
 - There are also a myriad of benefits to local people in terms of recreation and enjoyment, but also to wildlife and ecology, which would be lost if this development were to go ahead.

Ramblers Association (London)

Object to the application for the following reasons:

1. We believe that the proposals do not conform with the guidelines on building in the Green Belt. This is summarised in the National Planning Policy Framework (2016), paragraph 88 which states:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

The development does not fall within any of the exceptions listed in paragraph 89: it cannot be regarded as an "extension", as the facility is more than doubling in size.

Building on Green Belt land is only allowed in "very special circumstances" which have not been proven in this case. There is insufficient evidence of a search for possible alternative sites for the boys school, or the need for the boys school to be on the same site as the girls school.

Barnet's Local Plan (Core Strategy - 2012) CS7 states:

"We will create a greener Barnet by:

- protecting open spaces, including Green Belt and Metropolitan Open Land;
- enhancing open spaces, ensuring positive management of Green Belt and Metropolitan Open Land to provide improvements in overall quality and accessibility;"

This application does not protect Green Belt land and it degrades the open space by removing a piece of unspoilt open land in an area otherwise dedicated to sports facilities.

2. Increased traffic and parking:

The plan assumes that the number of pupils in the school will more than double, and there is provision for more than twice the existing number of parking spaces. This extra traffic will put a huge strain on an area already suffering severe traffic problems: the length of Page Street from the double roundabout junction with Pursley Road, the Champions Way junction and down to the A1 intersection are all heavily congested at the times of day when the projected school will be adding more traffic.

3. Contradicts Barnet's own plans for the area:

Barnet's "Draft Cophall Planning Brief" (January 2016) describes the affected patch of land:

"The area in the south west corner of the [whole Cophall] site currently provides informal open space and it should retain that function to provide a parkland setting for the sports facilities. It would also provide space for visitors not using the sports facilities or those seeking outdoor fitness activities, such as a trim track or outdoor gym. Consideration will also be given to informal sports such as parkour, BMX, skateboarding. A children's play area could be provided together with a small park pavilion which could house a refreshment stall and toilet/baby changing facilities."

Whilst these sporting facilities would affect the current unspoilt nature of the land, they are uses much more suitable for Green Belt use, keeping the area green and available for public recreation.

For these reasons we oppose the planning application reference: **16/6662/FUL**.

London Wildlife Trust

Object to the application on the following grounds:

1. NW LONDON RSPB GROUP have been advised of this Planning Application involving development on the protected Green Belt (Barnet Plan Policy CS7).
2. Protected Green Belt: The subject site forms part of a designated Site of Importance for Nature Conservation (SINC) and is integral with the swathe of important connected Green Belt forming a Green Corridor across this part of the Borough. National Planning Policy Framework (NPPF) requires Local Planning Authorities to protect and encourage such networks.
3. Historical Importance: These fields are of historical importance, as we believe they constitute part of the first ever Green Belt designation in Britain in 1939.
4. Clean Air: This Green Space is enjoyed by local residents and provides much needed oxygen in an area bordered by the junction of the A41, A1 & M1 (Link) roads that are constantly busy 24/7 365 days of the year.
5. Pollution: Pollution levels in London especially beside the main arterial routes are dangerously high. The Mayor of London is committed to reducing pollution in London. Developing on the Green Belt especially in this urban / suburban location will not support this objective.
6. Traffic: We have also noted the huge increase in car movements (boys & girls conveyed separately at different times) because of the relocation from the existing boy's school in Holders Hill Road, Hendon, NW4. Traffic congestion and resultant pollution levels can only increase dramatically.
7. Climate Change: Climate Change and health risks from high levels of man-made pollution is a reality which governments and local authorities must take heed and resolve.
8. NICE: Only recently the National Institute for Health and Care Excellence (NICE) stated - new homes, schools and care homes should not be built near busy roads.
9. Wildlife: RSPB members and local residents have informed us that the fields, woodland and hedgerows (if not ancient then dating back to at least 1883) support a wide variety of wildlife.
10. SINC: This has been amply demonstrated by the Copthall South Fields being designated as a Site of Importance for Nature Conservation (SINC) - see attached reference.

11. Barnet Plan: Barnet Policy CS7 states that the LA will protect:
"existing Sites of Importance for Nature Conservation and working with our partners including the London Wildlife Trust to improve protection and enhancement of biodiversity in Barnet."
12. Heritage Site: Ancient maps show the field boundaries date from at least 1883 and maybe much older. Development will destroy four field boundaries resulting in a significant loss to the Green Belt's 'openness' and the special character of this heritage landscape.
13. Biodiversity: This development involves removal of trees, shrubs and traditional grassland meadows, which will result in a net loss in biodiversity contrary to NPPF
14. Wildlife Records: Apart from the usual array of commoner species and those specifically mentioned in Nature Conservation in Barnet (Slow Worms, Song Thrush, Kestrels, Little Owls etc.) we are aware of records of Whitethroat and Redstart for the area and wintering Scandinavian Thrushes, Fieldfares & Redwings and even Waxwings in eruption years feed on the hedgerow berries.
15. Community Open Space: The enjoyment of this freely accessible community Open Space will be lost if this large-scale development takes place.
16. Sports Fields: Manicured sports fields are no substitute for open access to natural habitats and it's wildlife, with all of the associated health benefits that ensue.
17. Privatisation: Local residents are particularly aggrieved that yet another part of the Borough's Green Spaces is to be lost to private interests when these areas were originally intended for the enjoyment of the entire community - not reserved for a select few.
18. Restrictive Covenants: We believe many of the Borough's Open Spaces were acquired under the strict understanding that they would remain Green Open Spaces for the benefit of the entire community. The Local Authority has a moral if not legal obligation to comply with the covenants imposed at the time of transfer.
19. Environmental Statements: Although a large number of Environmental Statements are listed on the Barnet Planning portal, public accessibility has been erratic. These Environment Statements do not adequately address the biodiversity loss that will occur.
20. Ecology: In view of the designation as a Site of Importance for Nature Conservation, we would have expected a professional Ecology Report with extensive surveys and recommendations for protecting the site's biodiversity but none appear to be listed or viewable?

21. Mitigation: Any such mitigation measures would require careful scrutiny to ensure they properly protect and enhance the heritage landscape and ecological value of the site for future generations and made subject to strict Planning Conditions.

22. Material Facts: Most importantly, we must emphasise that, as this is a Site of Importance for Nature Conservation (SINC), without full independent professional Ecological Reports & Surveys, the Planning Committee cannot properly determine this Application as they will not be in possession of all the relevant material facts.

23. Since submitting our original objection letter (dated 26th January 2017 via the planning portal), we have now had the benefit of further information, which we wish to endorse. Namely, the objection letters from London Wildlife Trust, Zoë Samuelson, Mill Hill Forum, Mill Hill Preservation Society, The Barnet Society et al.

24. Conclusion: Consequently, for all of the foregoing reasons the Planning Authority should refuse this Planning Application.

RSPB (London)

London Wildlife Trust, Barnet group wish to object to the above application for the following reasons:-

1. This development will result in the loss of a very substantial area of the Green Belt contrary to section 9 of the National Planning Policy framework (NPPF) and Strand 1 of the borough's Core Strategy and Local Plan. This development is inappropriate in the green belt and does not meet the very special circumstances required.
2. The development will result in the loss of the majority of a Site of Importance of Nature Conservation (SINC) known as Copthall South Fields which comprises semi-natural grassland, historic hedgerows, mature trees and woodland previously planted as part of the Watling Chase Community Forest Initiative. These are important habitats providing breeding and foraging for a wide range of wildlife. This is contrary to Barnet Core Strategy, Policy CS7.
3. The proposals will result in the loss of a significant area of public open space. Contrary to policy 7.18 of the London Plan. Despite its close proximity to major highways currently residents can escape to this area of countryside, walking through meadows and hedgerows, experience bird song, wild flowers, butterflies, grass hoppers and even reptiles.
4. Copthall South Fields and the ditches that cross them provide important drainage and flood attenuation to the wider area. The proposals will require

significant levelling and re-contouring of the site, the loss of the existing ditches and grassland as well as introducing significant hard landscaping. The green roof and swale proposed will not be sufficient to mitigate the significant increase in surface water run-off and is likely to result in increased pressure on the local drainage network and increased flood risk to neighbouring properties.

This proposal contravenes Green Belt policy and results in a significant damage to and loss of biodiversity and public open space. The proposed mitigation is inadequate and as a result we urge the refusal of this application.

Consultation Responses from Statutory Consultees

Greater London Authority (GLA)

Strategic issues summary

Principle of development - Education facility on Green Belt land and loss of open space: The redevelopment of the existing secondary school to meet the needs of the Jewish community is supported in principle. However, the very special circumstances to justify the school development on Green Belt land have not yet been demonstrated and further information is required. The extent of the new development on otherwise largely open land is considered harmful to the openness of the Green Belt, and the loss of existing open spaces raises significant strategic concern. (Paras 16 to 35)

Urban design: The layout configuration of the proposed school buildings does not mitigate the impact of the development on the openness of the Green Belt and options which would result in significantly less encroachment into the open space should be presented. (Paras 38 to 46)

Outstanding issues with regard to inclusive design, climate change and transport should be resolved before the application is referred back to the Mayor.

Recommendation

That Barnet Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 65 (insert relevant paragraph number from the Conclusion) of this report; but that the possible remedies set out in the same paragraph (insert relevant paragraph number from the Conclusion) could address these deficiencies.

Transport for London

Transport for London make the following comments:

Summary

In order to comply with London Plan policies, TfL requests the following:

- that the applicant does all that is reasonably possible to encourage mode shift from car travel to sustainable (including active) modes;
- that the bus impact assessment is submitted to TfL at the nearest possible opportunity;

- where there is insufficient capacity to accommodate the new bus demand generated by the development, the developer should contribute towards capacity enhancements;
- the applicant should ensure that the local bus stops are able to accommodate the additional demand safely;
- the applicant should also ensure that walking routes between the school and the local bus stops are comfortable and safe for pupils and staff;
- that the applicant considers increasing the number of site access points in order to reduce walking (including from bus stops) and cycling distances to/from school;
- assurance that the proposed mini bus services are a long term measure;
- that the applicant provides TfL with the assurance that there is a safe walking route between the “Five Ways Corner – towards Edgware” bus stop and the school;
- that the CLoS assessment report is sent to TfL for review - once we have reviewed the results of the CLoS assessment we may request a contribution towards TLRN cycle improvements;
- that the PERS report is sent to TfL for review - once we have reviewed the results of the PERS we may request a contribution towards improvements to the walking environment along the TLRN;
- that a full CLMP, which addresses the construction points raised in this letter, is secured by condition, and that no work can commence on site until the condition has been approved in consultation with TfL;
- that a Delivery and Servicing Plan (DSP) be submitted for TfL consideration and subsequently secured by S106 agreement;
- that delivery and servicing trips be included as a specific category in the Travel Plan surveys and that they have their own trip reduction targets;
- that the applicant follows the approach to Travel Plan development and target setting that is set out in this letter;
- that the Council will secure, enforce, monitor, review and ensure the funding of the travel plan through the S106 agreement.

Sports England

Revised Comments received on the 09/02/2017 advising of the following:

I have liaised with The FA regarding the proposed Artificial Grass Pitch (AGP) size and they share my previous view. A full size AGP would be more beneficial to the community as it is more flexible to provide smaller sided football in addition to senior games. The reference to Powerleague is acknowledged but it should be noted these are a commercial organisation with a particular business model that focuses solely on small sided activity and not entirely on the wider community. Indeed, such an operator would restrict the wider community use of the proposed AGP.

As previously stated, despite some constraints you have identified there appears to be space on the site where a full size AGP could be accommodated, for instance if the tree line north of the proposed AGP is removed a full size pitch could be accommodated and the changing facility could be placed much closer to the facility which would also improve user accessibility and reduces the risk of contamination on the playing surface. Alternatively the proposed AGP could be located where the

proposed tennis/football MUGA and changing rooms are shown and the proposed tennis/football MUGA could be relocated to the south of the site with the changing rooms in between the facilities. Although this may involve slight amendments to the proposed car park as well there does appear room to accommodate the AGP here. Again, given the extent of the development proposed and amount of space covered by trees, it appears it would be possible to redesign the layout to incorporate a full size AGP.

Comments received 13/01/2017

I have now had the opportunity to review the revised/additional information and welcome the change of surface for the tennis courts, that the phasing would result in the school having access to sport provision during development and that the floodlights are clearly illustrated. It also appears that one of the proposed sport hall dimensions would meet the required size for a three court sport hall rather than four court sport hall as set out in Sport England's guidance. As previously explained a four court sport hall (with dimensions to meet Sport England's design guidance) would be more beneficial to community sport but having regard to the overall sport offer (subject to comments below) this could be accepted in this instance. The comments relating the proposed changing rooms are noted but Sport England would still comment that tennis players would have to walk a long distance from the proposed changing rooms.

The Community Use Agreement (CUA) is in draft form and is not complete therefore Sport England do not consider the submitted CUA is adequate to secure community use. However, it is acknowledge that Sport England's template has been used and there could be difficulties clarifying the detail of community use at this stage. In consequence, Sport England would recommend that the Council impose a condition on any approval for the submission of a completed CUA. As discussed, I would be able to assist in the drafting of the CUA prior to submitting formally to discharge that condition.

It has now been confirmed that the proposed AGP's principle use would be football although rugby training has also been specified. Please note that football and rugby require different shock pads therefore please ensure the correct shock pad is installed. Further information relating to artificial surfaces can be found in Sport England's Guidance Note, *Artificial Surfaces for Outdoor Sport (2013)*, which can be found via the following link:

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/>

However, as noted in your email, the proposed AGP would fall below the dimensions required for a senior football pitch which would also allow the pitch to be adequately divided into smaller pitch markings. As previously noted this would maximise the potential for community use of the proposed AGP and, therefore, increasing income from it. The proposed size states that the proposed AGP would be sufficient for up to under 16 football but the dimensions required for under 16 football, including the safety run-off area, is larger than those specified on the proposed drawings. In consequence, the proposed AGP would only be able to safely accommodate a

football pitch up to under 13/14 size. Further details regarding AGP's can be found in the FA's technical guidance which I have attached for convenience.

In light of the above, the proposed size is concerning since it would not only be insufficient to maximise community use but also appears to not meet the need that would be required by the high school. I note in your email you have stated that there are limitations to increasing size of the proposed AGP which Sport England would like to understand so that the potential of increasing the proposed AGP's size can be explored. Having looked at the proposed layout drawings again there appears to be space in and around the proposed AGP's location which could be utilised to increase the size and/or potentially reconsidering the proposed layout in the south-eastern corner of the proposed layout. Sport England would be able to work with you on this if necessary.

Overall, most of the clarification and concerns raised in Sport England's initial response have been addressed, or would be addressed by way of condition, however Sport England are unable to lift its objection until the concerns relating to the proposed AGP have been addressed, or at the very least, explored and further justified.

Historic England (Archaeology)

Following assessment of archaeological desk-based assessment no need for any additional investigations.

Natural England

No objections raised in relation to statutory nature conservation site, reference made to standing advice in relation to protected species.

Environment Agency

No objections raised. Reference made to flooding which is the responsibility of the lead local flood authority to assess.

Roads and Traffic Policing

No objections raised.

Internal Consultation responses

Transport and Highways

No objections raised subject to attachment of suitable conditions and the applicant entering into a S106. Detailed comments are incorporated into the officer comment below.

Scientific Services

No objections raised subject to attachment of suitable conditions.

Drainage

No objections raised subject to attachment of suitable conditions.

Education

Education is highly valued by residents in Barnet and the council is committed to ensuring that every child has the best start in life with an opportunity to go to a good or outstanding Barnet school. The council has a statutory responsibility to secure a school place for each Barnet child who requires one and the borough has experienced an unprecedented demand for primary school places in recent years. This increase is projected to continue until 2020 and beyond and the rapid increase in the primary population will soon feed into the secondary sector.

The overall number of children on roll at a Barnet school has been increasing each year since 2009/10. The number of children in the Reception year in a Barnet school has risen significantly from 3,548 children in January 2009 to 4,477 in January 2016 – an increase of 929 children. The number of pupils starting in year 7 has also been rising and is projected to reach over 5,000 pupils by 2023/24, compared to 4,450 in September 2015.

As a result of this growth, there are now already an extra 750 permanent primary Reception school places available each year for children starting school in Barnet compared to 2009, equivalent to 25 forms of entry. And more primary provision is planned.

The pressure experienced across Barnet primary schools will continue to feed through into the secondary sector over the next few years and by the end of the decade, a very significant increase in secondary provision is required.

The Education Act (EA) 1996 Section 14 places a general duty on local authorities to secure sufficient schools in their area. Section 14 (3A) added by Section 2 of Education and Inspections Act (EIA) 2006 amends section 14 of the 1996 Act, inserting a new subsection (3A) to require local education authorities in England, when exercising their functions on the provision of schools in their area under that section, to do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

Barnet schools currently offer a diverse range of education opportunities for its residents. Among the schools offering a mainstream primary, secondary or all through education, 17 schools offer a Jewish ethos, 16 offer a Church of England ethos, 14 offer a Catholic ethos and 1 offers a Greek Orthodox ethos. The borough's offer includes 3 selective entry grammar schools, 3 boys schools and 4 girls schools. Hasmonian High School is a co-educational, non-selective school serving the Orthodox Jewish Community of North-West London. In relation to the ambition of the school to re-locate and expand its provision, I would like to make the following comments.

A. Size of building proposed

The Education Funding Agency on behalf of the Department for Education has assisted Barnet's education officers to interpret the Government's Building Bulletin guidelines.

i) Current status of Hasmonean High School as a single co-educational school

At present Hasmonean High School is a **single** co-educational Academy. If it remains as one co-educational school and grows to accommodate 1050 pupils plus 350 pupils in the sixth form, the EFA has advised that the Government's Building Bulletin 103 recommends the gross internal floor area required to deliver the core educational offer would be between **10,465m² (minimum) and 11,902m² (maximum)**.

This is considered to be sufficient to accommodate all teaching and learning spaces, including those used for religious education.

Some further supplementary area may then be needed for a school with a religious ethos, for instance for a place of worship and associated ancillary spaces, but this is discretionary as it would not be needed for education.

ii) Potential status as Multi Academy Trust comprising of Hasmonean High Boys School and Hasmonean High Girls School

In order to continue with the separate education of girls and boys, The Governing Body has been advised to establish **two separate Academy schools**, an Academy school for girls and an Academy school for boys, potentially within a Multi Academy Trust. This arrangement will require more internal space.

Based on EFA advice, the Government's Building Bulletin 103 indicate that for two schools, each with 575 pupils plus 175 in the sixth form (a total of 1050 pupils plus 350 sixth form) the combined total gross internal floor area required to deliver the core educational offer **in two** schools would be between **11,865m² (minimum) and 13,605m² (maximum)**.

This is considered to be sufficient to accommodate all teaching and learning spaces, including those used for religious education.

Again, some further supplementary area may then be needed for a school with a religious ethos, for instance for a place of worship and associated ancillary spaces, but this is discretionary as it would not be needed for education.

B. Size of site

The school is currently based on 2 sites: Holders Hill (boys) and the Copthall site (girls) which together total 3.65 hectares

a) Holders Hill site 1.41 hectares

b) Copthall site 2.24 hectares.

BB103 guidelines suggest for

i) a single co-educational school - a range of 7.3 hectares to 9.2 hectares

ii) two Academy schools – a range of 8.2 hectares to 10.2 hectares

All recent newly built schools in Barnet, including JCoSS , East Barnet Academy and the Archer Academy have been developed on restricted sites due to a shortage of suitable land:

- JCoSS with a projected roll of 1,310 is on a contained site of 4.7hectares with the shared use of an additional 1.06 hectare playing field
- East Barnet is contained within a site of 3.65 hectare at Chestnut Grove with the shared use of an additional 1.06 hectare of off-site playing field at Westbrook Crescent. Again, it has a similar number of pupils as proposed for the expanded Hasmonean High School.

The Building Bulletin 103 addresses the circumstances where it is not possible to provide the recommended site area.

'In these situations pupils will need to be provided with access to suitable off-site provision. On restricted sites, where space will be at a premium, a flexible approach to the site area and the management of the use of that area will be needed, and consideration should be given to providing the following, in priority order:

- *firstly, space for hard informal and social area including outdoor play area immediately accessible from nursery and reception classrooms*
- *then some hard outdoor PE space to allow some PE or team games to be played without going off site, ideally in the form of a multi-use games area that can also be used as hard informal and social area*
- *then soft informal and social area for wider range of outdoor educational opportunities and social space*
- *finally some soft outdoor PE can be provided. If this is in the form of an all-weather pitch, it can count twice towards the recommended minimum.*

In relation to the last bullet point, all new recent provision in Barnet has included all-weather pitches which can significantly reduce the overall requirement for external space as it can count as twice the recommended minimum.

C. Demand for Jewish education provided by Hasmonean High School

Along with many parts of London, Barnet has seen an unprecedented growth in demand for school places. Children in the additional primary school places that have been provided in Barnet since 2009 will require a secondary school place at the end of the primary phase. The borough is already operating at almost full capacity in the secondary sector.

GLA projections indicate that between 18- 20 forms of additional entry at the secondary sector will be required to meet demand through to the beginning of the next decade. The need for more secondary provision will be met by a combination of school expansions and free school applications. In September 2016, the council was advised that two new secondary free schools have been approved to open in Barnet in 2018 or 2019. The Saracens High School Trust will provide 6 forms of Year 7 entry each year in Colindale and The Compton Free School will provide a further 6 forms of entry at the secondary level- a site has not yet been identified. Both of these schools will help to meet the basic need for school places.

At the time of writing, the Ark Academy Trust planning application's to open a new all through free school in Underhill which will also provide 6 forms of Year 7 entry each year to meet basic need has been refused by the council. The planning process allows for further steps, including appeal of this decision.

New secondary free schools (subject to planning) and planned expansions of existing secondary schools set out below, will meet the basic need for school places until at least 2023/24 on current GLA projections.

The council is keen to maintain the diverse educational offer and is currently working with the CofE Diocese to expand St Mary's and St John's all - through school and with the Catholic Diocese to expand St James Catholic High. In April 2016, Menorah High School became a Barnet maintained secondary school offering additional state school places for orthodox Jewish girls.

Over the last few years, within the overall increase in primary provision, there has been an increase in Jewish primary provision: the council has invested in expanding Menorah Foundation and Beis Yaakov; Saks Morasha and Beit Schvidler have joined the maintained sector; Rimon, Etz Chaim and Alma free schools have opened and Pardes House has taken additional pupils. As these children reach the secondary phase, it is anticipated that many parents of the children in these additional school places will seek to secure places in secondary schools with a Jewish ethos.

Assessing the need and demand for additional secondary school places with a Jewish ethos presents a number of challenges due to the different orthodoxies preferred by parents. This can be illustrated by considering the three Barnet secondary schools that offer a Jewish ethos: Hasmonian High School states that it serves the orthodox Jewish Community of North-West London; Menorah High School serves Orthodox Jewish girls and JCoSS describes itself as a pluralist Jewish learning community that embraces diverse approaches to Jewish belief and practice.

Given this context, over the last year, PAJES (Partnership for Jewish Education), an umbrella organisation that works with over 100 Jewish primary and secondary schools across the UK, has been researching the demand for additional Jewish secondary school places in north London. PAJES commissioned research from the Institute of Jewish Policy Research (JPR). The council has provided admissions data to help inform this work. The summary of the findings from the research published on PAJES's website include:

Findings for NW London show that there is a significant under provision in Jewish state schools, which we estimate to be in the region of 90 places per year. We expect this level of under provision to continue for the next five years or so. However due to an increased proportion of children being educated in Jewish primary schools, our projections suggest the possibility of a further increase in demand for Jewish secondary school provision.

To meet help meet demand for September 2017, on the 30th January 2017, JCoSS announced that it will be taking an additional 30 children in September 2017 as a 'bulge' class. In addition JFS, located in Brent has announced that it is ready to open

a bulge class on top of its usual annual intake of 300. The announcement followed a meeting organised by PAJES with schools which also included Immanuel College, Hasmonian High School, Kantor King Solomon and Yavneh College.

As part of the announcement, PAJES have said that longer-term, schools were committed to planning increased places in order to meet a projected rise in demand of up to 135 places in secondary schools within five years.

Therefore PAJES assessment can be summarised as a need for **between 90 and new school 135 places each year to serve North West London over the next five years.**

In terms of demand for Hasmonian High School, the school has been oversubscribed for the last three years. First preference applications for a place in year 7 have increased from 176 in September 2014 to 221 for September 2016. To meet this demand, Hasmonian has admitted additional pupils each September.

Numbers on roll in each year group at September 2016

	Pupils currently on roll
Year 7	195
Year 8	177
Year 9	167
Year 10	172
Year 11	151
Total Yrs 7-11	862
Sixth form	
Year 12	151
Year 13	137
Total Sixth form	288
Total school	1,150

This parental demand demonstrates that an expansion of Hasmonian High School has the potential to help to meet an element of the shortfall in Jewish places projected by the JPR research. A successful expansion will depend on the parental preference for the orthodoxy offered at Hasmonian High School in light of any other expansions that may happen at other schools with a Jewish ethos seeking to expand. An expansion would help to maintain the diverse educational offer by retaining a balance of faith provision in Barnet.

First preference applications for September 2014 to September 2016

No. of places available	For September 2014		For September 2015		For September 2016	
	first preference	any preference	first preference	any preference	first preference	any preference
150	176	281	191	285	221	330

Applications by preference for Barnet secondary schools 2016

School	Number of places available in Year 7	Total applications across all preferences	Pref 1	Pref 2	Pref 3	Pref 4	Pref 5	Pref 6
Archer Academy	150	935	266	191	204	138	86	50
Ashmole Academy	261	1337	309	298	302	207	132	89
Bishop Douglass	180	327	41	64	62	55	60	45
Christ's College	210	264	43	38	43	68	42	30
Compton	210	1136	251	246	245	195	129	70
Copthall	210	440	121	98	74	58	52	37
East Barnet	210	932	258	192	180	130	103	69
Finchley Catholic High	180	494	184	120	89	48	33	20
Friern Barnet	162	510	70	80	100	87	89	84
Hasmonean High	170	330	221	46	32	20	6	5
Hendon	200	822	244	205	153	96	70	54
Henrietta Barnett	93	457	234	84	62	34	21	22
JCoSS	180	518	213	142	105	43	11	4
London Academy	210	499	168	104	80	65	47	35
Mill Hill County High	243	1039	327	219	191	145	92	65
Queen Elizabeth's Girls'	180	566	129	119	100	87	68	63
Queen Elizabeth's (Boys)	180	741	404	134	71	58	43	31
St Andrew the Apostle Greek Orthodox	150	396	127	68	82	53	40	26
St James' Catholic High	180	565	216	147	85	49	43	25
St Mary's and St John's CofE	120	409	101	106	78	62	39	23
St Michael's Catholic Grammar	96	269	135	57	27	29	12	9
Totteridge Academy	180	247	40	51	40	29	41	46
Whitefield	150	280	77	68	55	26	32	22
Wren Academy	184	1203	293	351	231	170	92	66

D. Current Holders Hill site

Should the proposal proceed, based on current pupil projections, the vacated Holders Hill site will be required for educational purposes, either as primary provision or for more specialist provision for children with special educational needs or other needs.

Ecology

Object to the application for the following reasons:

Despite the proposed mitigation measures, the development will still result in the permanent net loss of the Copthall South Fields Site of Local Importance for Nature Conservation (SLINC) which comprises approximately ¾ of the whole site and

consists of hedgerows, tall herbs, semi-improved grassland and broad-leaved woodland habitat (UK Habitat of Principal Importance and Priority Habitat under the London BAP). SLINCs are non-statutory sites protected under Policy CS7 of the Barnet Local Plan (Sept 2012) – Enhancing and Protecting Barnet’s Open Spaces. The Environmental Statement details the loss of the SLINC, woodland and grassland habitat as having a significant adverse impact at a local scale, following mitigation measures.

This development therefore causes the destruction of a SLINC and a net loss of biodiversity on site, with permanent loss of 1.2 hectares of woodland and 3.0 hectares of grassland, causing potential negative impacts to species such as invertebrates, birds, bats and hedgehog. This contradicts the aims of the National Planning Policy Framework (NPPF) in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006. It is also contrary to the local planning policies for Barnet relating to biodiversity including Policy CS7 of the Core Strategy which states that the London Borough of Barnet will create a greener Barnet by protecting existing Sites of Importance for Nature Conservation.

Trees

Object to the application for the following reasons:

Summary

Replacement planting will offset the tree loss in the longer term 40 years or so and some trees are irreplaceable. If they were retained these trees would be significantly greater in stature providing increased visual tree amenity and ecological services.

The landscape design proposal is a fair attempt to accommodate additional school infrastructure. However a large number of valuable trees will be removed to achieve this development that will have a significant negative impact on local visual tree amenity, wildlife habitat and public open space that is unacceptable

Recommendations

Refuse application on the grounds of unacceptable loss of valuable trees, visual tree amenity, wildlife habitat and open space.

Green Spaces

Object to the application for the following reasons:

The proposal is contrary to National planning policy and Council policy which requires the protection and enhancement of open space, priority habitats and green belt land for the reasons set out above. The impacts of the development will be at a borough wide scale and will see the loss of the sites status as a site of local importance for nature conservation and will impact significantly on wildlife and habitats present at the site. The development will result in a significant decline in the value assessment of Copthall site, adversely affecting its position as a site of

strategic importance for the borough, alongside the unacceptable loss of public open space and green belt land.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

Hasmonean School is situated in North London, within the London Borough of Barnet and lies to the east of the M1, Junction 2. The site comprises a mixture of open fields, existing school buildings, sports pitches, associated grounds, areas of semi-mature woodland, mature tree belts and grassland. It lies wholly within the London green belt. The Girl's school portion of the site is identified as an area of Special Archaeological Importance and the remainder of the site is identified as Site of Local Importance for Nature Conservation.

The existing Girl's School amounts to 5.89 acres (2.38 hectares) and it is proposed to demolish the existing buildings on the site and to be replaced by new co-located school buildings and ancillary facilities. The existing Boys' School is located at Holders Hill and amounts to 0.86 hectares.

The site is bounded by Champions Way and Page Street. There is an existing access on to the open space from Champions Way, which provides a level access on to the site; and on the eastern boundary of the site, a footpath which runs north south and parallel to the site boundary. The existing access for the Girls' School is positioned on Page Street. It provides vehicular access to the school, including servicing and is the main access for both vehicles and pedestrians on to the site. To the south of the site, the school is bounded by residential properties, which face on to Great North Way.

The school which was constructed in the 1970's is a two to three storey building, well set back within the site and of limited visibility from outside the site.

The topography of the site is variable. There is a cross-fall from north to south of approximately 8 metres. The cross-fall creates a bowl in the centre of the site. The bowl is the location for the proposed school building.

In terms of the current layout of the site, the application is effectively divided into 4 fields, with one portion covering the existing girls school and the remainder consisting of natural meadows. A significant number of trees are hedgerows run through the centre of the site, the south west field and also along the site periphery. All of the trees on the site are protected by a Tree Preservation Order effective from February 2016. All of the land with the exception of the existing Girl's school is under the ownership of Barnet Council.

The proposed school is located within the wider Barnet Copthall site located between the areas of Mill Hill, Hendon and Finchley in the London Borough of Barnet. The proposed site sits on the Southern end of the M1 and A1 south of Borehamwood. The Barnet Copthall site is a predominately sports focused combination of public and private sports based activities which includes;

- Allianz Park (Home of Saracens Rugby Football Club)
- Barnet Copthall Leisure Centre
- Metro Golf Centre
- Mill Hill Rugby Club
- Numerous other outdoor grass sports pitches and pavilion.

2.2 PROPOSED DEVELOPMENT

Planning Permission is sought for the ‘Demolition of existing Girls school and construction of a new combined Boys and Girls school with vehicular access from Champions Way including 167 car parking spaces and 220 cycle parking spaces, three pedestrian accesses north, east and south of the site, along with associated landscaping (including swales), sports and recreational areas and ancillary buildings for energy centre and service yard, security gatehouse. School drop-off and pick-up space will be set out adjoining land.’

The application site area comprises of 8.67 hectares, providing for a new combined school of 6.19 Ha, with the remainder of space to the south and north being proposed to be outside the new school fence line, with a pedestrian path provided along the southern and along the northern boundaries.

In terms of the proposed buildings the proposed new school would measure 15,300 square metres in floor area including all ancillary buildings including security pods x 4, the proposed energy centre and changing facilities for the community use this comes to 15,574 square metres.

In addition to the above the application proposes sports facilities in the form of a full sized flood lit sports pitch, a multi-use games area, a hockey pitch, 3 netball courts and 4 tennis courts.

Vehicle Access to the development will be provided via a new accessway from Champions Way with 167 car parking provided in the northern central section of the site. The application also proposes to use the Mill Hill Rugby Club car park as a child drop off facility. Separate access points are provided for girls, staff/visitors and boys on the northern frontage of the site fronting Champions Way and another Boys only entrance is proposed on the south eastern corner of the site accessed from the Great North Road.

3. PLANNING CONSIDERATIONS

3.1 Principle of Development

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

Land Use

The application site and, indeed, the whole Barnet Copthall Leisure complex is designated Metropolitan Green Belt within which National, Strategic and Local Planning policies place strict restrictions on the development of land. The land is also public open space for which the public have the right of access and enjoyment. The area of the site the subject of the current application is also identified as a Site of Local Importance for Nature Conservation

Relevant policies are set out in the National Planning Policy Framework (NPPF), London Plan Policies 7.16, 7.18 and 7.19 as well as Local Plan Policies CS7 of the Core Strategy and DM15 of the Development Management Plan. From the point of view of an assessment the impact of the proposal on the Green Belt and Public Open Space will be dealt with concurrently along with biodiversity and trees as these matters are interrelated. Other planning issues will be dealt with separately. It should be noted that all matters for and against a proposal fall into the balancing exercise which needs to take place in assessing green belt proposals.

Green Belt – Policy Context

National Policy

In relation to National Policy as outlined in the NPPF sets out government policy and guidance in relation to assessing applications within the Green Belt. Key paragraphs include the following:

‘(Paragraph 79) The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.’

‘(Paragraph 80) Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.’

‘(Paragraph 81) Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.’

‘(Paragraph 83) Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.’

‘(Paragraph 85) When defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’

‘(Paragraph 87) As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.’

‘(Paragraph 88) When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.’

‘(Paragraph 89) A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.’

Open Space

‘(Paragraph 78) Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date

assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'

Biodiversity

(Paragraph 118) When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
 - potential Special Protection Areas and possible Special Areas of Conservation;
 - listed or proposed Ramsar sites; and
 - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

Regional London Plan Policies

Green Belt

Policy 7.16 (Green Belt) of the London Plan advises that:

‘Strategic

A The Mayor strongly supports the current extent of London’s Green Belt, its extension in appropriate circumstances and its protection from inappropriate development.

Planning decisions

B The strongest protection should be given to London’s Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.’

Open Space

Policy 7.18 (Protecting Open Space and addressing deficiency) further advises in relation to open space that:

‘Strategic

A The Mayor supports the creation of new open space in London to ensure satisfactory levels of local provision to address areas of deficiency.

Planning decisions

B The loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.’

Biodiversity

Policy 7.19 (Biodiversity and Access to Nature)

Strategic

A The Mayor will work with all relevant partners to ensure a proactive approach to the protection, enhancement, creation, promotion and management of biodiversity in support of the Mayor’s Biodiversity Strategy. This means planning for nature from the beginning of the development process and taking opportunities for positive gains for nature through the layout, design and materials of development proposals and appropriate biodiversity action plans.

B Any proposals promoted or brought forward by the London Plan will not adversely affect the integrity of any European site of nature conservation importance (to include special areas of conservation (SACs), special protection areas (SPAs), Ramsar, proposed and candidate sites) either alone or in combination with other plans and projects. Whilst all development proposals must address this policy, it is of particular importance when considering the following policies within the London Plan: 1.1, 2.1-2.17, 3.1, 3.3, 3.7, 5.4A, 5.14, 5.15, 5.17, 5.20, 6.3, 6.9, 7.14, 7.15, 7.25 – 7.27 and 8.1. Whilst all opportunity and intensification areas must address the policy in general, specific locations requiring consideration are referenced in Annex 1.

Planning decisions

C Development Proposals should:

a wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity

b prioritise assisting in achieving targets in biodiversity action plans (BAPs), set out in Table 7.3, and/or improving access to nature in areas deficient in accessible wildlife sites

c not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified in a UK, London or appropriate regional BAP or borough BAP. D

On Sites of Importance for Nature Conservation development proposals should:

a give the highest protection to sites with existing or proposed international designations¹ (SACs, SPAs, Ramsar sites) and national designations² (SSSIs, NNRs) in line with the relevant EU and UK guidance and regulations³

b give strong protection to sites of metropolitan importance for nature conservation (SMIs). These are sites jointly identified by the Mayor and boroughs as having strategic nature conservation importance

c give sites of borough and local importance for nature conservation the level of protection commensurate with their importance.

When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:

1 avoid adverse impact to the biodiversity interest

2 minimize impact and seek mitigation

3 only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

Local Plan Policy

Core Strategy

Policy CS7 (Enhancing and protecting Barnet's open spaces) advises that:

'In order to maximise the benefits that open spaces can deliver and create a greener Barnet we will work with our partners to improve Barnet's Green Infrastructure.

We will create a greener Barnet by: protecting open spaces, including Green Belt and Metropolitan Open Land; enhancing open spaces, ensuring positive management of Green Belt and Metropolitan Open Land to provide improvements in overall quality and accessibility; ensuring that the character of green spaces of historic significance is protected; meeting increased demand for access to open space and opportunities for physical activity, by tackling deficiencies and under provision through:

- securing additional on-site open space or other open space improvements in the identified growth areas including 8 ha of new provision at Brent Cross– Cricklewood, 5.5 ha of new provision at Mill Hill East and 5 ha at Colindale

- improving access to open spaces particularly in North and East Finchley and other areas of public open space deficiency identified by Map 10. We will seek to improve provision in these areas of deficiency with the objective of increasing the area of the borough that has access to district and local parks in accordance with the London Plan criteria
- securing improvements to open spaces including provision for children’s play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space. Standards for new provision are set out in DM15 – Green Belt and Open Spaces
- maintaining and improving the greening of the environment through the protection of incidental greenspace, trees, hedgerows and watercourses enabling green corridors to link Barnet’s rural, urban fringe and urban green spaces • protecting existing Sites of Importance for Nature Conservation and working with our partners including the London Wildlife Trust to improve protection and enhancement of biodiversity in Barnet
- ensuring that development protects existing site ecology and makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contribution to local biodiversity improvements; and
- enhancing local food production through the protection of allotments and support for community food growing including the Mayor’s Capital Growth Initiative.’

Development Management Policy

Policy DM15 Green Belt and Open Spaces advises that:

- ‘Development proposals in Green Belt are required to comply with the NPPF (paras 79 to 92). In line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL).
- ii. Except in very special circumstances, the council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness.
 - iii. The construction of new buildings within the Green Belt or Metropolitan Open Land, unless there are very special circumstances, will be inappropriate, except for the following purposes:
 - a. Agriculture, horticulture and woodland;
 - b. Nature conservation and wildlife use; or
 - c. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of Green Belt or MOL.
 - iv. Extensions to buildings in Green Belt or MOL will only be acceptable where they do not result in a disproportionate addition over and above the size of the original building or an over intensification of the use of the site.
 - v. The replacement or re-use of buildings will not be permitted where they would have an adverse impact on the openness of the area or the purposes of including land in Green Belt or MOL.

vi. Development adjacent to Green Belt/MOL should not have a detrimental impact on visual amenity and respect the character of its surroundings.

b: Open Spaces

i. Open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:

a. The development proposal is a small scale ancillary use which supports the use of the open space or

b. Equivalent or better quality open space provision can be made.

Any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.

ii. In areas which are identified as deficient in public open space, where the development site is appropriate or the opportunity arises the council will expect on site provision in line with the standards set out in the supporting text (para 16.3.6).'

Copthall Planning Brief

The Copthall Planning Brief identifies the area the subject of the current application as 'an area of grassland in the south west corner of the site provides access to natural greenspace and it should retain that function with no development'. The brief also notes that the area is Site for Local importance for Nature Conservation advising that 'the three fields and hedgerows provide a pocked of countryside importance locally and are managed to encourage wild flowers. These areas of nature conservation importance will enhance the parkland element and the overall attractiveness of Copthall as a visitor designation.

Assessment of application against the above policies

The application proposal would not be in accordance with the above policies and the proposed use for education is not within the list of appropriate uses outlined in Paragraph 89 of the NPPF and it is clear that the development represents inappropriate development on green belt land.

However the application acknowledges this and the applicant's position is that a departure from policy is allowed based on the 'Very Special Circumstances' which they consider apply to this case.

3.2 Case for the Applicant – Very Special Circumstances.

□he applicant has set out five 'very special circumstances' which they consider justify the proposal. These consist of:

- The poor existing school provision;
- The need for school places (faith based need and general education need);
- The need for the site area and school size;
- The locational need to stay within the local community; and,
- The lack of any suitable and deliverable alternative sites.-

The condition of the existing school provision

The applicant in the supporting Design and Access Statement makes the following comments in relation to the existing school buildings:

- The condition and facilities of the Boys' School are quite inadequate in terms of building quality and space for the number of pupils. Gleeds published a report in 2002 and were quite scathing about its overall suitability.
- The sites suffer from under provision of green space and hard play space or no soft play/ pitch provision at all.
- Both sites have access issues, which cause problems within the highway network and to the adjoining residents. The Holder's Hill site has limited parking for teachers, creating on-street parking issues and the main entrance is located right on a junction, which creates a hazard when entering and leaving due to the need to halt at the security gates. Page Street, residents have raised issues with the narrow road and the periods of drop off of pupils causing congestion, although only for short periods. Teachers making unnecessary journeys between the two campuses.
- There are excessive travel patterns between the two sites, particularly by teacher's who have to serve both sites, with movements occurring throughout the school day, and also split trips from siblings.
- The buildings are antiquated and in need of modernisation. The educational teaching spaces, particularly at the Boys' School are poor for the specialist spaces including Science, DT and Art.
- Insufficient recreational space (instead of green space, the boys have a very cramped yard).
- Lack of opportunities for whole school, department and pastoral face-to-face meetings.
- Potential health and safety risks.
- The need for specific Jewish education places is growing and this cannot be satisfied at the two existing school sites. Indeed both existing school sites are deficient in terms of space and facilities for the pupil numbers.

The need for School Places

The applicant in the supporting Environmental Statement makes the following comments in relation to pupil demand in relation to Jewish Education Demand with particular reference to the Hasmonean.

The Growing Need for Places at Jewish Secondary Schools

Research commissioned by the Partnership for Jewish Schools (PaJeS) and carried out by the Institute for Jewish Policy Research (JPR) demonstrates that there will be a need to increase school places in Jewish secondary schools in the coming years.

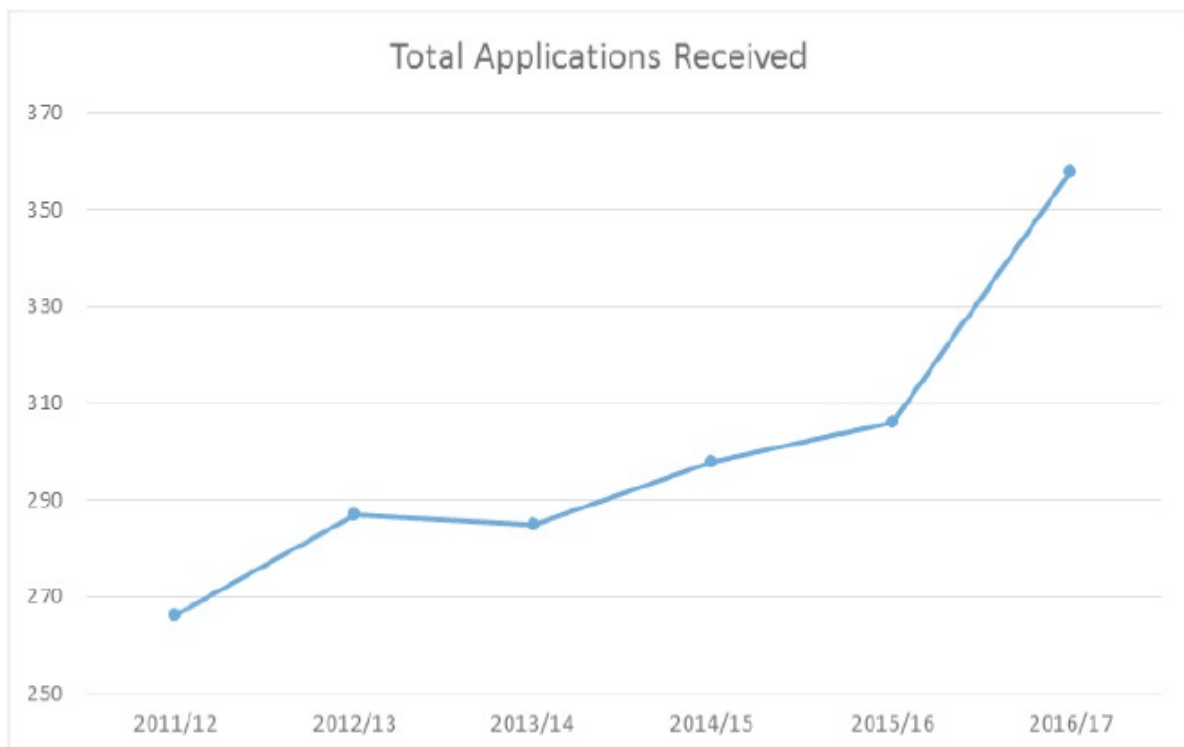
According to the research the number of students in Barnet in Year 6 in 12 key Jewish primary schools is predicted to rise from 918 in 2016 to 1193 in 2022. This is an increase of over 200 pupils. The graph identifying the increase can be found below. Apart from a slight decrease in 2018, there is significant growth anticipated in 2019, 2020, 2021 and 2022.

It should be noted that the 12 primary schools used in the research do not constitute all of the primary schools from which students enter Hasmonean High School or other Jewish secondary schools; hence the total number of students entering Jewish Secondary Schools will be higher than these numbers suggest.

The Growing Need for Places at Hasmonean High School

The number of applying to enter Year 7 at Hasmonean High School over recent years illustrates the increasing need to provide places at the school with the following information being provided by Barnet’s Secondary Admissions Officer in June 2016.

Year	Total Applications Received
2011/12	266
2012/13	287
2013/14	285
2014/15	298
2015/16	306
2016/17	358
973 964	918



1063
1109

In terms of the origins of children attending Hasmonean, the applicant has provided the following table:

Year 7 2016_17		
193		
Primary School	Number	%
Menorah Foundation School	40	20.73%
Menorah Primary	31	16.06%
Beit Shvidler Primary	23	11.92%
Noam Primary	17	8.81%
Independent Jewish Day School	16	8.29%
Hasmonean Primary School	16	8.29%
Nancy Reuben Primary School	8	4.15%
Pardes House Primary School	8	4.15%
Torah Temimah Primary School	7	3.63%
Beis Yaacov Primary School	5	2.59%
Sacks Morasha Primary	4	2.07%
Rosh Pinah Primary School	3	1.55%

Year 7 2015_16		
164		
Primary School	Number	%
Menorah Primary	25	15.24%
Menorah Foundation School	24	14.63%
Hasmonean Primary School	20	12.20%
Beit Shvidler Primary	15	9.15%
Independent Jewish Day School	13	7.93%
Noam Primary	11	6.71%
Kerem School	7	4.27%
Torah Temimah Primary School	6	3.66%
Wolfson Hillel Primary	6	3.66%
North West London Jewish Day	6	3.66%
Beis Yaacov Primary School	6	3.66%
Nancy Reuben Primary School	5	3.05%

Sinai School	3	1.55%
Kerem School	3	1.55%
North West London Jewish Day	2	1.04%
Israel	1	0.52%
Switzerland	1	0.52%
Torah Vodaas	1	0.52%
Hertsmere Jewish Primary School	1	0.52%
Ilford Jewish Primary School	1	0.52%
Lubavitch House Junior School (girls)	1	0.52%
Fitzjohn's Primary School	1	0.52%

Menorah Grammar	3	1.83%
Rosh Pinah Primary School	2	1.22%
Simon Marks School	2	1.22%
Pardes House Primary School	2	1.22%
ABROAD	2	1.22%
Lubavitch House Junior School (boys)	2	1.22%
Yavneh Yeshiva High School, Manchester	1	0.61%
Hertsmere Jewish Primary School	1	0.61%
Israel	1	0.61%
Menorah High for Girls	1	0.61%
North London Collegiate	1	0.61%
Sinai School	1	0.61%
Ilford Jewish Primary School	1	0.61%

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Hasmonean High School has a PAN (Pupil Admission Number) of 150 pupils across the boys' and girls' schools. Due to increasing demand for places at the school, Hasmonean has worked with Barnet in recent years to admit more students to the school than the PAN. This can be seen in the following table.

2015 – 2016

Boys 584 pupils (90 sixth form)

Girls 506 pupils (75 sixth form)

Total number of students 1090

2016 – 2017

Boys 606 pupils (147 sixth form)

Girls 544 pupils (141 sixth form)

Total number of students 1150 (as of 21st September 2016) - 60 more than the previous year

It is the applicant's position that unless Hasmonean High School occupies larger premises in future years a significant number of Barnet children and a smaller

number of Orthodox Jewish children from surrounding areas will not be able to be educated in a school which meets their particular faith-based needs.

The need for the site area and school size

The submitted planning statement acknowledges the need to minimise the development in relation to the Green belt while also meet educational standards. However the planning statement also advises that strong need in relation to the religious ethos of the school to provide for the orthodox Jewish community. This means that whilst the schools are co-located, they remain separate schools in terms of separating the boys and girls from sharing space. Other specific faith based needs are also required to provide further supplementary areas that are needed for a school with a religious ethos, for example a place of worship and associated ancillary spaces.

The Planning Statement further advises that while some sharing of space can be achieved but there is also a need for additional religious facilities such as areas for specialist Jewish studies and a synagogue. The benefits and requirements for the co-location of both schools on the same site is to allow:

- Efficiencies of staffing and timetabling, avoiding staff travelling between the two schools;
- Allowing siblings to travel together to one site;
- Shared facilities within the two schools of kitchens, stores, preparation areas, and staff areas;
- Sports and recreational facilities which can also be made available for community use out of school hours;
- Combined energy and maintenance facilities for both schools.

In relation to the site area and school size, the planning statement advises that this is due to identified specific educational needs. The planning statement acknowledges that the site area is larger, at 8.67 hectares, than general strict operating requirements, but this is as a result of the retention within the site of extensive mature woodland areas, which is vital to preserve the character of the area and green belt and to soften and screen the development. 1.87 hectares of the site is retained habitat and the school site contained within 6.19 Ha.

In relation to the school floor space this is based on the 1050 plus 350 sixth form places, the Gross Internal Floor Area (GIFA) required to deliver the core educational offer is calculated as requiring 11,865 – 13,695m² as set out in Building Bulletin 103. Building Bulletin 103 acknowledges that for a school with a religious ethos some additional supplementary area may then be required, i.e. a place a worship and ancillary spaces but not required for education. This approach has been agreed in discussion with the Education Funding Agency. The additional space takes the building up to 15,300 square metres with additional religious facilities as set out in the Design and Access Statement.

Given the character of the Copthall site for sport and recreation direct provision of sports facilities and the use of MUGA's and all weather pitches is included within the

site area as part of the minimum required. These will also be made available for community use outside of the core operating hours..

The development site totals 8.3 hectares but takes account of retained habitat and tree retention. The 1.87 hectares of woodland retention, reduces the actual developed area of the proposed site to 6.43 hectares, and with the further introduction of open space and footpaths around the site, the school fenced area is some 6.19 Ha.

In relation to the floorspace of the proposed school, this can be seen in the following table.

	<i>Site Area</i>	<i>Footprint</i>	<i>Overall floor space</i>	<i>Pupils</i>
Existing Girls school	2.39 ha	3,867.85 sqm	5951.42 sqm	506
Existing Boys school	0.866 ha	2931.81 sqm	5340.11 sqm	584
Existing combined	3.15 ha	6799.66 sqm	11,291.53 sqm	1090
Proposed development	8.30 ha, developed area 6.19 ha	7,547 sqm	15,300 sqm	1400
Increase	98% (6.19) 163% (8.30)	11%	35%	28%

The locational need to stay within the local community

The supporting documents advise that the applicant considers that the need for the new school and the site search needs to be related to local catchment. The Hasmorean school is a key element of Barnet overall education provision and the pupils reside in two key cluster areas within Barnet namely Hendon and Golders Green and Edgware. The location for any new school is therefore very important in relation to travel and also identity within the community.

The applicant considers that it is not realistic to move the whole school out of the Borough and away from where the pupils live in sustainability and socio-economic terms. 89.13% of students reside within Barnet.

The lack of any suitable and deliverable alternative sites.-

The applicant's supporting planning statement advises that the School Committee has been actively searching for sites since 2014.

The initial original criteria for searching for suitable sites were:

- Size – a site of approximately 8 ha is required in order to provide the needs and facilities for the school in terms of buildings, car parking and associated sport and recreation, play areas.
- Location – Barnet is the ideal target area given the existing pupil catchment area.
- Planning Prospects – sites need to have a reasonable prospect of achieving planning consent for D1 use, and address all issues such as highways, amenity etc.
- Availability – The existence of a site does not necessarily mean it is deliverable. Sites have to be assessed in terms of ownership, timescales, deliverability and whether alternative consents have been granted and extant.

In 2014 the Former National Institute for Medical Research in Mill Hill was actively assessed, including a building inspection. In location terms it was suitable but could not come forward for a number of reasons:

- The layout was unsuitable for educational use and to meet the Hasmonian need for separation between boys and girls.
- The site was available at residential land values with high prospects to achieve C3 consent
- The conversion costs of existing buildings, given their age and condition was unviable.
- The site could not accommodate both schools for 1400 pupils
- Given the specific local highway network surrounding the site, potential traffic flows may not be able to be mitigated.

The School also looked for sites in relation to:

- Internet searches on land registers
- Enquiries to local property agents
- Drive-by research for sites in Barnet

A specific site that was researched in 2015 was whether there was an opportunity within the Brent Cross regeneration area. A letter was received from the Commissioning Lead Cath Shaw advising that while schools were planned as part of the Brent Cross development, they were all proposed as Community Schools and there would be no land available for Hasmonian.

The London SHLAA identifies that large site capacity in Barnet has 67 permissions for housing development. Economic land journals provide no availability of sites of more than 5 ha. The Planning Statement queries whether allocated employment land is more desirable than a Green Belt Site from a Planning Assessment but does not explore this matter further as no allocated employment sites over 5 hectares were identified.

Finally in 2015 the School undertook an exercise of searching various databases such as Rightmove; Estates Gazette and Property Registers. These searches for sites of a reduced 5 Ha did not result in any available sites being identified..

Following this search in 2015 by the project team, specialist property consultants Cushman and Wakefield were commissioned to provide a definitive report on sites in 2016.

It was agreed during pre- application discussions that as a need for a combined school, a size of 5 Ha was a reasonable methodology, as the proposal was now down to 6.19 Ha and schools could potentially if sites did become available 'squeeze' into opportunities that arise, given the scarcity of sites. It was also agreed that as the majority of school pupils live within Barnet Borough (89.13%) that the school should ideally stay within Barnet, added to which the proposal provides an additional two form entry for Barnet. It was also agreed that as there were two clear distinct clusters of pupils that the search would be limited to a 5km radius based on the location of the current Girl's School Site.

The Cushman and Wakefield report assesses sites according to their suitability and deliverability against a 'RAG' (red, amber and green) assessment against matrix criteria. Sites were initially assessed in relation to their suitability to ownership and size, with 204 sites in total being identified and assessed. Section 1 assessed sites under 5 hectares in size which were discounted. Section 2 assessed sites which were over 5 hectares, and narrowed down the search to 5 sites. These five sites were North London Business Park; Inglis Barracks, Millbrook Park; Trent Park; Former National Institute of Medical Research, Mill Hill; and Watch Tower House.

It is the applicant's conclusion that the above demonstrates that there are no suitable alternative sites for the proposed school.

3.3 Assessment of Applicant's 'Very Special Circumstances.'

It is necessary for the Council to assess the applicant's identified 'very special circumstances', from the point of view of this assessment, each of the stated 'very special circumstances' will be addressed in turn.

The condition of the existing school provision

The comments from the education service do not assess or discuss the quality of the existing school buildings.

The planning documentation and the consultation responses which have been received do suggest that the main problems concern the current boys' school site. In particular the lack of space and the absence of adequate facilities for outdoor play with students having to be bussed out for this purpose. Against this it is noted that no evidence has been provided that the building has failed any statutory inspection as being unfit for purpose. Also it is noted that the absence of soft playing fields on site is not unusual or unique in London. In relation to the stated problems with regards to traffic access issues and lack of parking for staff, this applies to a large number of schools in London and are not considered as a significant failing.

In relation to the girl's school site, this currently has both hard and soft playing facilities along with indoor recreational space. The main criticism of this site is that the building was originally built in the 1970's and has been subsequently added to on an ad hoc basis, and that the outdoor play facilities could do with expansion and improvement. Issues concerning staff parking and access were also raised. All of these factors are common to other schools and are not considered to represent a major failing.

Overall it is considered that moderate weight can be given to the condition of the current boys' school site and low weight to the condition of the girls site.

A final point made was in regards to the lack of capacity of the school sites to expand, this matter is explored and discussed in the next section.

The need for school places

Section 14 of the Education Act 1996 (the 1996 Act) places a general duty on local authorities to secure sufficient schools for providing primary and secondary education for their area. Schools available will be sufficient if they are sufficient in number, character and equipment to provide all pupils with appropriate education. Subsection (3A) requires a local authority to exercise its functions under this section with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

In relation to planning law Paragraph 72 of the NPPF advises that:

'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools; and
- Work with schools promoters to identify and resolve key planning issues before applications are submitted.'

In terms of regional guidance London Plan Policy 3.18 advises that:

‘Policy

A The Mayor will support provision of childcare, primary and secondary school, and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, including in parts of London with poor educational performance.

B The Mayor strongly supports the establishment of new schools, including free schools and opportunities to enable local people and communities to do this.

Planning decisions

C Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current and projected shortage of primary school places and the projected shortage of secondary school places will be particularly encouraged. Proposals which result in the net loss of education facilities should be resisted, unless it can be demonstrated that there is no ongoing or future demand.

D In particular, proposals for new schools, including free schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.

E Development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged.

F Development proposals that encourage co-location of services between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college’s offer. On-site or off-site sharing of services between schools and colleges should be supported.

G Development proposals that co-locate schools with housing should be encouraged in order to maximise land use and reduce costs.’

In terms of local Policy. Policy DM13 advises in relation to new community or educational uses that:

‘New community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. New community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties.’

What can be seen from the above is that the starting point in addressing weight to the need for school places is to attach high degree of weight to the need to 'create, expand or alter schools'. That does not necessarily mean that this is the eventual weight which should be attached to this consideration and an assessment needs to be made on the school needs identified by the applicant, cross referenced with the objective advice received from the Borough's education officers.

Firstly in relation to general educational need which has the highest importance due to the statutory requirement of Local Authorities to secure sufficient schools for their area, the advice which has been received suggests that while there is currently a projected shortage of spaces at secondary school level this gap in capacity is already planned to be filled by a mixture of expanded existing schools, bulge classes and new free schools which are currently being planned in the pipeline. While this suggests that a low weight should be attached to this ground particularly as it is the additionality i.e. the 2 form extension which is relevant rather than the school as a whole, given that the schemes in question would be subject to Planning it is considered that the weight should be increased to mid.

In relation to meeting the parental preference for an education with a Jewish ethos, it is noted that the advice from the education service is that the council is seeking to maintain a diversity of provision through the expansion of a range of faith-based provision including up to two additional forms of entry providing education with a Jewish ethos. This would suggest that the expanded school would meet this strategy. However account needs to be taken of the capacity and expansion plans of other Jewish schools in Barnet and the wider North London/ Hertfordshire area. However account needs to be taken of the capacity and expansion plans of other Jewish schools in Barnet and the wider North London/ Hertfordshire area. In this regard it is noted that the Jewish Chronicle on the 30th January 2017 announced JCoSS school in the London of Borough of Barnet and JfS in the London Borough of Brent are intending to provide an additional form of entry providing extra spaces for 60 children for the 2017-18 school year.

It is noted that JfS school is not in the borough however a significant number of Barnet children attend this school and as such is relevant to take into account. It is also worth noting that parental demand for Jewish education is not limited to Barnet and schools outside of the borough are to be taken into account then demand outside the borough also needs to be assessed as that effects the capacity of these schools to take additional Barnet children.

Research by the Partnerships for Jewish Schools in July 2016 concluded that there was a shortage of at least 90 places in the four mainstream state-aided Jewish high schools which consist of Hasmonean, JCoSS, JFS and Yavneh College.

The above research would suggest that in terms of parental demand versus capacity there is still at least a 1 form shortfall after taking into account other Jewish school proposals in the locality.

In assessing the weight which should be attached to this shortfall in the context of the current application, account needs to be taken of the capacity of the existing school sites to accommodate an expansion. In relation to the boys school site it is

accepted that there is limited opportunities to provide any additional accommodation on the site. However in relation to the girl's school site there are considered to be more opportunities for expansion, with the school having been expanded at various times in the past with a mixture of single, two storey and three storey building's on the site. While any planning application would be subject to a green belt assessment, from a green belt sequential preference assessment a limited development on an existing enclosed school site would be preferable to a new school being constructed on adjoining open space.

In relation to other Jewish school proposals it is worth noting that two new free schools Kavanah and Barkai colleges had their funding bids rejected by the Department for Education in December 2016. One of the reasons offered for the rejection was due to the proportion of Jewish study proposed which was considered disproportionate. While these applications were refused both colleges have said that they will examine the reasons for refusal with the aim of reapplying next year.

Overall in conclusion based on the above assessment it is considered that the justification for the proposed Hasmonean High School should be attached a mid weight based on the additional provision being provided at other Jewish schools, the potential of further expansion of the girl's school site and other potential sources of provision which may come forward in the future.

In relation to the final issue concerning specific demand at the Hasmonean High School which is not met at other Jewish schools, namely due to the fact that the other identified schools are mixed teaching boys and girls in the same lessons and sharing facilities. The comments which have been received from the education service include data in regards to school applications in regards to all schools in the Barnet area.

This information shows that there are more first and any preference applications than there are spaces at the school and that this demand has increased in the last three years with a particular spike in the current year's application. It is noted that this in itself does not appear particularly unusual as other schools rated as outstanding also have demand outstripping supply.

What this data doesn't show and indeed can't is the specific reasons why parents apply to this school i.e. is it due to its policy of educating girls and boys separately, or is it due to the Hasmonean High School being rated an outstanding school. Also in relation to the applications made in the last year the spike in applications might to some extent have been influenced by the current plans for the Hasmonean High School as the plans of the proposed new school building have been on the school's website since April 2016.

In terms of the weight to be attached to the specific demands for the Hasmonean High School, it is similarly considered that a mid weight should be attached in this regard.

Finally in relation to the contribution which the old Holders Hill site would make to educational need. Advice provided by education suggests that this could be used as either a primary school or as a special needs school. No data has been provided in

relation to demand for these types of school, although previous advice which has been provided by the education department suggests that primary demand has broadly now been met by a combination of new schools and school expansions. As such it is considered that a low weight should be attached in this regard.

The need for the site area and school size;

In relation to the proposed site area, the advice which has been received from the education service is that the school site area accords with the minimum and maximum standards as set out in building bulletin 103. However the comments also note that it is actually fairly unusual for new schools in Barnet to fully accord with these standards and many new schools are proposed and planned on significantly smaller sites. In relation to the layout of the proposed school, the school has been pulled off slightly from the southern boundary to provide a footpath and along the northern boundary however the site coverage of buildings and formal sports facilities is still fairly large in comparison with other schools which have been recently constructed. Part of the reason for this is due to the design and layout of the site being designed in such a way is to ensure that there are no opportunities for mixing between boys and girls. Sharing of sports facilities were discounted by the applicant, due to the possibility of 'potential visual or physical contact' between the sexes.

It is difficult to assess the weight which should be attached to the above justification, as it relates to the religious beliefs of a section of the Orthodox Jewish Community rather than any planning or educational purposes. In terms of equalities legislation account needs to be taken of the differing ethnic and religious needs which underpin the diversity of modern Britain. However this does not negate the need for proposals to comply with other policies such in this case the need to protect the green belt.

In relation to the proposed footprint of the buildings, the total floorspace provided at 15,300 sq.m exceeds the maximum standards contained within building bulletin 103. The justification provided for this is partly due to the religious needs of the school i.e. the inclusion of the synagogue and building bulletin 103 does state that additional space may be required for a faith school, along with the necessary security pods along with the community changing facilities and energy centre.

It is also noted that the stated figures in the Planning Statement in regards to the required figures to provide for education purposes i.e. 11,865 – 13,695m², accord with the required figures for two schools within the Academy trust (a boys school and a girls school) rather than the current single co-educational Academy. This matter is mentioned in passing in the Design and Access Statement concerning discussions with Ofsted regarding establishing two separate schools, a school for girls and a school for boys but is not explicitly referred to in the application submission which simply refers to erection of new combined boys and girls school. The comments received from the education service confirms that it is the understanding of the service that the school has been advised by the Regional Schools Commissioner to implement this arrangement in order to continue to provide separate education and recreational facilities for girls and boys. This matters in so far as it relates to the need for both the boys site to be located on the same site, as the argument for two academies to be located adjoining each other is different to the argument concerning the desirability of a currently split school to be united on the same site.

In relation to the other justification which has been provided concerning the need for the boys and the girls buildings to be provided on the same site, these concern: the cost savings which will occur to the school as a result of shared staff facilities and building costs; the ease of staff who teach at both sites to travel between the two sites; the potential for money to be earned by the school as a result of having new purpose built sports facilities; the ease of parents of both boys and girls in relation to drop off and pick up and the ability to hold whole school events.

In terms of the officer assessment of the above, it is noted that the Hasmonean High School has managed to operate on two separate sites since the foundation of the boys' school in 1929 and the girls' school in 1936. It is also noted that the two schools only become a joined single enterprise in 1984. The majority of the issues concern management issues for the school and are considered to have a low weight in regards to an assessment of special circumstances. The issue regarding ease of parental drop off is similarly considered to have a low weight for various reasons. These include the lack of need for parent's to drop off secondary school pupils and indeed school travel plans normally seek to reduce this, the differing start and finish times proposed at the new school site for boys and girls, and the relatively close distance in any event between the current girls site and boys site on the opposite ends of the Copthall Sports Ground/ Hendon Golf Club green space.

Overall in conclusion regarding to the proposed site area and school size, Council officers are not convinced regarding the need for the two school sites to be conjoined on the same site, this has ramifications in regards to the justification of the school being located on the current site due to the absence of other suitable sites.

The locational need to stay within the local community

There is no objection in principle to the desire to remain within the London Borough of Barnet. Although account needs to be taken of other Jewish schools which are located outside Barnet's boundaries which are attended by Barnet pupils such as JFS in Brent and Yavneh school in Borehamwood. It is also noted that it is not unusual for pupils to travel further to attend faith schools than it is to attend mainstream schools as can be illustrated by the current provision of a minibus transporting children from Stamford Hill to the current Hasmonean High School.

In terms of the site search area identified, while the Mill Hill Copthall site is located equal distance from the main population centres in Edgware and Hendon/ Golders Green, this does not necessarily mean that this is the most desirable location, as locating in one of the two centres would result in half the pupils being able to walk to school with the other group having to travel slightly further on the same bus network or in the shared minibuses which the applicant is proposing under this application. Nevertheless both of these centres were included in the site search area so it is not necessary to consider in any greater detail.

The lack of any suitable and deliverable alternative sites

In relation to the evidence submitted in relation to the search for alternative sites, while the overall approach is considered sound, Council Officers have several concerns with the methodology and conclusions of the report which are as follows:

The approach of only considering sites for a combined Boys' and Girls' School, as mentioned above Council Officers are not convinced that the applicant has fully explored options in this regard and are not convinced regarding the need for the boy's and the girl's schools to be combined onto a single site. This matter has also been raised by members of the Public and also the GLA.

The effect of this is that the site search is effectively limited to larger sites capable of accommodating a combined school of 1400 pupils, with specific needs in terms of site identification in so far as how easily they can be segregated by gender. In comparison a site search for a 700 space boys' school with no specific need to design in a segregated arrangement would increase the number of potential sites which would be available.

Another issue which Council Officers have with the alternative site search, is the fact that many of the sites contained within section 2 are identified as parks and open spaces including Golders Hill Park, Victoria Park, Oakhill Park, King George Fields and Mill Hill amongst many others. The Constraints challenges section advises that 'this site is a local/ district park and will be afforded protection under planning policy.' These sites are all marked as red under planning and site acquisition. While Council Officers do not disagree with this assessment, it does raise the question concerning why the Copthall Site was not similarly excluded from the list of available sites.

The final issue concerns the assessment of the five remaining sites. It is accepted that 4 out of the 5 sites currently either benefit from planning consent or are subject to a current application and as such would be unlikely to be amended at this stage to include the Hasmonian High School particularly as two of the sites incorporate schools as part of their proposals. However the final site identified Watch Tower House has only recently been put out to tender. The Cushman and Wakefield report excludes this site for three reasons. Firstly that the site would be subject to planning constraints due to its location within a Conservation Area and partly within the green belt, secondly due to the additional work which would be required to provide a segregated school on the site and thirdly due to the potential cost of the site due to house builders likely to be also interested in this portion of land.

In relation to the first point, location within a conservation area does not preclude development and sequentially would be preferable to a green belt site and in relation to overall planning policy a previously developed site is always considered preferable to a greenfield greenbelt site. The Green Belt area is in any event limited to the open field section to the west of the site, and it would be fairly logical to limit built development to the eastern part, with the western part used as playing fields.

In relation to the second and third points virtually all brownfield sites measuring over 5 hectares in area are likely to be of interest to other potential purchasers and would likely to involve additional work and cost more money in comparison with a greenfield greenbelt site. In relation to other schools which have been built in the borough, support from other bodies such as the EFA in order to raise the additional

funds, or have been required in conjunction with larger schemes to be provided by a developer as part of the comprehensives such this logic would apply to any application for any non-residential use anywhere in the borough and as such is not in itself considered sufficient grounds to exclude a site from consideration.

Finally it is worth noting that the Cushman and Wakefield Report is dated September 2016, and the preamble to the document advises that they were employed in order to provide an Environmental Statement addendum for the proposal, rather than to help the applicant's find alternative sites. This can be seen from some aspects of the report which described the NIMR site as suitable, while the statement from the applicant concerning discounting NIMR because the site was too small, the difficulty in providing a school in the form that they want in this location and due to the interest from residential developers.

3.4 Impact of Proposal on Green Belt, Open Space, Trees and Biodiversity (Applicant's case)

The applicant in their supporting statement in regards to the criteria set out in paragraph 80 and 81 of the NPPF as outlined in the Policy section above.

Checking the unrestricted sprawl of large built up areas.

The applicant considers that while designated as Green Belt, the area is a sporting hub and is already effectively surrounded by urban development. It is a local green sporting area for surrounding residents. There is no clear existing wider strategic Green gap or linkage to countryside which it contributes to.

The applicant therefore considers that Sprawl will therefore not result from the development, rather the proposal will result in the loss of urban fringe land but effectively round off existing limits of development around the existing Girls School in relation to Page Street and The Great North Way.

In conclusion the applicant considers that development of the site will result in Negligible to Minor harm to the purpose of preventing sprawl, with significant open land still retained immediately adjacent the existing boundaries.

Prevent neighbouring towns merging

The applicant considers that the development of this site will not merge Harrow / Edgware with Barnet. And that significant open space will be retained between existing limits of development. In conclusion the applicant considers that there is Negligible to Minor harm from the development in relation to merging Edgware to Barnet, it is a one-off specific use, similar to other existing buildings within the Green belt and in terms of scale and size and does not give a sense of merging the two urban areas together. The applicant considers that the main impression of the open gap between the towns is maintained from Champions Way and from the A1. The development will be well screened from these views and planting can ensure that the buildings will not be highly visible in the Green Belt.

Safeguard the countryside from encroachment

The applicant considers that the development site does not have the character of open countryside. The applicant considers that it is an existing urban fringe site experienced in association with adjoining residential areas and sports development.

The applicant considers that there will be Negligible to Minor harm given the existing access road into the site due to there being an element of previous brown field activity taking place on site with the existing Girls School. The applicant further considers that mitigation included in the form of extensive boundary planting ensure that the visual impact is reduced.

Preserve the special character and setting of historic towns

The applicant considers this purpose is not applicable to this site or development proposal because the land is not designated as any special character and is not part of any historic towns or its setting.

Assisting urban regeneration, by encouraging the recycling of derelict and other urban land.

The applicant considers that the scheme will allow the recycling of urban land with re-use of the existing Boys school for other educational provision. The replacement school is a bespoke use and development within the Green Belt as a consolidation with the existing Girls school is not considered by the applicant be a precedent for other forms of development in the Green belt, such as housing pressure. The applicant considers that there would be neutral harm to this purpose. The applicant further considers that due to the release of the existing Boys school to the Council as part of the scheme to deliver further educational / community facilities, the overall impact is considered by the applicant as a minor benefit.

Openness of the Green belt

The applicant acknowledges that there will be adverse harm to the impact upon openness by the introduction of new larger buildings within the Green Belt, access, parking areas and play areas with fencing and lighting. However the applicant considers that this can be fully mitigated by sensitive screening and planting and also through the design and positioning of the facility which proposes the buildings are set down within the existing 'bowl' topography of the site.

The applicant further considers that the site is not particularly 'open' at present. Whilst it is not built on, it is heavily screened with planting and views into it are already restricted (see Chapter 7 for detailed Landscape visual impact analysis). The development has been designed to sit within the land form profile of a 'bowl' to minimise impact within a campus style parkland setting.

In summary the applicant maintains that in relation to the impact of the proposal on openness is reduced due to the following reasons.

- The site is within a bowl, with the existing Girls School virtually hidden from view.
- The site has extensive existing mature boundary planting, with the open pockets enclosed.
- To the south the site is bounded by existing rear gardens with no public views and an elevated urban highway.
- There is extensive mature planting along Page Street, restricting views into the area.
- The site is at the very end of the south of the Green Belt designation.
- The proposals have been amended following consultation to remove the nursery building and introduce more retained open land around the school fence boundary and provide new public footpaths around the whole site for informal open space use, e.g. dog walking, rambling etc.
- Built form has been reduced and kept to a minimum within the site.

In conclusion the applicant considers that the harm to the Green Belt has to be outweighed by the development which in their view is considered to be:

Type of Impact	Assessment of harm
Sprawl of built-up area.	<i>Negligible to Minor</i>
Prevent towns merging.	<i>Negligible to Minor</i>
Safeguarding the countryside.	<i>Negligible to Minor</i>
Preserve character & setting of historic towns.	<i>Not applicable</i>
Assist urban regeneration.	<i>Minor Benefit</i>

The impact of the development in terms of sport and recreation, and open space.

The existing site provides for three pockets of informal open space, divided by extensive tree boundaries. There are permissive paths through the site, but there are no formal facilities of any kind.

In order to inform an assessment of the use of the existing open space forming the development site, two 12 hour surveys were initiated by Peter Brett Associates. These were based on three entrance points to the existing informal open space: the entrance off Page Street, the entrance off Champions Way and the entrance at the south from the linkage to the Great North Way (see screenshot below)

The first survey was undertaken in mid November 2015 and covered a 12 hour period from 07.00 a.m. to 19.00 p.m.

Wed 18th Nov, Fri 20th Nov & Sat 21st 2015

	Day	IN		OUT		TOTAL
		Peds	Cyclist	Peds	Cyclist	
Location 1	Wed	3	0	6	0	17
Page St	Fri	3	0	3	0	
	Sat	1	0	1	0	
Location 2	Wed	4	0	2	0	
Champions	Fri	5	0	4	0	
Way	Sat	4	0	5	0	24
Location 3	Wed	6	0	4	0	26
South / pitches	Fri	6	0	7	0	
	Sat	2	0	1	0	

A second survey was undertaken in June 2016, to compare usage patterns in the summer to the winter

Wed 15th June, Fri 17th June & Sat 18th June 2016

	Day	IN		OUT		TOTAL
		Peds	Cyclist	Ped	Cyclist	
Location 1 Page St	Wed	7	4	2	0	39
	Fri	6	0	5	0	
	Sat	8	0	7	0	
Location 2 Champions Way	Wed	2	1	1	0	18
	Fri	2	0	6	1	
	Sat	4	0	1	0	
Location 3 South pitches	Wed	2	0	2	0	34
	Fri	6	3	5	0	
	Sat	5	0	11	0	

The surveys covered data on pedestrians and cyclists using the site and moving through and the results even in summer show very low activity and use of the site. The conclusion derived by the applicant is that as a leisure, sport, open space resource its value is low compared to more formal parks such as Sunny Hill Park and the sporting pitches of Copthall.

The applicant considers that whilst policy would seek to protect the loss of open space, the other material considerations are the educational need and very special circumstance case, but also specific benefits of mitigation.

The main mitigation measures that have been incorporated into the scheme are:

- 0.32 ha of the existing Girls school site will become outside the school fence and be publically accessible on the northern boundary of Champions Way.
- 2.08 Ha of open space, woodland and footpaths are retained around the new school, to compensate for the 2.67 Ha loss of existing pockets.
- The new school will retain substantial tree planting, be visually screened within a parkland setting to respect the Green Belt and open character of the site

- The new school sports facilities will be available out of school hours for community use to offset the loss of open space through the Community Use Agreement
- Access through the site to Page Street in a southern landscaped corridor is retained. Footpath access is improved from Great North Way and a new off road segregated woodland footpath is provided along the northern frontage to Champions Way. Full permeability around the site linking adjoining residential areas to the Copthall area is retained and enhanced.

The applicant concludes that whilst the loss of open space is contrary to policy CS7 the material considerations of the need, educational provision, alternative sporting provision and mitigation can outweigh the harm of the development when taking all factors into account.

The impact of the development upon trees, ecology and the biodiversity of the site and wildlife.

The assessment by the applicant on the impact of the proposal in relation to the above appears to differ significantly between the applicant's Planning Statement and their own arboricultural and ecology reports contained within their Environmental Statement.

From the point of view of this section, which relates to the applicant's case reference will be taken from the Planning Statement. A cross reference to what is stated in the Environment Statement is outlined in the officer assessment of the proposal below.

The Planning Statement advises that the site is identified as a SLINC and there are clearly valuable trees and hedgerows on the site, however, the three informal pockets are regularly mown and are not left to meadow.

In respect of flora and fauna and wildlife the findings of the pre-application surveys show that there is no evidence of protected species on site. This may be due to the urban fringe location and the activity of the adjoining sports fields.

The proposal, whilst removing a large element of the SLINC resource will however retain the significant belts of trees and retain the character of enclosure and boundary planting. Indeed, significant new planting will come forward on the boundaries and especially along Page Street and the northern corner will result in retained biodiversity within the site, along with proposals for bird and bat boxes, educational wildlife gardens and ongoing management.

The site is known as Copthall South Fields SLINC and is of local importance within the hierarchy, distinguishing it from sites of borough or metropolitan importance. The impact therefore is only of local significance.

The development is not contrary to policy DM16 in relation to creating biodiversity by the scheme planting, management plan and mitigation measures which include:

- The creation of a green roof on the building

- 0.7ha of native woodland, tree and shrub, 0.2 ha of amenity planting and the creation of 0.2ha wildflower grassland using species rich meadow mix
- Enhanced sustainable drainage features
- Ecological lighting strategy
- Provision of bird and bat boxes
- Creation of deadwood piles for hedgehogs and invertebrates and hedgehog passes under fences.
- A Biodiversity Enhancement Plan Strategy is included within the ES Appendix 8.9 which would be conditioned to be delivered with an approval.

The applicant acknowledges that compliance with 7.19E of the London Plan cannot be achieved in that there will be a permanent reduction of the SLINC semi-improved grassland and whilst there is some replacement woodland and grassland habitats on site, there is a residual loss of 1.2ha woodland and 3 ha of grassland.

The applicant considers however that an exceptional case in terms of educational need for the development and the benefits of the educational and sporting facilities along with the informal open space retained around the site is an exceptional case that outweighs the biodiversity impacts as set out in Policy 7.19E (3) of the London Plan.

Specifically, in relation to the loss of trees within the site, the applicant advises that the majority of the existing hedgerows are retained within the scheme, with specific enhancement to the site's western boundary with additional tree and hedgerow planting.

In relation to trees the applicant advises that the proposed development will necessitate the removal of a significant number of existing trees within the site, the majority of which will be internal field boundaries to the south west quadrant of the site. Trees to be removed are

A grade – 2 trees and 1 group

B grade – 11 trees and parts of woodland and groups

C grade – 6 trees and parts of 8 groups.

The applicant advises that it is not possible to give exact numbers of trees to be removed as many are set within woodland blocks. However, a large number of replacement trees will be planted throughout the development as both amenity planting and woodland belts, the most notable being the band of woodland to the site's southern boundary. The overall trees to be planted have been quantified as just over 800 trees, ranging in size from semi-mature to extra heavy standards and feathers.

The applicant considers that the adverse harm of the loss of existing trees is mitigated by replacement planting and the harm will reduce over time as the new planting matures. Trees are a long term resource and therefore the ability to replenish and extend the existing stock is important and will provide a more diverse age structure.

3.5 Impact of Proposal on Green Belt, Open Space, Trees and Biodiversity (Council Assessment and response to Applicant's Case)

Green Belt

The preamble to Chapter 12 of the Core Strategy has the following to say in relation to Barnet's Green Belt.

'Barnet is one of the greenest boroughs in London with 28% of its area designated as Green Belt (2,466 ha) and 8% as Metropolitan Open Land (MOL) (690 ha). Barnet has over 200 parks and open spaces covering 848 hectares and 67 sites of nature conservation importance plus a site of special scientific interest at Welsh Harp Reservoir. There are 1192 ha of public open space in Barnet covering 14% of the borough. This includes those parts of Green Belt and MOL which are accessible to the public.'

'The Sustainable Community Strategy highlights the importance of Barnet's green open spaces and that we all want to live in an attractive, clean and green environment. Our open spaces and outdoor sports and recreational facilities are an important element of the borough's character and careful protection of these assets is fundamental to delivering the spatial vision.'

The above shows the importance which the Council places on Barnet's Green spaces and the importance of them in shaping Barnet as the place it is as can be seen from the following Wikipedia Entry in relation to the London Borough of Barnet and its Green Spaces.

'The London Borough of Barnet, on the northern outskirts of London, is mainly residential, but it has large areas of green space and farmland. The spread of suburban development into the countryside was halted by the designation of a statutory Green Belt around London after the Second World War, and almost one third of Barnet's area of 8,663 hectares (21,410 acres) is Green Belt. Without this control, Barnet would be very different today, and this list of nature reserves would be much shorter.'

In relation to the applicant's assessment of the proposal against the criteria of the NPPF as set out in policies 79 – 80 of the NPPF. It is noted however that the Courts have held that the policies in the NPPF should not be read in isolation and in relation to green belt policy should take note and pay regards to the entirety of the Green Belt section of the NPPF namely Paragraphs 79-92.

Checking the unrestricted sprawl of large built up areas.

The applicant appears to question the basis of inclusion of this land within the Metropolitan Green Belt. In this regard it is noted that the land is Green Belt and in accordance with Paragraph 83 of the NPPF should 'only be altered in exceptional circumstances, through the preparation or review of the Local Plan'. It is noted that

the Green Belt designation has existed for more than 50 years. During this time various Local Plans have been produced which would have had to be examined by an Inspector. The fact that this land is still Green Belt is testament to the fact that the land is correctly protected.

It is also important to look at the statement by the applicant 'that there are is no wider strategic gap or linkage to countryside which it contributes to'. An examination of the UDP proposals map shows the provision of a wide area of open space running through the centre of the borough running from the application site north through to the borough boundary with Hertfordshire. This can be illustrated by the google satellite images of the site, which show that while there is a short gap in the form of Page Street and a few houses, green space quickly appears again to the north in the form of Arrandene Open Space and Mill Hill connected in turn to the wide swaths of greenspace to the north of the Ridgeway including the upper stretches of Folly Brook and through that to Totteridge Common and beyond. The fact that there a limited gaps of development within this chain in the form of roads and houses is not unusual given that the site is located within a Metropolitan Area and does not alter the fundamental strategic nature of Barnet's open space network.

In terms of separation of built up areas, while Barnet's Green Belt and indeed Green Belt throughout the wider London area does not separate towns in the form of self-governing tendencies, this is due to the nature of London as a series of villages which gradually merged into each other. The retention of green spaces within parts of outer London do however help to maintain the individual character of individual settlements allowing former villages in Barnet particularly those adjoining green spaces retain part of their former village atmosphere.

The applicant also considers that sprawl would not result from the development and that the proposal would lose urban fringe land and effectively round off the existing girls school.

In relation to the applicant's description of the site as 'urban fringe land', there is no mention of any concept of 'urban fringe' in the NPPF. The only reference to 'urban fringe' in the London Plan is the following section of Policy 2.18 of the London Plan.

'in London's urban fringe support, through appropriate initiatives, the vision of creating and protecting an extensive and valued recreational landscape of well-connected and accessible countryside around London for both people and wildlife'

It is considered that the current management of the space as an area of natural landscape would accord with the aspirations of this policy.

The applicant also advises that they consider the development rounding off of the girl's school and is therefore considered acceptable. Notwithstanding the fact that the development goes well beyond what could be considered 'rounding off' it is considered that the concept of this is not appropriate due to the fact that in the context of the Copthall Leisure complex, it is the existing school which is out of place with the rest of the landscape, rather than the open space being out of place due to

the school, as such any expansion of the school would result in the encroachment of the built form into currently open area contrary to the provisions of the NPPF.

In conclusion the Council considers that the application would be contrary to this aim of green belt policy.

Prevent neighbouring towns merging

The principle conclusion of the applicant is that due to the remaining size of the wider Copthall Estate and due to the screening of the site, the proposal would result in limited harm.

Council Officers are concerned about the implications of the applicant's line of argument in relation to the quantity of green space which remains. The whole principle underlining the introduction of the Green Belt in the 1947 Town and Country Planning Act was to prevent death by a thousand cuts to the countryside surrounding the built environment. Copthall is categorised as a district park, which is defined as a park exceeding 20 hectares in size, so of course there will be significant space remaining but that doesn't make a proposal acceptable.

In conclusion while the development would not in itself result in the merging of neighbouring towns the Council is concerned about the principle of piecemeal destruction and as such would consider the application contrary to this aim of green belt policy although to a lesser degree than the grounds above.

Safeguard the countryside from encroachment

The applicant's position outlined above is that the site does not have the character of open countryside, is urban fringe and due to the existing presence of a brownfield element of the school and due to the mitigation measures proposed is acceptable.

The report has already commented in relation to the applicant's reference to urban fringe and the existing presence of the girl's school as a justification for further expansion and does not need to address these issues again.

In relation to the applicant's assertion that the site does not have the character of open countryside, this does not accord with the description of this area in the Copthall Planning Brief or the assessment of the London Ecology Unit which provided the study which identified nature conservation areas in Barnet which were included in the 1996 UDP. The description of the LCU of the Copthall South Fields described this area as "a surprisingly rural quality", even though they lie alongside the A1 road. The hedgerow trees are oak, ash and field maple, and the fields contain flowers typical of clay grassland, such as meadow vetchling, meadow buttercup and common sorrel".

In relation to the final comment by the applicant regarding the role of mitigation in the form of retained boundary treatment, the primary meaning of encroachment is loss of land not visibility. The development of the site involving the permanent loss of 3.8 hectares would be clearly contrary to the purposes of the Green Belt in this regards.

Preserve the special character and setting of historic towns

It is agreed that this aspect of Green Belt Policy does not apply to this proposal

Assisting urban regeneration, by encouraging the recycling of derelict and other urban land.

The applicant's position that the proposal would assist urban regeneration by making the boys school available for reuse takes the complete opposite meaning of the actual intent of this purpose of the NPPF in this regard and would mean for example a factory or office leaving their former premises to the Countryside would accord with this policy . The actual meaning of the policy is that development should be carried out on brownfield land, which is due to its nature more expensive to development than greenfield sites. As the proposal involves the partial departure from an existing brownfield site to a greenbelt site the proposal would be contrary to this aim of the NPPF.

Purpose of Green Belt Policy

As mentioned above the NPPF defines 'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Permanence

The principle of permanence involves the principle that once green belt boundaries are established they should only be altered in exceptional circumstances through the Local Plan Review process.

The current application would involve the permanent loss of Green Belt land, through the means of an ad hoc planning application rather than a review of the Local Plan and is therefore clearly contrary to this particular aim of the NPPF.

Openness

The definition of openness refers to keeping land permanently open. The applicant in their justification of the proposal in relation to openness advises that while the introduction of new larger building along with associated infrastructure this can be mitigated through the use of planting and due to the design of the proposal which will mean that the proposal would not be unduly visible from surrounding viewpoints..

This statement appears to mistake the issue of openness with the issue of visibility which are two different though sometimes related issue. This matter has been discussed extensively in various high court and one court of appeal judgement (Turner v Secretary of State), (Heath and Hampstead Society V Camden and most usefully due to extensive discussion of this issue Timmins & Anor v Gelding), which conclude that the issue of openness as defined in the NPPF concerns 'the absence of buildings or development', not the degree to which a development would be visible and that all development is by definition harmful. The visibility of a proposal is a separate matter concerning the visual impact of a proposal and can be taken into

account in the balancing exercise and as a very special circumstance although this would depend on an assessment of the harm caused and other considerations.

It stands therefore that the development of a currently open site for the erection of a new school, associated infrastructure and boundary fencing would constitute an adverse impact on Openness as defined by the NPPF.

In relation to the other points, raised by the applicant the fact the development site is partially obscured by tall boundary trees, is not considered to represent a very special circumstance as the entire character of the space the subject of the application stems from the extensive vegetation running through the site which help to isolate the space from surrounding development and the A1 to the south.

In terms of countryside appraisal the absence of external views does not negate benefit as while a mountain or hill rising in the distance does contribute to visual benefit so does a hidden valley or woodland glade and it is not considered that any weight can be attached in this regard.

Impact on Views

Notwithstanding the above comments regarding openness and views, it is still necessary to assess the visual impact of the proposal.

To this effect the applicant has submitted a Landscape and Visual Impact Assessment which shows that the proposed school should not be especially visible when viewed from outside the site, principally due to the retained boundary treatment and the position of the school in a hollow. While the proposal does not result in harm in this regard, it does not overcome the impact on openness. Also given that the existing view is not improved by the proposal, in terms of green belt balancing this is considered a neutral consideration.

Open Space

Copthall is categorised as a District Park which in terms of the open space hierarchy is ranked third highest in importance below Regional Parks and Metropolitan Parks but above Local Parks and Open Spaces, Small Open Spaces and Pocket Parks.

In relation to the description of a District Park, the London Plan advises that characteristically these provide: Large areas of open space that provide a landscape setting with a variety of natural features providing a wide range of activities, including outdoor sports facilities and playing fields, children's play for different age groups and informal recreation pursuits.

The NPPF, Policy 7.18 of the London Plan and Local Policies CS7 and DM15 make clear that open spaces should be protected from development. Development should only be permitted when the use is ancillary to the open space or equivalent or better quality of open space provision will be made.

In the case of the application proposal neither of these two factors apply in that the use is not connected with the use of the public open space and no replacement open space provision is proposed.

The applicant's principle justification concerning the proposal, involves an assessment that the application-site is not particularly well used as an open space and that the provision of onsite sporting facilities which the public can use along with a proposed path along the southern boundary will mitigate the loss of the open space.

Each of these matters will be assessed and discussed in turn.

Firstly in relation to the first point regarding the lack of use of this area.

Before going onto discussing the merits of the survey work itself, it is worth mentioning that the level of usage of a space is of only passing relevance in assessing its worth. As an example of this if you did a survey of pedestrian movement in Hampstead Heath it is likely that you would record a high level of activity around Kenwood House and Parliament Hill and a lower level of activity in parts of Hampstead Heath Wood. Similarly in Epping Forest the area in High Beech would record a higher level of activity than some other more remote part of the forest. This does not mean that the latter areas are of less importance or more appropriate for development.

It is also worth noting that the value of space is not only dependent on actual space that Green Spaces have value simply by existing with people gaining benefit and better health by living close to green space regardless of whether they ever use it.

Moving onto the actual surveys carried out in June and November. The Council has a number of concerns regarding the methodology of these surveys. In no particular order these are:

- The surveys do not record the weather conditions on the days of the surveys;
- The hours of search between 7am to 7pm do not necessarily comply with the periods of peak use. In this regard it is noted that many dog owners would take their dogs out for a run before going to work which is likely to be before 7am and then again in the evening. (This was noted by Saracens in pre application discussions who advised that the on road car park got very busy in the early morning around 4-5 in the morning). Also in relation to other walkers, the evening time particularly in the summer is often the busiest time of use.
- The days of the survey do not include Sundays which is the busiest day for casual walkers.
- The survey numbers regarding people entering and leaving the area do not match, suggesting either that not all entrances were covered or perhaps the surveyor was on a break, which detracts from the perceived accuracy of the data.

It is also worth noting that patterns of activities can vary widely based on a number of factors. Equally a survey could correspond with a school nature visit or a Saracens

match which might significantly affected the recorded numbers and it is therefore considered that limited weight can be placed on the applicant's figures.

In relation to the impact of the loss of this space in relation to the wider Copthall Park both the adopted Copthall Planning Brief and the Council's Green Spaces Team have stressed the importance of this space in providing a counterpart to the more formal sports pitches located elsewhere and is considered integral to the Park, providing the natural setting and landscape envisaged in the London Plan for this part of the park and would remove the one portion of the park useable by walkers (with dogs or without) or just those who want to enjoy a natural environment.

Moving onto the second point regarding the provision of alternative sports facilities which will be open to the public through a Community Use Agreement. Notwithstanding that the inclusion of a Community Use agreement is a standard requirement for new schools, the use will in any event be restricted to use outside school hours in comparison to the existing space which is open 24 hours. The provision of the facilities could in any event only be considered to constitute very special circumstances in limited circumstances, such as when the surrounding area is devoid of existing sporting facilities for the use of local residents. In this regard it is noted that there is no shortage of sporting facilities in the locality in the form of a Community Rugby Stadium, swimming pool, sports pitches, power league and metro golf and as such it is considered that the benefit of providing additional facilities does not overcome the harm which is caused.

In relation to the final point regarding the provision of an access path along the bottom of the site, while this is an improvement over the scheme initially presented at pre application stage it providing a hard path running along a 1.8m chainlink fence along the back of the site does not provide an equivalent provision to the existing arrangement whereby persons can enter the three fields at various points, transversing along natural paths running through meadows framed by existing trees.

In conclusion to open space it is the opinion of Council officers that the proposal would result in the detrimental loss of public open space to the severe detriment of local amenities contrary to the provisions of relevant policies.

The impact of the development upon trees, ecology and the biodiversity of the site and wildlife

Biodiversity

The application is located in a site of Special Interest for Nature Conservation (SINC). In terms of the background, Barnet Council commissioned the London Ecology Unit to carry out a survey of wildlife habitats in the borough, which looked at green sites covering 4,055 hectares (10,020 acres), 45% of the borough. In 1997 the LEU published *Nature Conservation in Barnet*, which described 67 Sites of Importance for Nature Conservation (SINCs).^{[7][8]} This formed the basis of Barnet's nature conservation policies in its 2006 *Unitary Development Plan*

The identified SINCs are subdivided into several categories. These consist of:

- **M** = Site of Metropolitan Importance – the best examples of London's habitats, or which contain rare species^[20]
- **B1** = Site of Borough Importance Grade 1 – of significant value to the borough
- **B2** = Site of Borough Importance, Grade 2 – as B1, but not as important
- **L** = Site of Local Importance – of particular value to nearby residents or schools

In relation to the Copthall South Fields site, the site is categorised as a site of Local importance and has previously mentioned was cited in the LEU study as comprising a "surprisingly rural quality", even though they lie alongside the A1 road. The hedgerow trees are oak, ash and field maple, and the fields contain flowers typical of clay grassland, such as meadow vetchling, meadow buttercup and common sorrel.

As previously discussed above the applicant in their supporting Planning Statement take the view that the SINC is only identified as Local and therefore of lesser importance, advises in relation to the meadows that they are regularly mown and not left to meadow and in relation to flora and fauna are not valuable, containing no protected species due to its location. The applicant also considers that while a large number of trees will be cut down, this will be more than made up for by the replacement planting and any ecology impacts will be more than mitigated with by the proposed mitigation strategy.

It is important to read these assertions in the context of the actual ecology reports submitted with the application. The broad assessment of the character of the space was as follows:

Ecological Receptor	Impact of Proposed Development
Nature Conservation Sites	
Copthall South Fields SLINC	Copthall South Fields occupies the majority of the survey area, situated to the east and south of the existing school grounds. It is understood a large proportion of this nature conservation site will be impacted to facilitate the development. Direct impacts include loss of habitat and harm or disturbance to protected or notable species. This nature conservation site also links to wider open space to the north and east. As such Copthall South Fields is a notable consideration in relation to the development.
Habitats	
Semi-natural Broadleaved Woodland.	<p>'Lowland mixed deciduous woodland' is a Habitat of Principal Importance for Nature Conservation in England. This woodland on site is likely to meet the criteria of this priority habitat and is therefore a notable consideration. Woodland is also listed as a priority habitat on the London BAP. This habitat type has the potential to support a diverse array of fauna and functions as a wildlife corridor linking the site to the wider area. It is understood that some areas of this habitat that forms the boundary vegetation will be lost to facilitate the development.</p> <p>It is also acknowledged that this habitat consists of old hedgerows which formed boundaries of the fields which have now overgrown to form semi-natural broadleaved woodland habitat. 'Hedgerows' are a Habitat of Principal Importance for Nature Conservation in England if they measure over 20 m in length and less than 5 m in width, consist predominantly of at least one woody UK native species, and any gaps measure less than 5 m in width. The boundary vegetation on site which overall has been defined as woodland is generally over 5 m in width however small sections may still meet the criteria described above for hedgerows.</p>
Scattered Trees	Semi-mature and mature trees are of intrinsic value as they cannot be easily replaced in the short to medium term. It is understood that a number of specimens will be removed to facilitate the development. Scattered trees are a notable consideration in relation to the proposals.
Semi-Improved Neutral Grassland	The grassland on site is of value due to its food source, refuge areas, and open space for a variety of animals this is reflected in its designation as a Site of Local Nature Conservation Importance. Meadows are considered to be important habitats in London, but are not subject to a specific Habitat Action Plan. It is understood that a large proportion of the grassland will be lost to facilitate the development.
Buildings, Amenity Grassland, Hardstanding, Introduced Shrub, Fence, Dry Ditch	The remaining habitats on site are well represented locally, have low-species diversity or can easily be replaced within the new development. As such these habitats are not a notable consideration in relation to the proposed development.
Species	
Bats	The habitats within the site boundary provide good foraging and commuting habitat for bats, particularly the linear strips of woodland at the field edges which provide connectivity to the wider area. The construction phase of the proposed development will involve the demolition of the existing school buildings. A number of trees will also be removed. No roosts were identified in buildings or trees on site during the bat surveys (RT-MME-120035-02 and RT-MME-120035-03). Although no bat roosts have been recorded, during the bat surveys key foraging and commuting features were identified as being the boundaries around Copthall South Fields. Potential effects arising from loss of suitable habitat, habitat fragmentation, and disturbance through increases in lighting.

Terrestrial Mammals (Badger and Hedgehog)	<p>The site provides suitable topography and habitat for badger sett creation. The expanses of grassland and woodland are also of value for foraging badgers. The site provides suitable habitat for hedgehog including grassland for foraging and woodland for refuge. Potential impacts include loss of habitat and disturbance. No evidence of badger activity was found on site during a badger survey. The proposed works will result in a loss of areas of suitable habitat, for foraging and sett creation. However, given the lack of evidence that badgers use the site, and the extent of habitat in the surrounding area, the overall impacts of development are therefore considered to be negligible.</p> <p>The site provides suitable habitat for hedgehog including grassland for foraging and woodland for refuge. Potential impacts may arise during the site clearance and construction phase including loss of habitat and direct harm.</p>
Invertebrates	The semi-improved grassland and woodland within Copthall South Fields provides suitable habitat for a range of invertebrates. Although alternative habitat exists within the surroundings the loss of suitable habitat on site will be a potential impact.
Nesting Birds	A number of habitat types found on site provide some potential nesting habitat for bird species. The construction phase of the proposed development has the potential to impact upon birds through disturbance and loss of nesting habitat during the breeding season, predominantly as a result of the inappropriate timing of habitat clearance works.

A specific description of the ‘Semi natural broadleaved woodland’ and semi improved neutral grassland was also contained with the ecological walkover.

Semi-improved Neutral Grassland

Three to four large open fields containing semi-improved neutral grassland are present on site. Species present within the sward include false oat-grass, perennial rye-grass, meadow vetchling, common sorrel, meadow buttercup, Canadian golden rod and creeping jenny. Mowing of the grassland is undertaken twice yearly and informal pathways are evident throughout the grassland.

Semi-Natural Broad-leaved Woodland

Approximately 3 ha of broad-leaved semi-natural woodland is present around the boundaries of the site and is interspersed between the semi-improved neutral grassland. Trees within the woodland include oak, ash and field maple with hawthorn, blackthorn, field rose and dog rose. The understorey is dominated by cow parsley with occasional ivy, nettles and brambles and frequent garlic mustard and lesser celandine.

As can be seen from the above the applicant’s statements concerning the quality and space which would be affected by the proposal, bears no resemblance to the actual ecology reports which were submitted with the application. The only areas which were considered of low ecological importance were the portions of the development contained within the existing girl’s school site. Given that the proposal involves the management of the school expanding over the remainder of the site, this does cause concerns regarding the future maintenance of any retained areas of vegetation which would be contained within the new school boundary.

In relation to the other points made such as the absence of any protected species on the site, it is noted that the designation of the site as a site of Local Importance for Nature Conservation does not require the presence of protected species in order to warrant protection as such sites are meant to provide suitable habitat for all species whether protected or not.

It is also worth reading the actual ecology comments in terms of their references to Bats, Badgers, Hedgehogs and birds.

Bats

The desk study provided records of at least two species of bat within a 1 km radius of the survey area. The closest record was located 717 m west. The buildings on site were subject to a daytime assessment which identified the buildings to have low and negligible potential to support a bat roost. The reader is referred to Daytime Bat Survey, Report RT-MME-119526-02 and its recommendations.

The trees within the school grounds were generally in good condition with intact bark and no cracks or crevices recorded which may be used as ingress points/roosting locations. Conversely the more mature trees situated within Copthall South Fields were of the correct age and size to potentially support roosting bats. The habitats within the site boundary provide good foraging and commuting habitat for bats, particularly the linear strips of woodland at the field edges which provide connectivity to the wider area.

The development proposals have the potential to impact suitable roosting and foraging habitat for bats. Impacts include direct harm/injury, loss of suitable habitat, habitat fragmentation and disturbance through increases in lighting. Bats are therefore a notable consideration and recommendations are made within Section 6.3.

Badger

The desk study provided no records of badger within a 1 km radius of the survey area. The site provides suitable topography and habitat for sett creation, although no evidence of badgers such as setts, latrines or prints were recorded during the field survey. The expanses of grassland and woodland are also of value for foraging. Given the suitable habitat present within the survey area and connectivity to adjacent habitat, badger is deemed to be a notable consideration in relation to the proposed development. Recommendations are provided within Section 6.3.

Hedgehog

The desk study provided no records of hedgehog within a 1 km radius of the survey area. The site provides suitable habitat for hedgehog including grassland for foraging and woodland for refuge. To prevent any impact during the site clearance and construction phase recommendations are made within Section 6.3. To mitigate for the loss of habitat on site sympathetic landscape design (including the retention/creation of suitable habitat) should be considered to ensure the site remains suitable post development (please refer to Section 6.2).

Birds

The desk study provided records redwing and fieldfare which are protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). These species

are winter visitors to London and are therefore not a notable consideration in terms of nesting. The site may however be of value for foraging.

A number of common bird species were recorded on site during the field survey. The woodland and scattered trees provide suitable nesting habitat for a variety of bird species. Suitable nesting habitat will be impacted to facilitate the development and therefore if works are undertaken during the nesting season then there is potential to directly impact nesting birds. A recommendation has been made in Section 6.3. Although alternative habitat exists within the surrounding area the loss of nesting and foraging features should be compensated for (please refer to Section 6.2 for recommendations). Areas of existing woodland and semi-improved grassland should be retained and enhanced where possible.

It is clear from the above that the Copthall South Fields site is of considerable ecological value, providing a suitable habitat for a variety of bird species, bats and Badgers and Hedgehogs. The fact that the last two species are not currently present on the site is of limited relevance to the proposal as the whole point about safeguarding nature conservation sites in the borough is to provide a network of spaces, with suitable habitat something which it is clear from the applicant's own ecology reports applies in this instance.

In relation to the effectiveness of the proposed mitigation measures, it is again useful to refer to the applicant ecology advisers own conclusions in relation to residual significance following the inclusion of mitigation.

Ecological Feature	Conservation Value of Study Area for Feature	Effect Type	Significance	Mitigation Measures	Residual Significance
Copthall South Fields SLINC	Local (parish)	Permanent and temporary loss of notified habitats	Significant Adverse – Local (Borough)	<ul style="list-style-type: none"> Retention of woodland habitat associated with the SLINC. Creation of green roof, retained/seeded areas of informal grassland and woodland, tree and shrub planting. 	Significant Adverse – Local (parish)
Semi-improved grassland	Local (parish)	Permanent and temporary habitat loss	Significant Adverse - Local (Site)	<ul style="list-style-type: none"> Creation of a green roof on the main school building Creation of 0.3 ha of grassland with species-rich seed mix. 	Significant Adverse – Local (parish)
Broad-leaved woodland	Local (parish)	Permanent and temporary loss and degradation of habitat.	Significant Adverse - Local (Site)	<ul style="list-style-type: none"> Creation of 0.9 ha of new native woodland planting. Implementation of safeguards for retained areas of woodland during the construction phases as part of the CEcMP. 	Significant Adverse – Local (site)

As can be seen from the above, the proposed mitigation measures will still result in an impact considered significant adverse by the applicant's own ecologists, resulting in the destruction of a significant quantity of meadow grassland and broad leaved woodland. Objections to the scheme on loss of habitat have been received from the London Wildlife Trust and London RSPB along with the Council' appointed ecology adviser who concludes that:

'Despite the proposed mitigation measures, the development will still result in the permanent net loss of the Copthall South Fields Site of Local Importance for Nature Conservation (SLINC) which comprises approximately $\frac{3}{4}$ of the whole site and

consists of hedgerows, tall herbs, semi-improved grassland and broad-leaved woodland habitat (UK Habitat of Principal Importance and Priority Habitat under the London BAP). SLINCs are non-statutory sites protected under Policy CS7 of the Barnet Local Plan (Sept 2012) – Enhancing and Protecting Barnet’s Open Spaces. The Environmental Statement details the loss of the SLINC, woodland and grassland habitat as having a significant adverse impact at a local scale, following mitigation measures.

This development therefore causes the destruction of a SLINC and a net loss of biodiversity on site, with permanent loss of 1.2 hectares of woodland and 3.0 hectares of grassland, causing potential negative impacts to species such as invertebrates, birds, bats and hedgehog. This contradicts the aims of the National Planning Policy Framework (NPPF) in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006. It is also contrary to the local planning policies for Barnet relating to biodiversity including Policy CS7 of the Core Strategy which states that the London Borough of Barnet will create a greener Barnet by protecting existing Sites of Importance for Nature Conservation.’

The above comments sum up the Council’s assessment of the scheme in relation to its impact on this Site of interest for nature conservation and it is considered that the proposal would result in significant harm which need to be taken into account in the determination of the application.

Trees

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

Trees make an important contribution to the character and appearance of the borough. Trees which are healthy and are of high amenity value can be protected by the making of a Tree Preservation Order (TPO) under the Town and Country Planning Act 1990. Tree Preservation Orders can help to protect trees from inappropriate treatment and prevent their removal.

Following an assessment of the trees by the Council's Arboricultural adviser it was considered that the trees were of a category which warrants protection by a Tree Preservation Order and given the potential threat due to there being a live planning application on the site recommended that a Tree Preservation Order was served. Subsequently a Tree Preservation Order was served on the 1st February 2017.

A Tree Preservation Order does not preclude the removal of trees and an assessment needs to be carried out with regards to the contribution which the protected trees make taking into account proposed mitigation measures including replacement planting.

The applicant has submitted an Arboricultural Assessment and Method Statement in support of the application, which assesses the categorisation, size of maturity. The tree survey notes the presence of a large number of Category A and B trees, including several oak trees of veteran character which are hundreds of years old along with other trees in this category which are still classified as maturing.

The Arboricultural Report acknowledges that the application will involve the removal of a substantial number of trees on the site, with the following trees proposed to be removed:

3. **Table 1:** Summary of category A, B and C trees to be removed or protected using special precautions

	British Standard 5837 Category		
	A (High quality)	B (Moderate quality)	C (Low quality)
Remove	26, 64, G65	21, G24 (part), 27, 28, G30, 32, G37, 40, W42 (part), W43 (part), G46 (part), G47, G49 (part), 67, 69, G70, 71, G72, 73, 74, G75, W76 (part)	1, 2, G6, G14, G20, 22, G23, G25, G29, G31, 48, G53 (part), G68, G77
Protect using special precautions	56, 57	G24 (part), W42 (part), G49 (part), G61 (part), G63, W76 (part)	G62 (part)

W = Woodland; G = Group

Note: Category U trees are in such poor condition they would be removed irrespective of development and they are not included in this summary.

4. **Table 2:** Summary of the impact on local character of tree removal, and proposed mitigation

	Tree number(s)	Impact on local character	Mitigation
Remove	1, 2, G6, G14, G20, 21, 22, G23, G24 (part), G25, 26, 27, 28, G29, G30, G31, 32, G37, 40, W42 (part), W43 (part), G46 (part), G47, 48, G49 (part), G53 (part), 64, G65, 67, G68, 69, G70, 71, G72, 73, 74, G75, W76 (part), G77	Significant initial impact due to large number of trees which need to be removed to accommodate the proposed new school. However, a significant amount of new tree planting is proposed, much of which will be visible from outside the site adding to the visual amenities of the locality.	New tree planting, including ongoing maintenance and management.

As can be seen from the above, along with the individual trees a large number of groups of trees are also proposed to be removed including 1 grade A group, 13 grade B groups and 10 grade C. Trees to be removed include 1 of the veteran Oak

trees and a large number of maturing and Mature Grade A and B trees which in the case of the former would be expected to continue to grow in importance if they were allowed to remain in situ.

It is also worth noting that a significant number of trees which are not scheduled to be removed which would require tree protection measures and there would be a risk of further loss should these mitigation measures not be implemented in full. It is also noted that future pressure to fell or lop the retained trees is likely to be higher in a maintained school site, then it would in the case of an open landscaped park.

The application proposes 158 large nursery stock replacement planting predominately in the form of formal planting around the school building and associated infrastructure such as the car park.

A native mixture of tree species consisting of 647 small feathered whips (30cm high) are proposed to fill in gaps between the built form and playing fields. Trees of this size will take many years to establish to the same stature as existing trees on site. This point is also noted by the applicant's own ecologist who notes that

'The retention of 1.0 ha of woodland habitat and the creation of 0.9 ha of woodland planting will partially avoid/mitigate the loss of woodland habitat from site. However there remains a permanent residual loss of 1.2 ha and a temporary loss of 0.9 ha of woodland for a period of between 30-50 years which cumulatively constitutes an adverse effect that is significant at the local (site) level..

Also as the Council's Tree Officer has advised account needs to be taken of the fact that many of the trees proposed to be removed are irreplaceable with significant number of oak trees proposed to be removed. It is also noted that the proposed replacement landscaping will take a significant period of time

In conclusion it is clear and apparent that the proposal would result in significant damage to existing trees of high amenity value on the site. The loss of many of these trees is irreplaceable and would not be adequately compensated for by the replacement planting.

Impact of Proposal on Green Belt, Open Space, Trees and Biodiversity Conclusion

In conclusion, the application is considered contrary to four out of the five criteria set out in the NPPF for assessing green belt applications and would also be contrary to both of the fundamental principles of Green Belt Policy in regards to their permanence and openness. The proposal would result in the loss of public open space to the detriment of local amenity. The proposal would result in the widespread destruction of a Site of Interest for Nature Conservation and result in a significant loss of valuable habitat. The proposal would also result in the loss of a significant number of mature trees which are protected by a Tree Preservation Order. In relation

to an assessment of the weight which should be given to these concerns it is considered that in accordance with Paragraph 88 substantial weight should be attached to this harm.

3.6 Design Assessment

Paragraphs 56-58 of the NPPF set out the importance of good design. This is reflected in Policy CS5 and DM01 of the Barnet Local Plan, which seeks to achieve a high quality design in all developments.

In relation to layout the proposed buildings laid out in a campus style layout with the main building located in the southern part of the site with play and sports facilities on the perimeters of the site. While from an educational perspective the layout of the site is broadly acceptable, as the GLA have advised this results in the layout of the buildings not being as efficient as they could be and resulting in a greater sprawl than a more efficient and compact form could provide.

In relation to scale massing and detailed design, the proposal is of a contemporary design with the use of metal eaves, timber cladding, and glazed balustrades. There is nothing objectionable in relation to the design of the building which is considered of satisfactory architectural quality and is therefore considered acceptable.

In terms of Green Belt balancing, given that the proposal would not visually improve the landscape this is considered as a neutral factor.

3.7 Impact on Residential Amenity

Policy DM01 of the Barnet Local Plan states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Due to the proposed school location in the centre of the site and due to the limited height of the proposed buildings, it is not considered that the proposal would result in any significant impact on the amenities of neighbouring properties in Page Street as a result of loss of light, privacy or outlook. While there might be some increased noise levels as a result of the increase in pupil numbers, it is not considered that this would be significant. In the event of the approval of the application conditions would have been attached concerning any plant or equipment as well as the energy centre in order to safeguard neighbouring amenity.

In terms of green belt weight, this matter is appropriately considered as neutral, not contributing in the overall assessment either for or against the proposal.

3.8 Transport and Highways

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

Hasmonean School is located on two separate sites in the Borough. The boys' school is located on Holders Hill Road and the girls' school on Page Street.

Hasmonean High School is a 7 form-entry (FE) Academy for ages 11-16 with sixth form for overall ages 16-19, serving the Orthodox Jewish Community of North-West London, currently serving 1060 pupils in total.

Boys and girls are currently taught separately on two campuses – 570 boys at Holders Hill Road and 490 girls at Page Street.

There is a synagogue on the Holders Hill site which is not in the school's ownership and therefore will not move to the new site. There will be a school synagogue but it will not be for community use.

School Catchment Area:

The existing school catchment area has for the school has been identified in the Transport Assessment (TA) which indicates that there is a high concentration of pupils in Edgware to the north of Hendon and in Golders Green and Mill Hill East to the south within 5km of the proposed site.

Existing Drop-off and Pick-up arrangement:

The current drop-off and pick-up of children by the parents takes place on Page Street and adjoining residential roads which causes congestion and delays on Page Street.

Existing Vehicular Access:

The existing vehicular access and egress to the girls' school is on Page Street. The site currently contains 75 parking spaces including 2 disabled spaces. The applicant has confirmed that the demand for parking is regularly exceeded and the staff are forced to park on surrounding streets.

Existing Pedestrian Access:

There are existing pedestrian refuge islands on Page Street within 20 metres of the north and south of the junction with Champions Way.

There are also zebra crossings on Page Street before the junction with Pursley Road and on Bunns Lane to the west of the junction with Page Street.

Pelican crossings provide access across Page Street, at its junction with 'Five Ways' Corner by A41 Watford Way and the A1 Great North Way. A Subway with lit approached on both sides allows access to the south side of the Watford Way. The eastern boundary of the site contains a footpath linking Champions Way with the Great North Road. A subway less than 25 metres to the east of this route on the Great North Road provides pedestrian access to Sunny Hill Park and a number of traffic free routes through the park to the surrounding residential areas including Hendon.

Existing Parking Controls:

The site is within an Events Day Controlled Parking Zone (CPZ) which operates from 1pm to 6pm on events days on match day activities at the Allianz Park Stadium and Cophall Leisure Centre.

Stopping is not allowed Mon-Fri between 8am-9.30am and 2.45pm-4.15pm on School Keep Clear markings fronting the existing Girls School entrance which would be removed when the existing access is removed as proposed.

Development Proposal:

The development proposal is to create a single campus for separate girls and boys schools for up to 1,400 pupils, including 300 sixth form students.

Separate pedestrian and cycle routes are proposed within the campus layout to serve the boys' and girls' schools. The girl's entrance is proposed via Champions Way. The boy's main entrance is proposed approximately 15 metres from Champions Way via the existing footpath on the eastern boundary of the side. A second boy's entrance is proposed near the south east corner of the campus onto Great North Way. This is to provide a direct route from the direction of Sunny Hill Park to minimise boy and girl interaction on the approach to school.

It is proposed that this will allow the teaching and support staff to work between the two schools without the need to travel as with the current situation. The number of school places will be increased by approximately 300 under the development proposal.

Access to the staff car parking and new pupil pick up/drop off facilities are proposed on Champions Way to reduce traffic movements and delays on Page Street. The two schools will be served from a single vehicle access on Champions Way.

The applicant is advised that any alteration proposed to Champions Way to facilitate the development would be subject Highway Act 1980 of the Highways Act and the works will be undertaken under S278 of the Highways Act.

Peter Brett Associates LLP (PBA) has been commissioned by Hasmonean School to prepare a Transport Assessment (TA).

The table below submitted in the TA shows the breakdown of staff and pupils associated with the boys' and girls' campuses.

	Boys' School	Girls' School
Pupils	700	700
Staff		
Executive Head	1	
Head Teacher	1	1
Assistant Head	2	2
Teachers/ Teaching Assistants	174	
Support Staff	59	
Contract Staff (arriving/departing outside peak periods)		
Cleaners	11	
Catering	9	

The GIA proposed for the two schools campus is approximately 14,358m². Boys and girls will continue to be taught separately in accordance with the beliefs of this section of the Orthodox Jewish Community of segregating genders for education. This extends to dining areas and internal and external sports provision.

A full size floodlit all weather pitch, multi-use games area to the east of the site and four tennis courts in the north west of the site are proposed. These will be available to the local community outside school hours during the week and at the weekend.

Hasmonean School Operation:

The boys' school is expected to operate between 08:40 and 16:05, with the girls' school between 08:55 and 16:15. Approximately 200 year 10-13 pupils arrive between 07:30-08:30 for prayer.

It is proposed that the Friday finish times will alter throughout the year according to sunset.

There will be approximately 350 boys taught on Sunday morning between 08:00 and 12:00. However start times are staggered for different groups and the latest start time is 09:35 for approximately 70-80 pupils. Approximately 150 pupils will leave at 11:30 and 200 pupils at 12:00.

Proposed Car Parking Provision:

167 staff and visitor car parking spaces are proposed on-site comprising the following.

- 8 disabled bays (5%) are proposed with demand monitored through the travel plan that could increase this percentage in the future subject to demand. Currently, no teachers at Page Street of Holders Hill Road are blue badge holders.
- 32 spaces (20%) will be provided with electric charging points in accordance with the London Plan;
- 17 spaces (10%) will be passive electric charging points in accordance with the London Plan;
- There will be a provision of 6 car parking spaces within the energy centre area of the site for operational requirements.

The TA in the Executive summary on page 2 refers to parking provision of 173 parking spaces and in section 4.4.1 refers to parking provision of 167 parking spaces. A confirmation is required of the number of parking spaces proposed.

The applicant has confirmed in the TA that Hasmorean School has a Policy that does not allow 6th form pupils to park on or off site within areas that it can control.

The pupils will also be encouraged not to park on surrounding residential roads. The pupils are informed of this when applying for a place and will continue to be promoted through the schools Travel Plan (TP). Local residents will be able to report any issue with the school.

It is proposed that the public will be able to park on site in connection with booking for the tennis courts or all weather pitch use. Users of the tennis courts will be instructed to park in the north of the car park where a footpath link has been designed to provide direct access to the courts.

The consultants have confirmed in the TA that the parents are currently operating a mini-bus service from Stamford Hill. The school will also bring parents together to facilitate similar collaborations as well as potentially introducing two new mini buses that will provide morning services to the school and afternoon services from the school for boy and girls.

Hasmorean School consulted Transport for London (TfL) on the development proposals. In their response TfL has stated that given the clustered nature of the school catchment area, they strongly encourage the applicant to support this through their Travel Plan.

Drop Off and Pick Up Facilities:

In accordance with the beliefs of this section of the Orthodox Jewish Community, boys and girls will be dropped off/picked up and taught separately. To accommodate separate drop off and pick up, off-site facilities are proposed for both boys and girls

in close proximity to the separate pedestrian Campuses entrances to minimise walk distance for pupils and discourage parents from indiscriminate drop off and pick up on Champions Way or Page Street. It is proposed that the use of the pick-up and drop-off facilities will be monitored as part of the Travel Plan.

Girls Drop Off and Pick UP:

Hasmonean School has been in discussions with Mill Hill Rugby Club to use their car park as a girls' drop-off and pick-up location during the week. These discussions are on-going at present, but both parties are working towards an agreement in principle.

This is based upon the creation of a new 'entry' only from Champions Way that would lead to 27 drop-off and pick-up spaces. The car park would also contain 14 staff parking spaces; though these would not affect the drop-off and pick-up arrangements as staff using these spaces would be for early starter arriving before 08:00.

This is based upon the creation of a new 'entry' only from Champions Way that would lead to 27 drop-off and pick-up spaces. The car park would also contain 14 staff parking spaces; though these would not affect the drop-off and pick-up arrangements as staff using these spaces would be for early starter arriving before 08:00.

It is proposed that the drop-off and pick-up times will be managed by Hasmonean School to minimise potential disruption to Champions Way. Should demand begin to put pressure on supply, the school may consider the removal of the 'early staff' parking through reducing parking on-site availability for contract staff as a first measure.

A new pedestrian crossing is proposed on Champions Way with drop kerb and tactile paving east of the car park exit. Low level illuminated bollards would be installed to increase driver awareness and aid crossing safety.

The applicant is advised that Champions Way is not part of public highway therefore the proposed improvements on Champions Way will need to be agreed with the owners of the land.

The consultants undertook survey of pupils and staff to ascertain the drop off and pick up demand which was then factored up to represent the future demand by 1400 pupils and summarised in the table below.

Boys' Drop-Off and Pick-Up:

It is proposed that a boys' drop-off and pick-up point would be located in the vicinity for the school and managed by school staff.

Pick-Up and Drop-Of Demand:

Scenario	Time Period							Total
	Before 7:00	07:00-07:30	07:30-08:00	08:00-08:30	08:30-09:00	09:00-09:30	After 09:30	
AM								
Boy Drop Off	0	10	16	30	27	0	0	83
Girl Drop Off	0	7	2	18	61	1	0	89
PM	Before 15:30	15:30-16:00	16:00-16:30	16:30-17:00	17:00-17:30	17:30-18:00	After 18:00	Total
Boy Pick Up	0	0	37	8	7	0	0	52
Girl Pick Up	0	0	54	8	5	0	0	67

The above table shows that the highest demand for girl's pick-ups is between 16:00-16:30 with a predicted demand for 54 drop offs over 30 minutes and 37 drop offs for boys.

Although the drop off demand is higher in the morning (61 for girls and 27 for boys), the activity takes much less time in the morning and therefore the spaces can be used multiple times with that half an hour.

It is proposed that the use of the pick-up and drop-off facilities will be monitored as part of the Travel Plan and measures such as staggering school finish times will be implemented in consultation with parents and governors If any issues are observed.

In addition the school will have marshal's managing pick-up and drop-off locations and it is expected that parents and guardians are likely to manage their drop off and pick up arrival times to better suit their child's requirements and in response to any delays at the facilities.

It is proposed that 'before' and 'after school' clubs and/or sports practice is also likely to create a stagger in drop off and pick up demand.

Proposed Vehicular Access to the site:

It is proposed that the Hasmonian boys and girls schools will share a singular vehicle access from Champion's Way. The existing two vehicle access points on Page Street will be removed, and footway reinstated and Traffic Regulation Order amended to extend parking restrictions/double yellow lining.

It is also proposed that due to the high level of security that is required for the Hasmonian School, the vehicle access will contain an external and internal barrier system. The external barrier is located in excess of 15 metres back from Champions Way to allow for up to 3 cars, a large rigid servicing vehicle or refuge vehicle to wait without obstructing Champions Way.

Access for coaches:

The applicant has advised that there is no requirement for coaches to be on site. The current school arrangements do not have any provision for coaches to park on site and no provision is proposed in relation to the new school. These comments are

noted, however, clarification is required if the school on occasions has any use of coaches. If so the coaches will need to be able to load and off load from a location off the public highway.

Proposed Pedestrian and Cycle Access:

A separate pedestrian routes are proposed within the campus layout to serve the boys' and girls' schools. The girls' school is within the western side of the new campus and the boys' school is in the eastern side.

It proposed that the girl's will approach their entrance from Champions Way, which will contain a security hut with all pupils recorded entering and leaving the school. Two entrances are proposed for the boys' as follows:

- One is approximately 15 metres from Champions Way via the existing footpath on the eastern boundary of the site.
- The second pedestrian access for boys and cyclists is proposed near the south east corner of the campus onto Great North Way. This is to provide a direct route if from the direction of Sunny Hill Park to minimise boy and girl interaction on the approach to school.
- A new pedestrian footpath is proposed along the southern boundary of the site linking Page Street with the south eastern boys' entrance. This will provide a more attractive, traffic free route for boys traveling from the south west via the Five ways junction as well as providing an alternative route for wider members of the public.
- A new pedestrian crossing is proposed on Champions Way with drop kerbs, tactile paving and illuminated bollards, to provide safer crossing of pupils over Champions Way.

New footpaths are proposed on drawing No. 1229-SK237 Rev. A submitted by the applicant which are on private grounds and would need the land owner's approval. The approved works are to be undertaken under S278 Agreements prior to occupation.

Pedestrian Environment Review System (PERS):

The applicant has also confirmed that a PERS assessment will be separately submitted to support the planning application. The PERS study area has been agreed with TfL.

The PERS assessment considers the quality of any pedestrian environment and can assist in the identification of opportunities to improve pedestrian walking routes and public spaces.

Cycle Parking Provision:

190 cycle parking spaces have been proposed. The applicant has consulted Transport for London (TfL) concerning the proposed planning application and their views and comments on Cycle Parking is to be taken into consideration by the applicant.

Cycle Level of Service (CLoS):

It is proposed that a Cycle Level of Service (CLoS) assessment will be separately submitted to support the planning application. The CLoS considers the six design outcomes of safety, directness, coherence, comfort, attractiveness and adaptability. The assessment will review the two routes indicated in the TA, together with an alternative route along the side road that is parallel to the south side of the A1 Great North Road, together with Page Street between Fiveways and Bunns Lane. The CLoS assessment will be subject to TfL and LBB approval and any mitigation measures identified will need to be carried out under S278 of the Highways Act.

Public Transport Accessibility (PTAL):

The PTAL Score for the site is calculated as 1b using Transport for London model and is considered as a poor accessibility level.

Bus routes 113, 303, 221, 240, 642 and 632 are accessible on roads with in close proximity of the site on surrounding public highway.

Proposed Servicing Arrangements:

It is proposed that service vehicles will access the development site from shared campus access on Champions Way. The all servicing including refuse collection and deliveries will be undertaken from a dedicated area located to the north east of the site adjacent to the energy centre.

It is proposed that the refuse bins will be stored within the schools and will be taken by a small bin towing vehicle to the servicing area on refuse collection days. The consultants have provided a swept path analysis for a large refuse vehicle and fire tender vehicle tracking.

Consultation with Emergency Services:

The applicant is advised that Fire Brigade should be consulted prior to commencement of the development to ensure that the access arrangement for the emergency services meets their requirements.

Public Right of Ways:

The applicant is advised that Copthall is part of public amenity therefore investigation would need to be carried out of any existing public rights of way on site and these rights will need to be 'Stopped Up'.

Personal Injury Accidents:

The consultant undertook accident analysis in the vicinity of the proposed development and the result of the analysis is shown in the table below.

Road User	Fatal	Serious	Slight	Total
Car	0	2	52	54
Goods vehicle	0	0	5	5
Motorcycle	1	0	9	10
Pedestrian	1	2	3	6
Cyclist	0	0	1	1
Total	1	4	71	76

The table above shows that there have been 7 pedestrian and cyclist Personal Injury Accidents (PIAs) recorded in the 5 year period within the assessment. Of these 4 of these were slight, 2 serious and 1 was fatal.

The majority of PIAs were car occupants, with 54 of the total 76 PICS, of which 52 were only slight. The second highest road user to have PICs was motorcyclists, with 10 out of the total 76 PICS. 5 PICs were also recorded for good vehicle occupants.

17 PIAs occurred in the vicinity of the Page Street/ Bunn's Lane/ Pursley Road mini-roundabouts. 2 of these involved a pedestrian casualty. In both cases the pedestrians failed to judge the incoming vehicle's speed or direction.

One of the pedestrian PIA occurred as a result of the pedestrian crossing through stop-start traffic into the path of a vehicle and being hit by a vehicle. The second pedestrian PIA involved a school pupil (13 years old) travelling to the nearby Copthall Girls School who crossed at the zebra crossing in stop-start traffic and was resultantly hit by an oncoming vehicle.

Another PIA involving a pupil occurred on Page Street, north east of the junction with Watford Way. The school pupil walked into the road, away from a crossing, acting careless and failing to look properly and was hit by a vehicle.

The single fatal pedestrian PIA occurred on a Saturday when a 25-59 male was struck by a car near the junction of the A1 Watford Way trying to crossing the dual carriageway rather than use the subway 40 metres to the east.

The majority of incidents occurred in the vicinity of the A1 Watford Way/ Page Street Gyratory and these trends are not likely to be made worse as result of the proposed development. Very few PIAs occurred along Page Street in the vicinity of the site.

The consultants have therefore concluded from the accident analysis that although the traffic levels and multimodal movements in the local area will increase as a result of the development, the trends in PIAs are not expected to worsen as a result of the proposed development.

Baseline Traffic Data:

Traffic surveys were undertaken in November 2016, as detailed below.

Classified Turning Counts:

Classified Turning Counts (CTCs) were undertaken using CCTV cameras placed on high masts on Tuesday 18th November 2016 between the hours of 07:00-10:00 and 15:00-19:00 at the following junctions:

- Champions Way/Page Street/Longfield Avenue Priority Cross-roads;
- Page Street/Bunns Lane/Pursley Road Double Mini-Roundabouts; and
- A1/A41 'Fiveways' Signalised Gyratory.

Consultants have also stated in the TA that further cameras were located to allow the measurement of queuing on all approaches.

Automatic Traffic Counts:

Automatic Traffic Counts (ATCs) were undertaken over 7 days from Sunday 22nd November 2016 to Saturday 28th November 2016 at the following locations:

- Page Street between Tithe Walk and Longfield Avenue; and
- Pursley Lane west of Featherstone Road.

Video Recorded Link Counts:

Consultants also undertook video recorded link counts at the Fiveways Signalised Gyratory over 7 days at the following entries:

- Watford Way (A1) just west of Page Street;
- The Great North Way (A1) off-slip into the gyratory from the east; and
- Watford Way (A41) upon entry to the gyratory from the south.
-

Travel Plan Survey:

The applicant has confirmed that Travel questionnaires were prepared and issued to staff and parents/guardians of the pupils at both schools in order to understand the current traffic movement patterns to and from both sites and to determine how these are likely to change as a result of located both schools on a new campus at Champions Way.

Pupil and Staff Questionnaire Response Rates:

	Existing Population	Survey Responses	Response Rate
Girl pupils	506	391	77%
Boy pupils	584	380	65%
Total pupils	1090	771	71%
Staff	218	134	61%

Staff and pupils travel surveys were undertaken in 2015/2016 by the school for both schools to collect travel data to determine the existing mode as summarised in the table below.

Existing pupil and staff modal split:

	Walk	Cycle	Public Bus	School Bus	Park and Stride	Tube	Rail	Car	Car Share	Taxi
Pupils	14%	8%	45%	2%	4%	2%	2%	13%	9%	0%
Staff	4%	3%	7%	0%	0%	7%	9%	66%	3%	0%

Pupil Mode Share:

The table indicates that the majority of pupils travel to and from the two schools by sustainable travel means, with only 13% travelling by car (plus 9% car sharing).

Staff Mode Share:

The table shows that the car use by staff is significantly greater as 66% of staff travel by car with 3% car sharing.

Traffic Generation:

The consultants have confirmed in the TA that the existing, future and net traffic generation for Hasmonian School has been calculated from the questionnaire results for:

- the application site;
- both schools, disregarding location;

The tables below show the existing traffic generation at the application site.

Existing Traffic Generation at the application site:

	07:00-08:00		08:00-09:00		16:00-17:00		17:00-18:00	
	IN	OUT	IN	OUT	IN	OUT	IN	OUT
Girls	7	7	69	69	38	38	2	2
Boys	0	0	0	0	0	0	0	0
Staff	19	0	41	0	0	38	0	20
Total	26	7	110	69	38	76	2	22

This summarises to a total two way existing traffic movements as shown in the table below at the application site as follows:

	07:00 - 08:00	08:00 - 09:00	16:00 - 17:00	17:00 - 18:00
Total Two Way Traffic	33	179	114	24

The table below demonstrates that the development proposals are likely to generate traffic movements as follows:

Future Traffic Generation at the application site:

	07:00-08:00		08:00-09:00		16:00-17:00		17:00-18:00	
	IN	OUT	IN	OUT	IN	OUT	IN	OUT
Girls	9	9	79	79	62	62	5	5
Boys	26	26	57	57	45	45	7	7
Staff	43	0	92	0	0	82	0	46
Nursery	6	4	13	11	9	11	2	5
Total	84	39	241	147	116	200	14	63

This summarises to a total two way future traffic movements as shown in the table below at the application site as follows:

	07:00 - 08:00	08:00 - 09:00	16:00 - 17:00	17:00 - 18:00
Total Two Way Traffic	123	388	316	77

The above table therefore demonstrates the predicted net traffic generation at the application site as a result if the development proposals as follows.

However, the applicant has confirmed that the proposed nursery used is no longer being considered and therefore would result in reductions in traffic movements identified above.

Net Traffic Generation at the Application Site:

Table below equates to a total two way net traffic movements at the application site as follows:

	07:00 - 08:00	08:00 - 09:00	16:00 - 17:00	17:00 - 18:00
Total Two Way Traffic	90	209	202	53

The consultant have assessed the combined overall traffic generation for both schools irrespective of their locations to assess the impact of the development proposal on the wider highway network assuming 100% of the total existing staff as shown in the tables below.

The tables below show the existing traffic generation at the application site:

Existing Traffic Generation for both Schools Disregarding Location:

	07:00-08:00		08:00-09:00		16:00-17:00		17:00-18:00	
	IN	OUT	IN	OUT	IN	OUT	IN	OUT
Girls	7	7	69	69	38	38	2	2
Boys	16	16	43	43	31	31	3	3
Staff	38	0	82	0	0	76	0	41
Total	62	23	194	112	69	146	4	45

The table below summarises the existing two-way traffic generation across both school sites Disregarding Location as follows:

	07:00 - 08:00	08:00 - 09:00	16:00 - 17:00	17:00 - 18:00
Total Two Way Traffic	85	306	215	49

Net Traffic Generation for both Schools Disregarding Location:

	07:00-08:00		08:00-09:00		16:00-17:00		17:00-18:00	
	IN	OUT	IN	OUT	IN	OUT	IN	OUT
Girls	2	2	10	10	24	24	3	3
Boys	9	10	14	14	14	14	4	4
Staff	5	0	10	0	0	6	0	5
Nursery	6	4	13	11	9	11	2	5
Total	22	16	47	36	47	55	9	17

The table below summarises the net two-way traffic generation for the Hasmonean School Disregarding the Locations as follows:

	07:00 - 08:00	08:00 - 09:00	16:00 - 17:00	17:00 - 18:00
Total Two Way Traffic	38	83	102	26

From the table above the greatest net increase in vehicular traffic is likely to be during the peak school hours of 07:00 - 08:00 and 16:00 - 17:00 at approximately 2 vehicular trips per minute.

However, the applicant has confirmed that the proposed nursery used is no longer being considered and therefore there is likely to be reductions in traffic movements identified above.

Traffic Impact Assessment:

The consultants appraised the traffic impact anticipated as a result of the proposals was undertaken.

The consultants stated in the TA that if new school places were not provided at Hasmorean School, pupils would still be using the transport network to travel to another school. This is therefore a worst case assessment of impact.

The following junctions were assessed for the likely impact of the proposed development:

- Champions Way/Page Street/Longfield Avenue Priority Cross-roads;
- Page Street/Bunns Lane/Pursley Road Double Mini-Roundabouts; and
- A1/A41 'Fiveways Signalised Gyratory.

The impact assessment of the net development trips was undertaken by comparing the baseline traffic flows recorded in November 2015 and the percentage change in individual turning movements and overall junction traffic flows as a result of the development proposals.

Champions Way/Page Street/Longfield Avenue Priority Cross-roads:

The consultants undertook a junction modelling assessment at the junction of Champions Way/Page Street/Longfield Avenue Priority Cross-roads, to assess the effects of the new school traffic on its operation for the respective AM (07:00-08:00 and 08:00-09:00) and PM (16:00-17:00 and 17:00-18:00) assessed at hourly periods.

The junction modelling assessment demonstrated that there is forecast to be a moderate uplift in traffic movements at the Champions Way/Page Street/Longfield Avenue priority cross-roads, with the AM (08:00-09:00) peak hour period forecast to experience an increase of 25% across the junction equating to 286 vehicles or less than 5 vehicles per minute. This is as expected as it provides the new access to the school campus and drop-off/pick up facilities to remove traffic from Page Street.

The majority of the increase in traffic is forecast to occur between Page Street (S) and Champions Way.

Given the increases in traffic identified above, the consultants undertook further assessment of the Champions Way/Page Street/Longfield Avenue priority cross-roads has been undertaken with the preparation of a PICADY model using TRL's Junctions 9 software package.

The assessment showed that the Champions Way/Page Street/Longfield Avenue priority cross-roads is forecast to perform within the desirable operational threshold of 0.85 Ratio of Flow to Capacity (RFC), with a maximum RFC of 0.76 occurring for right turns into Champions Way in the 16:00-17:00 school collection period and maximum queues of 3 vehicles Passenger Carrying Units(PCUs).

Page Street/Bunns Lane/Pursley Road Double Mini-Roundabouts:

The turning movements at the Page Street/Bunns Lane/Pursley Road Double Mini-Roundabouts movements were assessed for the respective AM (07:00-08:00 and 08:00-09:00) and PM (16:00-17:00 and 17:00-18:00) assessed at the hourly periods.

The assessment showed that the net development traffic is forecast to result in an insignificant overall percentage change in traffic movements through the double mini-roundabouts within the assessed hours. The greatest change is expected within the AM (08:00-09:00) peak hour period where there is forecast to be an approximate 1% increase in traffic throughout the junction, which equates to only 23 vehicles or less than one per 2 minutes. The remaining hourly periods are all forecast to experience a change closer to 0%.

A1/A41 'Fiveways Signalised Gyratory:

The turning movement at the Fiveways Signalised Gyratory assessed by the consultants for the respective AM (07:00-08:00 and 08:00-09:00) and PM (16:00-17:00 and 17:00-18:00) assessed at the hourly periods.

The assessment showed that net development traffic is forecast to result in insignificant change in overall traffic movements across the Fiveways Signalised Gyratory within the assessed hours. The greatest change is within the 08:00-09:00 and 16:00-17:00 hourly periods where there is forecast to be approximately 2% increase in traffic within the junction (08:00-09:00). The remaining 07:00-08:00 and 17:00-18:00 hourly periods are both forecast to experience a change in flows closer to 0%.

However, the applicant is advised that the Fiveways Signalised Gyratory is operated by TfL and therefore the results of the assessment of the gyratory will need to be assessed and approved by TfL including any implementation of any improvement works that may be recommended to accommodate the proposed use.

Highway Works:

The applicant is advised that the above works on highway to facilitate the proposed development would be subject to site investigation and detailed technical approval and would be carried out under S278 of the Highways Act.

The proposed works in Champions Way for the provision of Pedestrian Crossing:

The highway works would comprise the following:

- Provision of proposed pedestrian crossing in Champions Way;
- Provision of footways on either side of the road to link to the proposed pedestrian crossing.
- Any drainage works if required;
- Any lighting improvements if required.
- Any proposal for the provision of or amendments to road markings such as waiting restrictions, School Keep Clear Markings etc.

Pedestrian Crossing in Page Street:

In addition, considering the increase in pedestrian trips resulting from the proposed development further contributions will need to be secured under S106 to ensure that a crossing facility is provided on Page Street than it can be provided including the provision of associated improvements such as drainage works and lighting.

School Travel Plan:

A full School Travel Plan will need to be provided. A contribution of £5,000 will need to be provided for the monitoring of the objectives of the Travel Plan.

Comments received from Transport for London (TfL):

The applicant consulted TfL on the above development proposal. TfL's comments are summarised below including London Borough of Barnet's response to TfL comments where appropriate:

Summary of TfL consultation comments:

In order to comply with London Plan Policies, TfL has requested the following:

- that the applicant does all that is reasonably possible to encourage mode shift from car travel to sustainable (including active) modes;
- that the bus impact assessment is submitted to TfL at the nearest possible opportunity;
- where there is insufficient capacity to accommodate the new bus demand generated by the development, the developer should contribute towards capacity enhancements;
- the applicant should ensure that the local bus stops are able to accommodate the additional demand safely;
- the applicant should also ensure that walking routes between the school and the local bus stops are comfortable and safe for pupils and staff;
- that the applicant considers increasing the number of site access points in order to reduce walking (including from bus stops) and cycling distances to/from school;
- assurance that the proposed mini bus services are a long term measure;
- that the applicant provides TfL with the assurance that there is a safe walking route between the "Five Ways Corner – towards Edgware" bus stop and the school;
- that the Cycle Level of Service (CLoS) assessment report is sent to TfL for review - once we have reviewed the results of the CLoS assessment we may request a contribution towards Transport for London Road Network (TLRN) cycle improvements;
- that the PERS report is sent to TfL for review - once we have reviewed the results of the PERS we may request a contribution towards improvements to the walking environment along the TLRN;
- that a full Construction Logistic Management Plan (CLMP), which addresses the construction points raised in this letter, is secured by condition, and that no work can commence on site until the condition has been approved in consultation with TfL;

- LBB response: A condition is placed to secure CLMP.
 - that a Delivery and Servicing Plan (DSP) be submitted for TfL consideration and subsequently secured by S106 agreement;
- LBB response: A condition is placed to secure DSP.

The applicant needs to provide a formal response to the above TfL comments and any contributions agreed between the applicant and TfL is to be included in the S106 Agreement.

S106 Contributions:

- Full School Travel Plan to be submitted 3 months prior to occupation
- £5,000 Travel Plan monitoring fee is to be secured prior to commencement of works;
- Highway works including the proposed provision of a crossing facility in Champions Way and the associated footway works are to be concluded under S106;
- A contribution of £10,000 under S106 to undertake the feasibility study for the provision of pedestrian crossing facility on Page Street prior to occupation;
- A commitment to provide contributions of up to £75,000 toward the provision of pedestrian crossing facility if need identified by the feasibility
- Any works required to mitigate works identified as a result of PERS and CERS Audits. To be provided prior to occupation;
- The applicant to undertake the Cycle Level of Service (Clos) assessment in accordance with TfL requirements and any mitigation measures identified will need to be carried out under S278 of the Highways Act.
- Any provision for a minibus service to be included in the S106 Agreement.
- Any works identified by TfL on TLRN routes would need to be agreed with TfL and the details of the works approved by TfL. Any contributions agreed between the applicant and TfL is to be included in the S106 Agreement.

Recommendation:

Based on the information submitted by the applicant the application is recommend for approval on highway grounds subject to the above comments, S106 Agreement and the following conditions and informatives.

3.9 Sustainability

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

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve a 40% reduction in carbon dioxide emissions on 2010 Part L Building Regulations. The London Plan Sustainable Design and Construction SPG 2014 updated this target of 35% on 2013 Part L 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. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

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.

The application is supported by an energy statement which advises that through combination of energy efficient and sustainable measures which address the Mayors Energy Hierarchy will result in a greater than 35% reduction in CO2 emissions, through a mixture of factors including a proposed gas fired energy Centre, photovoltaic panels and building design. These details have been considered by the GLA who consider them broadly acceptable subject to clarification regarding various issues.

While this matter results in a beneficial element in regards to the weighing up of green belt balance, account needs to be taken of the fact that this is required in any event regardless of its greenfield location in order to satisfy London Plan Policy and as such is appropriated low weight.

3.10 Flood Risk

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:

1. store rainwater for later use
2. use infiltration techniques, such as porous surfaces in non-clay areas
3. attenuate rainwater in ponds or open water features for gradual release
4. attenuate rainwater by storing in tanks or sealed water features for gradual release
5. discharge rainwater direct to a watercourse
6. discharge rainwater to a surface water sewer/drain
7. discharge rainwater to the combined sewer.

A Flood Risk Assessment has been carried out in support of the application and is included as part of the Environmental Statement. The FRA confirms that the site is located within Flood Zone 1 which is considered to be an area least susceptible to flooding, however the use proposed is considered to represent a 'More vulnerable development'

The submitted FRA advises that the development would mitigate against the risk of flooding by incorporating a variety of measures, including realigning the existing water drainage risk, the use of permeable materials for hard surfaced areas and sports pitches, the inclusion of a green roof and the use of swales, pond and underground storage.

The information has been examined by the Council's Drainage officer who has advised that further information is required, but that this information can be secured by condition and does not raise any objections to the proposal.

In relation to green belt balancing this is considered a neutral factor as there is no worsening or betterment over the existing situation.

3.11 Air Quality

The Environmental Statement incorporates an assessment of the impact of the development on air quality in the surrounding area. The air quality assessment has been fully reviewed by the Council's Scientific Services Team who concur with the findings of the report which concludes that any incremental increase in pollution would be negligible.

In relation to green belt balancing this is considered a neutral factor as there is no worsening or betterment over the existing situation.

3.12 Ground Conditions

The Environmental Statement incorporates an assessment of existing ground conditions, which has been assessed by the Council's Scientific Services Team who advise that they have no objection to the scheme subject to appropriate conditions.

In relation to green belt balancing this is considered a neutral factor as there is no worsening or betterment over the existing situation.

3.13 Historic Environment / Archaeology

The applicant submitted a Historic Environment Desk Based Assessment (AB Heritage, August 2016) and a Geophysical Survey Report (AB Heritage, August 2016). The Assessment identified a potential for historic field boundaries and the possible route of a Roman road. The subsequent geophysical survey however did not reveal any discernible, significant archaeological features. Although London Clay on which the site is located does not produce the clearest geophysical results, the lack of any potential features suggests that the archaeological potential within the site is limited.

English Heritage Archaeology have examined this document and have advised that no further archaeological investigations are required.

In relation to green belt balancing this is considered a neutral factor as there is no worsening or betterment over the existing situation.

3.14 Environmental Scoping

It is noted that the Environmental Scoping opinion request submitted prior to the submission of the application under planning reference 16/1295/ESC was rejected by the Council on the 15th July 2016, with the Council advising that additional material should be included in the Environmental Statement. The Environmental Statement which was submitted contained the relevant information which was requested in the original scoping request.

It is not the job of an environmental screening or scoping report to consider the merits or otherwise of a case, rather it is to ensure that sufficient information has been submitted to allow the Council to form an assessment of a proposal. Notwithstanding the recommendation made it is considered that the applicant has satisfactorily responded to the previous scoping refusal and it is considered that the application is a valid application from the perspective of the EIA regulations.

3.15 Planning Obligations

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

In accordance with development plan policies the following obligations would have been required in the event of a recommendation of approval:

Open Space Contribution

Off Site Landscape Contribution

Future Landscaping Maintenance Contribution

Community Use Agreement

Full School Travel Plan to be submitted 3 months prior to occupation

£5,000 Travel Plan monitoring fee is to be secured prior to commencement of works;

Highway works including the proposed provision of a crossing facility in Champions Way and the associated footway works are to be concluded under S106;

A contribution of £10,000 under S106 to undertake the feasibility study for the provision of pedestrian crossing facility on Page Street prior to occupation;

A commitment to provide contributions of up to £75,000 toward the provision of pedestrian crossing facility if need identified by the feasibility

Any works required to mitigate works identified as a result of PERS and CERS Audits. To be provided prior to occupation;

The applicant to undertake the Cycle Level of Service (Clos) assessment in accordance with TfL requirements and any mitigation measures identified will need to be carried out under S278 of the Highways Act.

Any provision for a minibus service to be included in the S106 Agreement.

Any works identified by TfL on TLRN routes would need to be agreed with TfL and the details of the works approved by TfL

Given that the application is recommended for refusal another reason for refusal is suggested relating to the failure of the applicant to enter into a binding legal agreement for the above contributions. This means that adequate contributions can be sought in the event of a future appeal against the planning refusal.

4. EQUALITY AND DIVERSITY ISSUES

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

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

characteristic and persons who do not share it.”

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to refuse planning permission for this proposed development will comply with the Council’s statutory duty under this important legislation, while the application is providing services for a particular religion and belief, this does not in itself provide sufficient reason to overcome the fundamental policy objections raised.

5. CONCLUSION

To refuse application ref: 16/6662/FUL subject to referral to the Mayor of London for the reasons outlined at the beginning of this report, namely that the application is considered contrary to four out of the five criteria set out in the NPPF for assessing green belt applications and would also be contrary to both of the fundamental principles of Green Belt Policy in regards to their permanence and openness. The proposal would result in the loss of public open space to the detriment of local amenity. The proposal would result in the widespread destruction of a Site of Interest for Nature Conservation and result in a significant loss of valuable habitat. The proposal would also result in the loss of a significant number of mature trees which are protected by a Tree Preservation Order.

While the ‘Very Special Circumstances’ outlined in the applicant’s supporting statements have been taken into account, the Council do not concur with the weight which the applicant has placed on them and do not consider that they provide sufficient grounds to ‘clearly outweigh’ the substantial harm which the development has been found to result in.

APPENDIX 1: Site Location Plan



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LOCATION: National Institute for Medical Research, The Ridgeway, London, NW7
1AA

REFERENCE: 16/4545/FUL

Registered: 15/07/2016 **AGENDA ITEM 7**

WARD: Mill Hill

APPLICANT: Barratt London

PROPOSAL: Redevelopment of the site to provide 460 new residential units following demolition of all existing buildings. New residential accommodation to consist of 448 self-contained flats within 19 blocks ranging from three to nine storeys with basement car parking levels and 12 two storey houses with lower ground floor levels. Associated car and cycle parking spaces to be provided. Provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Reconfiguration of the site access and internal road arrangements and provision of new publicly accessible outdoor amenity space. New associated refuse and recycling arrangements. The application is accompanied by an Environmental Statement.

Application Summary

This application relates to a 15 hectare site located on the Ridgeway in the Mill Hill ward, in the northern part of the London Borough of Barnet. The site is occupied by the Medical Research Council's National Institute for Medical Research (NIMR). As such, the site is primarily used for research and development purposes (use class B1(b)). The site falls within both the Green Belt and the Mill Hill Conservation Area. There are neither statutorily or locally listed buildings on site.

This application seeks permission for the redevelopment of the NIMR site involving demolition of all buildings including the main Cruciform building. A total of 19 new apartment blocks and 12 detached houses are to be constructed which will provide 460 new homes. These buildings will include a replacement main building with 4 detached wings. The height of the new blocks will range from 4 to 9 storeys and the new houses will be two storeys with accommodation in the roof space.

The application is also seeking to provide 21,000 sqft of non-residential floorspace to be provided on site, consisting of 1640 m² office space (use class B1); a gym (157 m²) and a café (151 m²).

Urban Design and Layout

The application is seeking to demolish and rebuild the existing 9 storey Cruciform building, separating the existing attached wings to provide 4 detached wings. The design section of this report analyses the merits of rebuilding the Cruciform as opposed to converting. Key masterplan design approaches which are appraised include decreasing building heights to the north of the site in response to level changes and breaking up the existing dense built form fronting the Ridgeway.

Affordable Housing

The application was accompanied by an 'Affordable Housing and Economic Viability Assessment' produced by BNP Paribas (BNPP). The Council instructed GL Hearn to carry out an independent review of this document. The applicant has made an offer of 20% affordable housing in the form of shared ownership and a £4.56 million contribution for off-site affordable housing provision. This offer has been reviewed by GL Hearn, who considers

it to be acceptable and viable.

Transport and Parking

A total of 613 car parking spaces are proposed including 19 spaces for commercial use. This is an increase of 47 parking spaces in addition to the original proposed parking scheme. This increase is in response to the high number of public objections to the perceived lack of parking. The additional 47 car parking spaces are at basement level and therefore will not have a detrimental impact on the openness of the site.

The parking as proposed is in accordance with the Barnet Local Plan, Development Management Policy DM17 and is considered to be acceptable by the Council's Highways Department.

Green Belt

As the application site lies within the Green Belt, any proposal must not detrimentally impact the openness or functionality of this land designation. Although the floor space area is increasing as a result of the proposal, there are a significant number of improvements being made to the site to enhance the Green Belt's openness and functionality. These include improved layout of the buildings allowing greater views of the Green Belt, removal of security fences and reductions to the built footprint of the whole site.

Conclusion

In conclusion officers consider that the development is acceptable and has regard to relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is also acceptable under planning policy and is in accordance with the approved Planning Brief for this site.

The scheme would deliver 460 high quality homes with an appropriate mix and with 20% of residential units being provided as affordable and a £4.56 million payment towards off-site affordable housing.

RECOMMENDATION

Approve the application subject to:

Recommendation 1

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

Recommendation 2

Subject to Recommendation 1 above, the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of seeking to secure the following:

(a) Legal Professional Costs Recovery

Paying the Council's reasonable legal and professional costs of preparing the Agreement and any other enabling arrangements.

(b) Enforceability

All obligations listed to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

(c) Affordable Housing

The provision within the development of a minimum of 20% (by unit number) of homes as

affordable housing, providing a minimum of 92 residential units with the following mix:

48 x 1 bedroom units
34 x 2 bedroom units
10 x 3 bedroom units

An off-site contribution of £4.56m shall also be made to the Local Authority.

(d) Affordable Housing – Review Mechanism

The viability of the development shall be re-appraised at an appropriate point in the implementation of the development and, if deemed viable to do so, a financial contribution shall be paid towards the provision of affordable housing in the Borough.

(e) Employment and Training

The applicant will be required to enter into a Local Employment Agreement (LEA) with the Council. The employment agreement would need to secure the following minimum levels and would also set out specifically how the applicant would deliver these:

- Forecasting of details of trades or occupational areas offering Apprenticeship and job opportunities
- 2 months' notice of apprenticeship vacancies
- A local labour target of 30% during the construction phase
- Reasonable endeavours to incorporate the local supply chain, and reporting on performance in incorporating the local supply chain
- 20-24 (twenty to twenty-four) apprenticeships over the life of the scheme

(f) Employment and Training – Financial Contribution

£740,630.00 contribution (index linked) to mitigate the loss of employment floorspace. The monies will be utilised on business support and employment and training initiatives.

(g) Provision of SME- Accessible Workspace

The developer will ensure that the workspace designed is SME accessible, having due regard to the encouragement of SMEs in the area, including flexibility in regards to: lease lengths; size of leasable areas; access requirements; payment terms; and hot-desking versus allocated desk configurations.

(h) Residential Travel Plan

A full Residential TP (RTP) is to be submitted and approved at least 3 months prior to first occupation. The RTP is to be TRICS and ATTrBuTE compliant with monitoring completed within 6 months of first occupation, then in years 1,3,5 and then every other until 5 years after first occupation of the final unit.

(i) Residential Travel Plan Monitoring

RTP to be updated and resubmitted for approval following completion of each period of monitoring.

(j) Residential Travel Plan Champion

RTP Champion (and Site-wide TP Champion) in place at least 3 months prior to occupation and for lifespan of RTP to be suitably experienced and qualified.

(k) Residential Travel Plan Incentives

Incentives to comprise of a voucher to a minimum value of £300 per dwelling (total of

£138,000) to be spent on 2 of the following:

- £150 Oyster card
- Subsidised Car club membership to the value of £150 and/or towards car club hire
- Bike voucher to the value of £150

(l) Car club provision

2 car club spaces and vehicles on the development for residents and staff use.

(m) Residential Travel Plan – Monitoring Contribution

£20,000 contribution towards the monitoring of the Residential Travel Plan.

(n) Office Travel Plan

A Commercial Travel Plan Statement (CTP) is to be submitted and approved within 6 months of occupation of the office use. CTP to be iTRACE and ATTrBuTE compliant with monitoring completed within 4 months of first occupation of the office use, then in years 1,3,5.

(o) Office Travel Plan monitoring

CTP to be updated and resubmitted for approval following completion of each period of monitoring.

(p) Office Travel Plan Champion

CTP Champion in place prior to occupation and for lifespan of CTP

(q) Office Travel Plan – Monitoring Contribution

£5000 contribution towards the monitoring of the Office Travel Plan

(r) Café/Gym Travel Plan

A Café or Gym TP Statement (CTP) is to be submitted and approved within 6 months of occupation of the café or gym use. C/GTP to be iTRACE and ATTrBuTE compliant with monitoring completed within 4 months of first occupation of the café or gym use, then in years 1,3,5.

(s) Café/Gym Travel Plan monitoring

C/GTP is to be updated and resubmitted for approval following completion of each period of monitoring.

(t) Café/Gym Travel Plan Champion

C/GTP Champion in place prior to occupation and for lifespan of CTP

(u) Café/Gym Travel Plan – Monitoring Contribution

£5000 contribution towards the monitoring of the Café/Gym Travel Plan

(v) Transfer of Land

The developer will transfer the land identified and agreed for the Gaelic Football pitch. The Council or the Tenant shall use the land as a Playing Field and a sports club, including on site advertising.

(w) Green spaces - financial contribution

On the grant of the Planning Consent, the Developer will provide funding of [FIVE HUNDRED AND FIFTY THOUSAND POUNDS (£550,000)] to the Council to be used for:

- a. The preparation and laying out of the playing fields, including levelling and drainage
- b. The construction of a Pavilion
- c. The construction of service roads

- d. Ancillary facilities, including but not restricted to fencing, flood lighting, drainage, score boards
- e. All professional fees and services associated with, and not limited to, the design, planning, specification, construction and project management of the Scheme

(x) Ground works – financial contribution

On grant of the Planning Consent, the Developer will provide funding of ONE HUNDRED AND FIFTY THOUSAND POUNDS (£150,000) to the Council to be used for an agronomy survey and its implementation.

(y) Pre application communication

The Council will consult with the Developer on the proposals for the Scheme during the pre-application stage.

(z) Planning of Green Space improvements

The Council will be responsible for obtaining all necessary consents, including planning for the Scheme.

(aa) Maintenance – financial contribution

The Tenant or in the absence of a tenant the Council will be responsible for the upkeep and maintenance of the Scheme in perpetuity.

(bb) Major Highways improvements

The sum of £50,000 to be paid to fund the implementation of the Bittacy Hill /Frith Lane Junction improvement prior to occupation of 50 units on the site.

(cc) Step-Free Access Contribution

A minimum contribution of £150,000 up to a maximum of £300,000 subject to a viability review mechanism towards the implementation of Step Free Access at Mill Hill East underground station.

(dd) Cycle/Pedestrian Network – financial contribution

The sum of TWO HUNDRED THOUSAND POUNDS (£200,000) towards improvements to the local Cycle/Pedestrian Route Network and facilities, including cycle route signage in the area, clearance of vegetation and potential paving on The Ridgeway (between The Ridgeway/Burtonhole Lane (east) junction to Partingdale Lane).

(ee) Section 278 works

The developer is to undertake repaving of the footway on The Ridgeway (section between St Vincents Lane and Burtonhole Lane) and Burtonhole Lane (section between Burtonhole Lane and Eleanor Crescent) as part of the Section 278 works.

(ff) Public access to the site

24 hour public access, in designated publically accessible spaces, shall be maintained through the site in perpetuity.

Recommendation 3

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Assistant Director of Planning and Building Control approve the planning application reference B/04309/14 under delegated powers and grant planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Assistant Director - Planning and Building Control:

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

1623_DWG_PL_00_001 Site Location Plan 1623_DWG_PL_00_002 Existing Site Plan;
1623_DWG_PL_00_003 Existing Levels; 1623_DWG_PL_00_004 Existing Site Roof Plan;
1623_DWG_PL_00_010 Existing Site Demolition Plan; 1623_DWG_PL_00_020 Existing Site Section A (North-South); 1623_DWG_PL_00_021 Existing Site Section B (East-West) ;
1623_DWG_PL_00_022 Existing Site Section C (North-South); 1623_DWG_PL_00_023 Existing Site Section D (North-South); 1623_DWG_PL_00_030 Existing Site Elevation J - The Ridgeway; 1623_DWG_PL_00_031 Existing Site Elevation K - St Vincents Lane; 1623_DWG_PL_00_032 Existing Site Elevation L - Burtonhole Lane;
1623_DWG_PL_00_050 Existing Basement Plan; 1623_DWG_PL_00_051 Existing Lower Ground Floor Plan; 1623_DWG_PL_00_052 Existing Ground Floor Plan;
1623_DWG_PL_00_053 Existing First Floor Plan; 1623_DWG_PL_00_054 Existing Second Floor Plan; 1623_DWG_PL_00_055 Existing Third Floor Plan; 1623_DWG_PL_00_056 Existing Fourth Floor Plan ; 1623_DWG_PL_00_057 Existing Fifth Floor Plan;
1623_DWG_PL_00_058 Existing Sixth Floor Plan;
1623_DWG_PL_00_059 Existing Seventh Floor Plan; 1623_DWG_PL_00_070 Existing Section AA; 1623_DWG_PL_00_071 Existing Section BB; 1623_DWG_PL_00_080 Existing Cruciform Elevation 1; 1623_DWG_PL_00_081 Existing Cruciform Elevation 2;
1623_DWG_PL_00_082 Existing Cruciform Elevation 3; 1623_DWG_PL_00_083 Existing Cruciform Elevation 4; 1623_DWG_PL_00_101A Proposed Masterplan Finished Floor Levels; 1623_DWG_PL_00_102A Proposed Masterplan Roof Plan;
1623_DWG_PL_00_103A Proposed Masterplan Block References; 1623_DWG_PL_00_104 Proposed Masterplan Surface Car Parking Layout; 1623_DWG_PL_00_105 Proposed Masterplan Ground Layout Plan; 1623_DWG_PL_00_106A Proposed Masterplan Basement/Lower Ground Plan; 1623_DWG_PL_00_150 Proposed Site Section A (North-South); 1623_DWG_PL_00_151 Proposed Site Section B (North-South);
1623_DWG_PL_00_152 Proposed Site Section C (North-South); 1623_DWG_PL_00_153 Proposed Site Section D (North-South); 1623_DWG_PL_00_170 Proposed Site Elevation J - The Ridgeway; 1623_DWG_PL_00_171A Proposed Site Elevation K - St Vincents Lane; 1623_DWG_PL_00_172 Proposed Site Elevation L - Burtonhole Lane;
1623_DWG_PL_00_173 Proposed Site Elevation M 1:500 A1 X; 1623_DWG_PL_00_174 Proposed Site Elevation N 1:500 A1 X; 1623_DWG_PL_00_175 Proposed Site Elevation P 1:500 A1 X; 1623_DWG_PL_00_176A Proposed Site Elevation Q;
1623_DWG_PL_00_177A Proposed Site Elevation R; 1623_DWG_PL_00_178 Proposed Site Elevation S;
1623_DWG_PL_00_179 Proposed Site Elevation T; 1623_DWG_PL_ABC_201A Proposed Basement Plan; 1623_DWG_PL_ABC_202 Ridgeway Cruciform Cluster Lower Ground Floor Plan; 1623_DWG_PL_ABC_203 Ridgeway Cruciform Cluster Ground Floor Plan;
1623_DWG_PL_ABC_204 Ridgeway Cruciform Cluster First Floor Plan;
1623_DWG_PL_ABC_205 Ridgeway Cruciform Cluster Second Floor Plan;
1623_DWG_PL_ABC_206 Ridgeway Cruciform Cluster Third Floor Plan;
1623_DWG_PL_ABC_207 Ridgeway Cruciform Cluster Fourth Floor Plan;
1623_DWG_PL_ABC_208 Ridgeway Cruciform Cluster Fifth Floor Plan;
1623_DWG_PL_ABC_209 Ridgeway Cruciform Cluster Sixth Floor Plan;
1623_DWG_PL_ABC_210 Ridgeway Cruciform Cluster Seventh Floor Plan;
1623_DWG_PL_ABC_211 Ridgeway Cruciform Cluster Roof Plan; 1623_DWG_PL_DE_201

Proposed Ridgeway Courtyard- Basement; 1623_DWG_PL_DE_202 Proposed Ridgeway Courtyard- Lower Ground Plan; 1623_DWG_PL_DE_203 Proposed Ridgeway Courtyard- Ground Plan; 1623_DWG_PL_DE_204 Proposed Ridgeway Courtyard- First Plan; 1623_DWG_PL_DE_205 Proposed Ridgeway Courtyard- Second Plan; 1623_DWG_PL_DE_206 Proposed Ridgeway Courtyard- Third Plan; 1623_DWG_PL_DE_207 Proposed Ridgeway Courtyard- Roof Plan; 1623_DWG_PL_F_201A Proposed Lower Lane Pavillions- Basement Plan; 1623_DWG_PL_F_202 Proposed Lower Lane Pavillions- Ground Plan; 1623_DWG_PL_F_203 Proposed Lower Lane Pavillions- First Plan; 1623_DWG_PL_F_204A Proposed Lower Lane Pavillions- Second Plan; 1623_DWG_PL_F_205A Proposed Lower Lane Pavillions- Third Plan; 1623_DWG_PL_F_206A Proposed Lower Lane Pavillions- Fourth Plan; 1623_DWG_PL_F_207A Proposed Lower Lane Pavillions- Roof Plan; 1623_DWG_PL_G_201 Proposed Lower Lane Belvedere- Lower Ground Plan; 1623_DWG_PL_G_202 Proposed Lower Lane Belvedere- Ground Plan; 1623_DWG_PL_G_203 Proposed Lower Lane Belvedere- First Plan; 1623_DWG_PL_G_204 Proposed Lower Lane Belvedere- Second Plan; 1623_DWG_PL_G_205 Proposed Lower Lane Belvedere- Third Plan; 1623_DWG_PL_G_206 Proposed Lower Lane Belvedere- Roof Plan; 1623_DWG_PL_H_201 Proposed Lower Lane Houses 4 Bedroom Houses - Plans; 1623_DWG_PL_H_202 Proposed Lower Lane Houses 5 Bedroom Houses - Plans; 1623_DWG_PL_JK_201 Proposed Woodland Cluster Basement Plan; 1623_DWG_PL_JK_202 Proposed Woodland Cluster Ground Plan; 1623_DWG_PL_JK_203 Proposed Woodland Cluster First Plan; 1623_DWG_PL_JK_204 Proposed Woodland Cluster Second Plan; 1623_DWG_PL_JK_205 Proposed Woodland Cluster Third Plan; 1623_DWG_PL_JK_206 Proposed Woodland Cluster Roof Plan; 1623_DWG_PL_A_220 Proposed Section AA; 1623_DWG_PL_A_221 Proposed Section BB; 1623_DWG_PL_A_240 Proposed North Elevation 1; 1623_DWG_PL_A_241 Proposed South Elevation 2; 1623_DWG_PL_A_242 Proposed East Elevation 3; 1623_DWG_PL_A_243 Proposed West Elevation 4; 1623_DWG_PL_B1_240 Block B1 Elevation 1 & 2; 1623_DWG_PL_B1_241 Block B1 Elevation 3 & 4; 1623_DWG_PL_B2_240 Block B2 Elevation 1 & 2; 1623_DWG_PL_B2_241 Block B2 Elevation 3 & 4; 1623_DWG_PL_C1_240 Block C1 Elevation 1 & 2; 1623_DWG_PL_C1_241 Block C1 Elevation 3 & 4; 1623_DWG_PL_C2_240 Block C2 Elevation 1 & 2; 1623_DWG_PL_C2_241 Block C2 Elevation 3 & 4; 1623_DWG_PL_DE_240 Blocks D & E Proposed Elevations (South & West); 1623_DWG_PL_DE_241 Blocks D & E Proposed Elevations (North & East); 1623_DWG_PL_DE_242 Blocks D & E Proposed Internal Elevations (North & East); 1623_DWG_PL_DE_243 Blocks D & E Proposed Internal Elevations (South & West); 1623_DWG_PL_F_240A Block F Proposed Elevation Overall (North&South); 1623_DWG_PL_F1_240A Block F1 Proposed Elevation (North&East); 1623_DWG_PL_F1_241A Block F1 Proposed Elevation (South&West); 1623_DWG_PL_F2_240 Block F2 Proposed Elevation (North&East); 1623_DWG_PL_F2_241 Block F2 Proposed Elevation (South&West); 1623_DWG_PL_F3_240A Block F3 Proposed Elevation (North&East); 1623_DWG_PL_F3_241 Block F3 Proposed Elevation (South&West); 1623_DWG_PL_G1_240 Block G1 Proposed Elevation (South-West); 1623_DWG_PL_G1_241 Block G1 Proposed Elevation (South-East) 1:200 A3; X; 1623_DWG_PL_G1_240 Block G1 Proposed Elevation (North-East); 1623_DWG_PL_G1_241 Block G1 Proposed Elevation (North-West); 1623_DWG_PL_G2_240 Block G2 Proposed Elevation (South- West); 1623_DWG_PL_G2_241 Block G2 Proposed Elevation (South-East); 1623_DWG_PL_G2_240 Block G2 Proposed Elevation (North-East); 1623_DWG_PL_G2_241 Block G2 Proposed Elevation (North-West);

1623_DWG_PL_H1_240 H1 Proposed Elevations 1:200 A3 X; 1623_DWG_PL_H2_240 H2 Proposed Elevations ; 1623_DWG_PL_H3_240 H3 Proposed Elevations ; 1623_DWG_PL_H4_240 H4 Proposed Elevations; 1623_DWG_PL_H5_240 H5 Proposed Elevations; 1623_DWG_PL_H6_240 H6 Proposed Elevations; 1623_DWG_PL_H7_240 H7 Proposed Elevations; 1623_DWG_PL_H8_240 H8 Proposed Elevations; 1623_DWG_PL_H9_240 H9 Proposed Elevations; 1623_DWG_PL_H10_240 H10 Proposed Elevations ; 1623_DWG_PL_H11_240 H11 Proposed Elevations; 1623_DWG_PL_H12_240 H12 Proposed Elevations; 1623_DWG_PL_J1_240 Block J1 Proposed Elevation (North&East); 1623_DWG_PL_J1_241 Block J1 Proposed Elevation (South&West); 1623_DWG_PL_J2_240 Block J2 Proposed Elevation (North&East); 1623_DWG_PL_J2_241 Block J2 Proposed Elevation (South&West); 1623_DWG_PL_J3_240 Block J3 Proposed Elevation (North&East); 1623_DWG_PL_J3_241 Block J3 Proposed Elevation (South&West); 1623_DWG_PL_K1_240 Block K1 Proposed Elevation (North&East); 1623_DWG_PL_K1_241 Block K1 Proposed Elevation (South&West); 1623_DWG_PL_K2_240 Block K2 Proposed Elevation (North&East); 1623_DWG_PL_K2_241 Block K2 Proposed Elevation (South&West); 1623_ABC_DWG_00_301 Detailed Bay Study B + C; 1623_ABC_DWG_00_305 Detailed Bay Study B + C; 1623_DWG_PL_DE_301 Detailed Bay Study D + E; 1623_DWG_PL_F_301 Detailed Elevation/Section Study Block F; 1623_DWG_PL_G_301 Detailed Elevation/Section Study Block G; 1623_DWG_PL_H_301 Detailed Elevation/Section Study Houses ; 1623_DWG_PL_J_301 Detailed Elevation/Section Study Block J; 1623_DWG_PL_K_301 Detailed Elevation/Section Study Block K; 1779 04 A Woodland Cluster General Arrangement (1 of 2); 1779 07 A Woodland Cluster General Arrangement (2 of 2); 1779 10 A Grassland and Woodland Glades General Arrangement; 1779 11 A Woodland and Woodland Glades General Arrangement; 1779 12 A Sports Field General Arrangement; 1779 06 A Valley Terrace and Lower Belvadere Terrace General Arrangement.

Also submitted for information purposes:

Design and Access Statement (Hawkins\Brown and dMFK, 2016); Access Statement (David Bonnett Associates 2016); Sunlight and daylight assessment (gia, 2016); Energy Statement (BBS, June 2016); Delivery Servicing Plan (Ardent, June 2016); Planning Statement (Deloitte, June 2016); Landscape Strategy (Liz Lake Associates, June 2016); Statement of Community Involvement (Westbourne, June 2016), Utilities Assessment (Ardent, June 2016); Wind and Microclimate Assessment (RWDI, June 2016); Residential Travel Plan (Ardent, June 2016); Workplace Travel Plan (Ardent, June 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 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.

- 3) No development shall commence before a phasing plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall clearly identify the phasing of the proposed development.

Reason: To ensure there is minimal disruption to the public and the other community activities carried out at the Site and all other environmental impacts and harm to amenity caused by the construction works and associated operations and transport movements are also minimised.

4) Notwithstanding the details shown on the plans, hereby approved, prior to the commencement of each phase of the development (other than demolition, site clearance and ground works):

(a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and

(b) sample panels shall be constructed on site of building materials and hardsurfacing, to be inspected and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

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

5) Notwithstanding the details shown in the drawings submitted and otherwise hereby approved prior to the commencement of each phase of the development (other than for Demolition, Ground works and Site Preparation Works) details of the following features and elements of the scheme have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding and brick and stone detailing (annotated plans at a scale of not less than 1:20 unless otherwise agreed in writing with the Local Planning Authority).
- External windows, balconies, doors, metal screens and balustrading (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).
- Depth of window reveals (annotated plans at a scale of not less than 1:20 unless otherwise agreed in writing with the Local Planning Authority).
- Rainwater goods (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).
- Privacy screens (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).
- All means of enclosure proposed for the sites pedestrian and vehicular access points (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).

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

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

6) Notwithstanding the details submitted in the drawings hereby approved no phase of the development is to commence (other than demolition, ground works and site clearance) unless and until details of the levels of the proposed buildings, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before any of the residential units approved are occupied.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of

the area and neighbouring occupiers in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

- 7) The development hereby approved shall be undertaken in accordance with the approved surface water drainage strategy (reference 11348-5013 and 11348-5014 P3 and dated April 2016) unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in its entirety and retained thereafter. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development - must use Sustainable Drainage Systems (SuDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

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).

- 8) 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, store water for later reuse, 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.

- 9) 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 (such as the SuDS Manual, C753.)

- 10) 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. The Estate Management Company will take on the safe operation and maintenance of the SuDS system where this is not taken on by the Adopting Authority. The Estate Management Company would need to demonstrate that sufficient funds are allocated for the safe operation and maintenance of the SuDS system.

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.

11) Contaminated land

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.

- 12) All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with [local policy] and London Plan policies 5.3 and 7.14

- 13) An Air Quality and Dust Management Plan shall be submitted to, and approved by, the Local Planning Authority, before the development commences whose purpose shall be to control and minimise emissions attributable to the demolition and/or construction of the development. Reference shall be made to the Mayor of London's SPG, "The Control of Dust and Emissions during Construction and Demolition". The plan shall confirm:
- a. which air quality emission and dust control measures are to be implemented;
 - b. which monitoring methods are to be implemented; and
 - c. that construction machinery will meet NRMM standards

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality

- 14) The mitigation measures recommended in the report by Ardent, report reference U780-10, 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 the amenities of occupiers are not prejudiced by traffic noise/mixed use 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.

- 15) The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

- 16) (a) Prior to the commencement of each phase of the development (other than for Demolition, Ground works and Site Preparation Works) details of mitigation measures to show how the development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority. The gym equipment shall be isolated from the structure of the building.

This sound insulation shall ensure that the levels of noise generated from the **gym, office and cafe**; 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.

17) (a) Prior to the installation of all extraction and ventilation equipment to be installed as part of the development, details of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. 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 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 a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted September 2012).

18) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones", including a 20m buffer to the Folly Brook.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including, but not limited to badgers, amphibians, reptiles, White Letter Hairstreak butterflies, owls and lesser spotted woodpeckers.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure improvements the biodiversity of the site in order to comply with Policy DM16 of the Development Management Policies DPD (2016).

19) A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure improvements the biodiversity of the site in order to comply with Policy DM16 of the Development Management Policies DPD (2016).

20) All new plantings should be locally obtained (i.e. plantings can be imported from Europe on the condition that they have resided in a UK nursery for a minimum of 12 months), disease free and from a reputable bio-secure supplier.

Reason: To ensure improve the biodiversity of the site in order to comply with Policy DM16 of the Development Management Policies DPD (2016).

21) No site works or works in connection with the development hereby approved shall be commenced until details Dawn and Dusk Surveys are conducted in order to satisfy itself that the local Bat population will not be adversely affected. These surveys will need to be submitted to the Local Planning Authority and approved in writing.

Reason: To ensure improve the biodiversity of the site in order to comply with Policy DM16 of the Development Management Policies DPD (2016).

22) Lighting should be restricted to low intensity and directed away from potential Bat foraging and roosting habitat. As such (TIMING) details of street lighting will need to be submitted to the Local Planning Authority and approved in writing.

Reason: To ensure improve the biodiversity of the site in order to comply with Policy DM16 of the Development Management Policies DPD (2016).

23) Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing

by the Local Planning Authority:

- i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
 - ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
 - iii. Plans showing satisfactory points of collection for refuse and recycling.
- The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

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

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

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

25) The area shown to be occupied by Use Class B1 activities shall be retained for this use only shall not be amalgamated or subdivided without the prior written agreement of the Local Planning Authority.

Reason: To ensure the development is implemented in accordance with the permission sought.

26) (a) Prior to the commencement of each phase of the development a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) shall be submitted to and approved in writing by the Local Planning Authority.

(b) Prior to the commencement of each phase of the development the temporary tree protection shown on the tree protection plan for each phase approved under this condition shall be erected around existing trees on site. This protection shall remain in position until after the development works on each phase 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 condition.

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 2015.

27) Prior to the commencement of each phase of the development details of the level changes in proximity to retained trees shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with 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 2015.

28) (a) Prior to the commencement of each phase of the development details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall thereafter be implemented in accordance with details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015).

29)(a) No development (other than for Demolition, Ground works and Site Preparation Works) shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 20 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.

(d) Planting which has been used for screening (specifically along the boundary with Burtonhole Lane and St Vincent's Lane) shall be reviewed within 5 years of commencement of development with a view to augmenting and enhancing the landscaping if insufficient screening is provided. The level of established screening required should obscure the buildings and infrastructure from eye line level and be integrated into the existing tree boundaries, consistent with the local character.

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 2015.

30) (a) Before each phase of the development hereby permitted is first occupied details of obscuring glazing shall be submitted to and approved in writing by the local authority.

(b) The scheme of obscure glazing shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

31)(a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space. Details shall include landscaping, climbable objects, fixed equipment, facilities for younger and older children and facilities suitable for disabled children and carers. These details hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan.

32) 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, B, C, D, E, F, G and H of Part 1 of Schedule 2 of that Order shall be carried out within the application site hereby approved unless otherwise agreed in writing by the Local Planning Authority.

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).

33) No development shall be commenced until details of advertising hoarding is submitted to and approved in writing by the Local Planning Authority.

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).

34) (a) No development other than demolition works shall take place until details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

(b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

35) The sports pitch(es) shall remain as natural turf and not be replaced with any artificial surfaces.

Reason: To protect the biodiversity of the site in order to comply with Policy DM16 of the Development Management Policies DPD (2016).

36) No lighting (including floodlighting) should be installed in the playing fields area and construction lights should also be positioned so as not to illuminate woodland and tree belts.

Reason: To protect the biodiversity of the site in order to comply with Policy DM16 of the Development Management Policies DPD (2016).

37) Prior to first occupation a detailed Car Parking Management Plan 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 (if any)
- iv. The enforcement of unauthorised parking
- v. 'Blue badge' space quantities in accordance with London Plan (2015) guidance
- vi. Location of a minimum of 2 car club spaces
- vii. Electric Charging Points: Location and specification. For residential parking spaces, 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.

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 (2015) 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.

38) The level of parking for all land uses shall be as set out in the NIMR Mill Hill Increased Parking Rev 2 document dated 23.09.16, resulting in 544 residential spaces, 50 visitor spaces and 19 commercial spaces (of which 348 are basement spaces, 215 are off road spaces and 50 are on road spaces).

Temporary car parking shall be provided during the build-out to ensure that the forecast ratio for the site is provided close to the development areas. Plans of any 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 (2015) 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.

39) 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 (2015).

40) Residents of the proposed development will be excluded from obtaining resident and visitor parking permits from existing 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.

41) Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter. Minimum aisle widths, as set out in London Cycling Design Standards, must be met and 5% of space should be provided for the storage of non-standard cycles.

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, Policy DM17 of Development Management Policies (Adopted) September 2012 and the London Cycling Design Standards 2016.

42) 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. The maximum gradients for pedestrians and wheelchair users within the site should ideally be no more than 5%, with the maximum being 8%.

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 (2015); Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment SPG October 2014 and Manual for Streets 2. 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.

43) Before the development hereby is occupied; details to show entry and egress arrangements and pedestrian walkways / cycleways is to be submitted to and approved in writing by the Local Planning Authority. Submission shall include road safety audits, proposed changes to bus stops and details of the proposed zebra crossing on The Ridgeway. The development shall thereafter be implemented in full in accordance with the approved details.

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.

44) Prior to Demolition, 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 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 (specifically any proposed temporary construction accesses 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 2015.

45) Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and London Plan policy 6.14 'Freight'.

46) Prior to the commencement of the development hereby approved, details of any highways 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.

47) 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 are made available for use.

Reason: To ensure there is adequate access available to all residential units.

48) Prior to the commencement of development, the works to be undertaken to the public highways within that phase shall have been approved in writing by the Local Planning Authority and implemented prior to occupation. The details of the works will cover two access points off The Ridgeway proposed as the development's entrances, as well as the emergency access off Burtonhole Lane. The development shall be implemented in accordance with such details as approved, and must be accompanied by acceptable Road Safety Audits. The approved works shall be completed at the applicant's expense under S278 of the Highways Act.

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.

49) Prior to the commencement of development (other than for Demolition, Ground works and Site Preparation Works), a lighting design submission detailing philosophy, reasons and targeted achievements dealing with expectations, controls, light pollution, spillage must be submitted to and approved in writing by the Local Authority. Details to be submitted include:

- Details of all the equipment used, specific lamps, luminaires and columns with images;
For each luminaire a full technical specifications (e.g. glare ratings, wattage, colour rating and e-class);
- Details of the light levels chosen and which guidelines have been referred to;

- Isolux diagrams of the report overlaid with the parking areas, public areas and the surrounding houses and roads showing as a minimum 3, 5 and 10 lux lines;
- Vertical illuminance calculations across the backs of all nearby neighbouring properties taken at 10 to 20 metre intervals;
- Details of all external lights if they affect the design area

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason: In the interest of highway safety and amenity in accordance with Policies DM01 and DM17 of the Development Management Policies DPD (adopted September 2012).

50) No demolition shall take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing. For buildings that are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

51) The commercial units hereby approved, shall be used for use class A3 or D1 and no other purpose 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.

52) The development shall be implemented in full accordance with the submitted Inclusive design and accessibility strategy and shall thereafter be retained.

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

53) The development shall be implemented in full accordance with the submitted Energy Statement (dated June 2016 prepared by BBS Environmental ref EST45932 Issue 1) and shall thereafter be retained.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 of the Barnet Local Plan and policies 5.2, 5.3 and 5.7 of the London Plan.

Informatives

- 1) *Sport England recommend that the drainage assessment and improvement/management scheme is undertaken by a specialist turf consultant.*

- 2) 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.

- 3) Refuse collection points should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Level access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

- 4) The applicant must submit an application under Section 184 of the Highways Act (1980) for all the proposed vehicular accesses. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section –Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

- 5) For construction works adjacent to the public highways, the applicant must contact the council's First Contact on 0208 359 2000 for any necessary Highways Licenses.

- 6) 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 construction traffic movements. 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. The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to

commencement of any construction or demolition works on site.

- 7) The applicant is advised that any street furniture or lighting column affected by the proposed works would be relocated under a rechargeable works agreement by the Council's term contractor for Highway Works. You may obtain an estimate for this work from Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.
- 8) The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.
- 9) The council's refuse vehicles will be required to enter the site and therefore the estate roads must be constructed to adoptable standards. Details of the materials and surface finishes that would be acceptable for use on the private roads will be undertaken and constructed to an adoptable standard. Details of the road construction requirements can be obtained from the Traffic and Development Section in Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.
- 10) The gradient for the proposed ramps leading to the underground parking areas should have a gradient not steeper than 1:10 or in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks 3rd Edition.
- 11) The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
- 12) The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited heritage practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

1. MATERIAL CONSIDERATIONS

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 the National Planning Policy Framework and supplementary planning guidance 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 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); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

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

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (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); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

Implementation, Monitoring and Review:

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

Barnet Local Plan

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

Core Strategy (Adopted 2012):

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

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

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

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

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

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

Local Supplementary Planning Documents:

Sustainable Design and Construction (October 2016)

Residential Design Guidance (April 2013)

Planning Obligations (April 2013)

Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance: Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Wheelchair Accessible Housing (September 2007)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

Housing (November 2012)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Where permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

National Institute of Medical Research Planning Brief 2016

1.2 Relevant Planning History

Details of site history are listed in Appendix 3 of this report.

1.3 Public Consultations and Views Expressed

Public Consultation

To publicise this application letters were sent to 5554 addresses in August 2016. The application was also advertised on site. 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 Barnet's own adopted policy on the consultation to be carried out for schemes of this nature.

Number of Responses from Residents

84 responses were received from residents. Of these 66 were objections, 12 were in support and 6 were comments on the application.

Public Consultation Responses

Character and appearance

- 1) Nine storeys are far too high for the area which is partly rural.
- 2) The main building has been a historical landmark for Mill Hill. This building has character and much significance for its existence over so many years contributing to medical research and development. Why not convert the existing main building as flats and retain the outside facades?
- 3) 462 properties are too many for this site.
- 4) Due to other recent redevelopments, Mill Hill is becoming over crowded.
- 5) Scale of development is inappropriate for Green Belt and townscape.
- 6) Proposal will have a detrimental impact on views.
- 7) The heights of Blocks D and E should be reduced by at least one storey. Other blocks should also be reduced in height.
- 8) The proposed redevelopment plan will have an immense impact on public safety and will lead in to increase of crime and disorder in the area.
- 9) Loss of privacy caused by construction of a nine storey building.
- 10) New buildings are characterless and design is uninspiring and unimaginative.
- 11) There seems to be an excess of over 30 per cent in the footprint of the overall buildings on the site compared to the current buildings. This seems to be contrary to the guidance given in Article 89 of the National Planning Policy Framework concerning what can be built on the Green Belt.
- 12) The new wings resemble ugly square blocks.
- 13) The loss of the existing boundary fencing will pose security risk to surrounding houses and will have a detrimental impact on the rural character of Burtonhole Lane.
- 14) The proposed density is excessive.
- 15) There is not enough planting to mitigate overlooking and loss of privacy caused by large number of balconies on K blocks.
- 16) No tarmac surfaces should be implemented over Green Belt land.

Proposed uses

- 1) Lack of affordable homes.
- 2) Lack of jobs being provided.
- 3) No new medical centre being proposed.

- 4) Opening up green belt will attract more people to the site, causing traffic congestion.
- 5) Site should be used as concert hall/exhibition space.
- 6) No mention in application regarding the retention of house on Fir Island.

Highways and parking

- 1) There should be no access to the site from Burtonhole Lane. This road is quite narrow and already has enough traffic.
- 2) There needs to be double the amount of parking spaces provided i.e. about 1000.
- 3) Public transport is not good enough in the area for people not to have cars. Also it would be discriminating against disabled people who cannot manage public transport and rely on their cars.
- 4) There are already traffic queues every morning opposite to the proposed development area. The development will exacerbate this existing congestion.
- 5) Limited road and access provision.
- 6) Devonshire road will become a rat run. Can speed cameras be installed on Devonshire Road?
- 7) Speed bumps should be fitted for road safety – due to proximity of schools there are a lot of children near road.
- 8) It is a laudable sentiment to encourage people to cycle, but the planners have obviously not taken into consideration the topography of the site. Every approach road, especially from Mill Hill Broadway and Mill Hill East, is up a very steep incline.
- 9) Removal of fencing along Burtonhole Lane and new footpaths will encourage parking on Burtonhole Lane/Hillview Road/Eleanor Crescent. There is no proposal to create visitor parking to cater for this new access. Parked cars on Burtonhole Lane would actually block this semi-rural lane.
- 10) The number of residential units should be reduced so it is proportionate with the number of parking spaces.
- 11) There should be a double yellow line on Burtonhole Lane.
- 12) Impact of construction vehicles travelling to and waiting near the site.

Impact on local services

- 1) There is already difficulty of looking for school places, doctors surgeries and on public services in Mill Hill. The proposal will exacerbate this problem. How is the application addressing this?
- 2) The addition of 450+ commuters using bus number 240 and the already packed northern line and Thameslink service will deteriorate even more the quality of the service. Are you having any discussion with TFL to improve these 2 services?

Environmental issues

- 1) The proposal will further add to pollution within a beautiful spot in Mill Hill Village.
- 2) There will be an increase in noise nuisance from the increase in traffic volumes and car horns.
- 3) The speed these cars are travelling will result in an increase in accidents.
- 4) Potential light pollution.
- 5) Potential detrimental impact on nesting birds, deer and badgers.
- 6) Potential wind tunnel impact.
- 7) Exploration is required to ensure that any toxic waste in the soil has been adequately and thoroughly investigated and cleared is essential before buildings begins.
- 8) The height of the blocks of flats will cast shadow over the lower housing blocking their light for much of the day.
- 9) Building works will create disturbance for local residents.

Support

- 1) There is housing shortage and with an influx of people to the local area, the High Street and amenities will also improve.
- 2) At the moment the Institute is an eyesore on a beautiful site, blocking out delightful views and open space.
- 3) The development will provide much needed affordable housing and housing for first time buyers.
- 4) The development will provide a variety of flats.
- 5) New green space for both residents and non-residents is a positive impact.
- 6) New café is a beneficial addition.

Planning Response to Public Objections

- 1) Only the new main building will be 9 storeys. The main building will be rebuilt to the same height as the existing main building. Due to the local landmark status of this building and existing height, the proposed height of the rebuilt main building is considered to be appropriate.
- 2) The landmark status of this building is acknowledged in terms of its medical history and physical presence. In terms of its use, despite its long history as a medical institution in 2004 it was recognised that the site was no longer appropriate for continued medical research. This is due to its lack of proximity to other research facilities and London Universities. The new location for the institution at Kings Cross resolves these issues. In terms of the physical status of the buildings, due to the significant damage the building has sustained over the

years (including corrosion of the copper roof, removal of original balconies and damage to brickwork) the architectural qualities of this building have been compromised.

- 3) As mentioned previously it is proposed to separate the existing wings from the main building. This is an important alteration as it will break up the mass of buildings along the Ridgeway, which will increase views of the Green Belt and provide better accommodation. The amount of original façade that could be preserved is minimal after the repair works and wing detachment. Therefore the complete rebuild of the main building is considered necessary instead of its conversion. Further details relating to why rebuild is preferable to conversion is contained in the urban design section.
- 4) The density of the proposed residential development complies with London Plan density standards. The site displays the characteristics of a “suburban” site. The London Plan density matrix (Table 3.22) therefore suggests residential densities of between 150 to 250 habitable rooms per hectare and 35-80 units per hectare. The proposed density for the application is 49 units per hectare when assessing density on the southern developed part of the site which has an area of 9.5 hectares). This density falls within the appropriate ranges as outlined in the London Plan. The proposed number of residential units is therefore considered acceptable.
- 5) The impact of the new development has been assessed in conjunction with nearby residential developments including Mill Hill East and St Vincents Lane.
- 6) The Green Belt section of this report analyses the impact of the scale of development on the openness and function of the Green Belt.
- 7) The application was accompanied by ‘selected view’ visualisations. The list of views were pre-agreed with the Planning and Conservation Area Departments and included views from neighbouring areas directly adjoining the site together with views from across the Totteridge Valley. As a result of the appraisal of these views, Block F1 has been reduced in mass due to the impact this block had on St Vincent’s Lane.
- 8) The heights of all proposed blocks have been carefully reviewed in terms of their impact on the Green Belt and the Mill Hill Conservation Area. As a result of this review the mass of block F1 has been reduced. However, the remaining blocks are considered to be of an acceptable height and mass.
- 9) Although the highest proposed building is 9 storeys, this will match the height of the existing main building. The other buildings range from 2 to 6 storeys. Although some of the buildings are higher than the typical building heights of Mill Hill Village, the positioning of these buildings at a lower level within the existing landscape, reduces their visibility from the Ridgeway and from outside the site.
- 10) The design for the scheme has been reviewed by the Metropolitan Police who are satisfied with the design from a ‘secure by design’ aspect.
- 11) The proposed main building has nine storeys similar to existing; therefore there will be no increased element of overlooking or greater loss of privacy than existing. It should also be noted that the minimum distance between the main building and the nearest existing neighbouring property is over 70 metres from

the main building, which is considered to represent a considerable separation distance and would be more than acceptable in policy terms.

- 12) The footprint of the overall site is actually being reduced. However, the floorspace is increasing as the scheme concentrates development in the reduced site area. The full analysis of the impact of the proposal on the openness and function of the Green Belt is provided in the relevant section.
- 13) The new detached wings are considered to be proportionate to the core of the main building and reflect, in terms of their design and elevational treatments, the existing wings of the main building.
- 14) Full appraisal of the design of the new buildings is within the urban design section.
- 15) The existing high security fence is not aesthetically pleasing and is not considered to contribute to the character of Burtonhole Lane. The removal of this fence will improve Burtonhole resident's accessibility to the new green spaces that this development is to provide and the Totteridge Valley.
- 16) Barnet Council Sustainable Design and Construction SPD (2016) specifies that 'in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden'. There are significant distances between the K blocks and the residential properties of Burtonhole Lane (*the nearest property is No. 4 Oakfields on Burtonhole lane with a distance of 28 metres between K2 and this property's front boundary and 38 metres to the front elevation*) as well as the F blocks and St Vincents Lane. As such, purely on separation distance, there is no detrimental loss of privacy to these neighbouring properties. However, the landscaping strategy still proposes planting along the boundaries with Burtonhole and St Vincents Lane which will provide screening. It is considered that these two factors together provide adequate privacy.
- 17) Conditions have been imposed requiring that details of hardsurfacing materials be submitted to and approved in writing by Planning Officers. This will ensure that the hardsurfacing materials are high quality and do not have a detrimental impact on the character and appearance of the Green Belt or Conservation Area.

Proposed Uses

- 1) The applicant has made an offer to the Council of 20% of units to be intermediate housing in the form of affordable rent. This will comprise of 92 units. In addition, the applicant is willing to also offer £4.56M towards an off-site cash payment towards social rented accommodation within Barnet. The Council instructed GL Hearn to carry out an independent review of this offer submitted. They have confirmed that this offer is viable.
- 2) The proposal will be providing B1 office space on the ground and lower ground floors. The employment section of this committee report explains why this level of employment space is considered acceptable.
- 3) Although no medical facility is being proposed on site, CIL contributions will fund improvements to local medical facilities.
- 4) The increase in vehicles (2 way) at the site in the AM and PM peaks is estimated to be +98 and +56 respectively, which is less than 2 per minute in the AM peak and less

than 1 per minute in the PM peak. Therefore, whilst there will be an increase in traffic, it is not significant and modelling of the adjacent junctions shows sufficient capacity, except at the Bittacy Hill/Frith Lane Junction, where improvements are proposed.

- 5) Careful consideration has been given to the proposed uses on site with consultation with the Council's Planning and Policy officers. The proposed uses are considered to be policy compliant and in demand by existing and future residents.
- 6) Any redevelopment of Fir Island will require a separate planning application which will be reviewed by Planning, Policy and Conservation officers.

Highways and Parking

- 1) The only access to the site from Burtonhole Lane is an Emergency Access. Restrictions will be in place to stop any through movement of non-emergency vehicles.
- 2) The development will have a total of 544 residential parking spaces, 50 visitors' parking spaces and 19 commercial parking spaces. Such provision is in the upper range of the London Borough of Barnet's parking standards and takes into account the 1b PTAL rating for the site.
- 3) The 240 bus, which provides a frequent service between Golders Green and Edgware, stops just outside the site entrance (both directions) at the 'Medical Research Institute' bus stop. The off-peak journey time of the 240 bus from this bus stop to Mill Hill East underground station is 3 minutes. Mill Hill East London Underground Station is served by the Northern Line and is located 1.4km south east of the site. The 240 bus also connects the 'Medical Research Institute' bus stop with Mill Hill Broadway station with an off-peak journey time of 9-10 minutes. Mill Hill Broadway, which is served by Thameslink, is located 2.4km to the west of the site.

Internally, the proposed gradients take into account guidance from 'Shaping Neighbourhoods Accessible London: Achieving and Inclusive Environment SPG' dated October 2014 and Manual for Streets 2. The latter states:

5.2.5 'The gradient of pedestrian routes should ideally be no more than 5%, although topography or other circumstances may make this difficult to achieve. However, as a general rule, 8% should generally be considered as a maximum, which is the limit for most wheelchair users, as advised in Inclusive Mobility.'

8.4.2 'In hilly areas steeper gradients will be frequently required, but a gradient of 8% should be regarded as a practical maximum unless there are particular local difficulties. This is also the maximum gradient that a manual wheelchair user can negotiate.'

- 4) The application includes a Transport Assessment which has been reviewed by both TfL and the Council's Highways Team to ensure that the proposal will not have a negative impact on local roads. Full details are provided in the highways/transport section of this report.
- 5) The application includes a Transport Assessment which has been reviewed by both TfL and the Council's Highways Team to ensure that the proposal will not have a negative impact on local roads.

- 6) The modelling work undertaken does not indicate any significant increases in traffic on Devonshire Road.
- 7) Provision of a zebra crossing and removal of on street parking is proposed to improve safety and visibility on the Ridgeway. Average daily speeds recorded on The Ridgeway in 2016 were not deemed excessive at 26.8 mph Eastbound and 24.9 mph Westbound.
- 8) The parking provision is in line with London Plan standards and therefore considered to be acceptable. The rather steep nearby topography of Bittacy Hill is not considered to be sufficient a reason to fail to meet the London Plan standards. It should be noted that contributions are sought for increase in cycle parking provision at nearby stations (Mill Hill East and Mill Hill Broadway).
- 9) The development will have a total of 544 residential parking spaces, 50 visitors parking spaces and 19 commercial parking spaces. Such provision is in the upper range of the London Borough of Barnet's parking standards and takes into account the 1b PTAL rating for the site. With such provision, overspill parking onto adjacent roads is not envisaged.
- 10) The development will have a total of 544 residential parking spaces, 50 visitors' parking spaces and 19 commercial parking spaces. Such provision is in the upper range of the London Borough of Barnet's parking standards and takes into account the 1b PTAL rating for the site.
- 11) The development will have a total of 544 residential parking spaces, 50 visitors parking spaces and 19 commercial parking spaces. Such provision is in the upper range of the London Borough of Barnet's parking standards and takes into account the 1b PTAL rating for the site. With such provision, overspill parking onto adjacent roads is not envisaged and therefore double yellow lines on Burtonhole Lane should not be required.
- 12) A construction management plan has been submitted with this application and has been appraised by the Highways department.

Impact on local services

- 1) Appropriate contributions will be made through S106 and CIL to local services. See the Heads of Terms for details of these contributions.
- 2) TfL has been consulted in regards to this application. The appropriate contributions have been in relation to transport (see Heads of Terms).

Environmental issues

- 1) Environmental Health has reviewed the application and has requested conditions are imposed to restrict pollution.
- 2) The net increase in vehicle drivers to and from the site due to the development is estimated to be 98 and 56 in the AM and PM peaks respectively. These changes in traffic flow are not envisaged to have a significant impact on air quality or noise pollution in this area.

- 3) A review of Personal Injury Accident (PIA) data in the latest five year period has been undertaken. In the vicinity of the site, two slight accidents were reported at The Ridgeway / Burtonhole Lane Junction and four slight accidents at The Ridgeway / Milesplit Hill Junction. There were no accidents recorded at the existing accesses to the site and no fatalities on The Ridgeway between the junctions with Milesplit Hill to the west and Partingdale Lane to the east, as well as Burtonhole Lane to the east of the site and south to Holders Hill Circus.

It is considered that the number of accidents will not significantly increase as a result of the development.

- 4) Light pollution has not been identified by Environmental Health as an issue for this site. A condition has been imposed by the Council's Street Lighting department to ensure the quality of future lighting on site and that it is sensitively placed in relation to neighbouring occupiers.
- 5) As part of the appraisal procedure local nature groups were consulted. These groups specified which species were present on site and how these should be protected. Appropriate conditions have been included to ensure that these species are protected.
- 6) A micro climate report was submitted with this application, specifically referencing wind movement in the area. This shows that overall the wind microclimate in and around the proposed development will be acceptable for its intended use.
- 7) The environmental health department have reviewed the Environmental Statement and requested that conditions be attached to any planning approval relating to ground contamination.
- 8) A daylight and sunlight report was submitted with the application. The full appraisal of this report is detailed in the Daylight and Sunlight appraisal section of this Report.
- 9) A condition has been included limiting the hours during which construction works can take place.

1.4 Summary of external consultees

Affinity Water

The construction works and operation of the proposed development site should be carried out in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Highways England

Have no objections to make on this application.

Natural England

Have no comments to make on this application.

Environment Agency

Have no objections to the proposed development as submitted but have provided standard advisory comments.

Sport England

Sport England does not object to the planning application in its capacity as a statutory consultee but does object in its non-statutory capacity due to the sports proposals not meeting the increased demand from the development and the lack of facilities to support community use of the playing pitch.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.

The submitted documentation indicates that the existing playing field would be improved and made available for community use. Although the pitch markings on the proposed drawings do not show the cricket and junior pitches shown on aerial photographs, there is no reduction in the playing fields size. Sport England are unable to ascertain what improvements are intended therefore a condition is advised, if approved, for a package of improvement measures to be submitted and approved to ensure the works intended to the playing field would improve the playing field and enable and enhance community sport.

In consequence, Sport England, in its capacity as a statutory consultee, does not wish to raise an objection to this element of the proposal, namely the impact on the playing field, as the proposal in this respect is considered to broadly meet Sport England Exception E5.

The absence of an objection is subject to a condition being attached.

London Wildlife Trust

We would like to see precautions such as a temporary badger fences to exclude them from the development area during demolition and construction as they can be attracted to disturbed ground and excavations and become trapped or injured.

We would ask that precautions should be taken to protect slow worms or grass snakes including reptile proof fencing to exclude them from the development area during demolition and construction to prevent possible harm. We would like to see some areas of habitat maintained with reptiles in mind including variable vegetation heights, sunny basking areas and suitable refugia. The woodland glades could be a suitable location.

We welcome the creation of new habitats especially the new wetland area. Also the creation of new, and enhancement of existing green corridors improving permeability and connectivity to habitat in the wider area.

The retained trees are an important feature of the site which provide important wildlife habitat and corridors as well as a wide range of ecosystem services to the development. However far too many trees have been grouped together preventing the full consideration they warrant. The bat survey has only assessed trees due to be felled for bat roost potential. There is a failure to recognise that felling is not the only impact development can have on trees and the wildlife that depend on them. Changes to hydrology, topology, shading and sunlight as a result of new buildings, new planting and artificial lighting can all impact on the trees and their inhabitants. We would like to see a long term tree management plan for the

site.

We welcome the level of new planting but would propose that conditions should be in place which requires any new planting that fails within the first five years to be replaced. We would like to see fruit, nut and berry bearing and nectar rich species featuring in the new planting proposals.

We would like to see the inclusion of a variety of nest boxes/bricks built into the buildings and/or fitted to trees within the site. These should include those suitable for bats, sparrows, swifts, swallows, house martin, tits, owls and kestrels. Boxes with 32mm holes can be used by blue tits, great tits and sparrows. Wooden boxes should be fitted with metal plates to reduce the risk of predation. Alternatively boxes/ bricks made of woodcrete have good insulating properties, resist predators and can last 25 years or more. Funding should be set aside for annual cleaning and maintenance of boxes.

We propose that the woodland area, bounded by Burtonhole Lane, remains as a quiet wildlife area. Unnecessary 'tidying' should be avoided, retaining standing and lying dead wood wherever possible. In order to avoid disturbance lighting and formal paths should be avoided as well as play and exercise equipment.

We would like to see planning ensure that the sports pitch(es) remain natural turf and not be replaced with any artificial surfaces as this would constitute a significant loss of habitat. Also no lighting (including floodlighting) should be installed in this area because of the negative impact this would have on nocturnal wildlife including bats which utilise the field's boundary features including the folly brook. Construction lights should also be positioned so as not to illuminate woodland and tree belts.

We welcome the inclusion of green/brown roofs on most of the buildings and ask that they are biodiverse rather than a simple sedum mat in order to maximise their value to wildlife.

RSPB

Any development needs to reflect the ambience and be sympathetic to its surroundings and setting. Thus it should be carefully designed to accord with the existing housing stock, be low density and low profile - with the exception of the re-developed landmark building.

The current application fails to meet the criteria for the retention of the rural Conservation Area in terms of both density and visual affect.

This application affects a large swathe of protected Green Belt extending from The Ridgeway to the Folly Brook (SINC). Consequently it will have a marked effect on the character of the area, which has remained largely unchanged for almost a century.

The site description erroneously refers to the whole site as "Brownfield" but this cannot be so, particularly in respect of the open fields which are form part of an important land scale ecosystem. The Folly Brook and its environs form an important habitat in its own right for breeding and wintering birds and is a magnet for tired migrants. It is therefore vital to protect it against pollution during the construction stage and thereafter. A buffer zone of at least 20 metres should be established and maintained and be rigorously enforced to minimise disturbance. This should be a planning condition.

Although it is common practice in a Desk Study to merely use records on GLGI most nature observers in the Greater London Area submit their records to the London Natural History

Society (LNHS). Consequently the information provided fails to adequately reflect the diversity of species found in the Totteridge Valley.

This mature woodland not only creates a visual buffer and important wildlife corridor but is understood to shelter a wide variety of wildlife, including Owls and Woodpeckers. Bearing in mind the known presence of (red listed) Lesser Spotted Woodpeckers in the general vicinity this woodland should be 'managed' for nature conservation with old and dead branches retained to provide breeding, feeding and roosting habitat. Consequently this woodland should be kept quiet from human disturbance and not considered merely amenity space. This should be a planning condition.

We are particularly concerned at the proposed removal of several hundred trees. All of the existing trees constitute part of the area's natural resources providing vital ecosystem services. The provision of new plantings will not compensate for the ecosystems lost until they reach the same level of maturity, which may be many decades.

All new plantings should be locally obtained (not imported), disease free and from a reputable bio-secure supplier. This should be a planning condition.

The fields should be 'managed' with retention of biodiversity in mind. The introduction of synthetic surfaces should be rejected outright. As should the introduction of any form of lighting that would adversely affect the natural foraging of the local Bat population.

Appropriate measures need to be implemented to safeguard Badgers from harm during the construction phases and thereafter foraging runs reconstituted. This should be made a planning condition.

Appropriate measures need to be implemented to safeguard reptiles and amphibians from harm during the construction phases and provision made for suitable habitat to be incorporated in the overall development plan with inter-connecting wildlife corridors through a planning condition.

As Swifts are known to congregate around the existing building this would make an ideal site for swift bricks. Affixing House Martin Cups would encourage this species to breed, particularly as the new water body will provide additional feeding opportunities. Swallow ledges and open Swallow Cups suitably sited would be a positive measure to help the local population to thrive.

The Local Planning Authority should insist that more thorough Dawn and Dusk Surveys are conducted in order to satisfy itself that the local Bat population will not be adversely affected. Lighting should be restricted to low intensity and directed away from potential Bat foraging and roosting habitat. This and the need for proper Bat Surveys should be made planning conditions.

Over-spill parking is already a problem and they envisage it will only get worse. The Ridgeway is already overcrowded with parked vehicles, especially during school term, often blocking the progress of the 240 bus and other large vehicles.

Metropolitan Police

The proposed development has been developed in line with 'Secured By Design' principles, with further guidance from "Secured By Design - New Homes 2016" and "Secured By Guide - Multi-Storey Dwellings". The design team met with LB Barnet's Secured by Design officer on the 19th May 2016.

The proposal consists of a series of well-defined street scenes and neighbourhoods. The majority of these streets have continuous frontage to pavements and roads, with a number of residential properties overlooking shared communal gardens and shared parking courts.

The gardens are for use by residents only, who gain access by either the rear of their property or rear garden pathways with secured gates. Continuous secured enclosure allows for open aspect over low garden walls from the private ground floor of residences, while considered block placement creates overlooked courts and communal spaces drawing on residents sense of 'ownership' over shared space for neighbourhood security.

Active frontages with habitable rooms provide natural surveillance through the scheme. Routes into and across the site are intuitive. Sight lines have been considered and blind corners avoided. The experience of moving around the site has been considered with the aim to provide a sense of identity, privacy and shared ownership.

This is evidenced by shared surfaces and articulated entrances to homes and a clearly defined design language in different neighbourhoods of the site. All footpaths and cycle paths are of generous width unless shared with trafficable surfaces, in which case material treatments and road markings encourage slower vehicle speeds and pedestrian priority.

All residences have generous windows in habitable rooms facing onto public realm. This has created positive natural surveillance across the site, which encourages community led security. The Office for National Statistics identifies the area as benefitting from low crime rate figures. Please refer to Lizlake Landscape Design Statement for further Secured by Design details.

North London Branch of Small Businesses

There is concern about the continued erosion of small business office space throughout the borough of Barnet and we are accordingly supportive of any such development that will offer similar space to the communities of local SMEs. With this in mind, we support the proposed development with its offer of hub working spaces for local businesses. It is important that office spaces are accessible to existing businesses in the local community and not be proposed for only new businesses.

Furthermore, it is also important that any appropriate services provided (internal coffee shop) should be delivered by small, local organisations, rather than large corporates and where possible local SMEs be included in the procurement chain.

Thames Water

Should the Local Planning Authority look to approve the application, Thames Water would like a 'Grampian Style' condition imposed requiring a drainage strategy to be submitted to and approved by the Council.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like an informative attached to the planning permission.

Historic England - Archaeology

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Some historic buildings are of archaeological interest and this interest can be harmed by the loss of historic fabric. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

Appropriate conditions should be included.

Historic England - Historic buildings and areas

The density and design of the buildings proposed for this site would make a considerable change to this part of the Mill Hill Conservation Area.

The site at present contains several structures with a relatively large footprint, though most are relatively low in height. The overall built density on the site would be considerably increased by the proposed development, with an increase in height across much of the elevated south side of the site. The interrelation of the new structures' proximity, massing and height contributes to their impact.

The conservation area has a semi-rural character, featuring much planting and some open views to countryside beyond. Larger buildings are in institutional use, and generally take traditional forms for a semi-rural area such as country houses and schools. There are few visible clusters of large structures, and generally no buildings above three storeys, apart from the cruciform building on this application site.

The application site is somewhat screened by trees, which goes some way to softening the impact of any development. However, views studies included within the application make clear that the new development would be clearly visible from a variety of locations within and outside the conservation area. From St Vincent's Lane, within the conservation area, and the existing and new public footpaths to the north of the site, the scale and layout of the proposals will have a relatively high impact. The topography of the area means that the application site is prominent at distance. At present, in long views into the conservation area from the Totteridge Valley and the Totteridge Conservation Area very little built fabric is visible in this part of the conservation area, with only the cruciform building roof protruding above the treeline, and some small parts of buildings or roof structures periodically visible amongst trees.

The development will alter these views, adding a large number of buildings clustered around the rebuilt cruciform. Overall, in views from within and outside the conservation area, the development would be considerably denser and more urban in feel than the remainder of the conservation area.

Any major new development in a conservation area should be anchored to its location and use the area's existing character to extend a sense of place. The Mill Hill conservation area does not have a dominant building style, but has a character which can be defined by its semi-rural feel, and its variety of carefully designed institutions or modest vernacular buildings. The eclectic buildings have varied profiles, often featuring pitched roofs. The design principles for the flat-roofed blocks do not appear to draw from structures within the wider conservation area. The design approach varies slightly across the site, but further

opportunity could be taken to respond to the conservation area by drawing from its characteristic variety of built forms and rooflines.

Mill Hill Preservation Society

- The Draft Planning Brief under Clause 3.8(c) states the application site is considered 'brownfield land' with constraints as to how this should be developed. The Society are concerned that the 'red line' denoting the application boundary is currently taken around the whole plot area including the areas to be set aside as green spaces and for sports use. The concern is that at some future date this general designation as 'brownfield land' may be used to allow further development in the Green Belt. We feel the situation should be prevented by way of a condition in the Planning Consent.
- The Draft Planning Brief sets down the parameters as to how the site could best be developed and generally these stipulations seem to have been met. The designation of the land as 'brownfield land' (see above) has ensured that the site has no more development proposed than is currently present. The National Planning Policy Framework (NPPF) Section-9 'Protecting the Green Belt' under clause 89 states: "*A local Authority should regard the construction of new buildings as inappropriate in the Green Belt. The exceptions are...The Replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.*"

The Planning Statement under item 8.48 including Table 8.1 on page 38 states that the existing sq. m is 42,000 whereas the proposed is 58,064 an increase of 16,064 sq. m or +38% increase. This excludes the basement space.

There are no special circumstances given as to why this significant increase can be justified. Whilst the Society agrees a change of use is necessary this does not imply that the NPPF requirements should be laid aside. This increase is therefore unacceptable and points to the fact that the proposal represents an overdevelopment within the Green Belt.

- The Society requires the Council to ensure that the built area of the new buildings should not significantly exceed the existing built area on the site, that the NPPF requirements are met, and therefore the proposed overall density is reduced.
- The proposals are unclear on how the sports fields might be used.
- The site stands in the Conservation Area and how best the design should respond to this is not obvious. The main issues seem to be the contribution to The Ridgeway and the relationship with Burtonhole Lane on the edge of the area.
- The application submitted has the cruciform building being rebuilt as new so that better use of the floor space can be made. The Society is not against this approach as long as the original detailing is reflected in the design, the landmark roof is reconstructed, and the height does not exceed the original. The Society believes the work being done to recreate the original building has merit and the studies showing the attention to detail are encouraging. However, we do have concerns about the deconstructed wings as they do not seem to follow the same design principles as the main building.
- The elevation drawing 1623-DWG-PL-00-170 shows the whole development elevation to The Ridgeway, but at the south-west corner the buildings are obscured by trees on the drawings. However the roof line looks like it continues at 4 storeys close to the boundary with Rhodes Farm. The Society feels that the new development should step down as it

approaches this corner so that more appropriate massing is provided next to the adjoining existing buildings.

- The Society feels that some acknowledgement of affordable housing should be made either within the site or by S.106 Agreement in connection with any planning approval granted.
- The Society welcomes the suggested commercial space within the lower floors of the cruciform building, although in our view not enough use has been made of the site potential to facilitate alternative needs. The provision of a Café (A3) and a gym (D2) on the lower ground floor, and office units (B1) on lower ground, ground and first floors are well located for access by the community without interfering with the residential aspects of the development. The Society is especially concerned that there will be inadequate visitor parking provision made for the café so it is easily accessible to the neighbourhood as opposed to just the users on site. Similarly, the gymnasium.
- For market housing LBB Policy DM08 calls for homes with 4-bedrooms as the highest priority, and homes with 3 bedrooms as a medium priority. However, Barnet Housing Strategy 2015-2025 has a slightly different interpretation.
- The Society feels that it is inappropriate to use density tables from the London Plan to evaluate density in this situation. The design brief has stated the area of built form and the role of the developer must be to produce the best possible scheme utilising this floor space.
- There should be no in or out access onto Burtonhole Lane especially as the lane is quite narrow and already carries significant residents' traffic and transport to various activities.
- The residents of Burtonhole Lane are very concerned that the emergency access might come into to general use and request that, if permission is granted, its exact role is set down in the planning conditions.
- The cycle parking provision seems excessive compared to inadequate car parking provision.
- The general text is slightly misleading about the provision of visitor parking in that it says that such parking is to be within the carriageway circa 5% (25 spaces) to 10% (50 spaces) and therefore no specific parking bays have been allocated for visitor parking and the exact number has not been determined.
- It would be unacceptable if this development created overspill parking on The Ridgeway or nearby side roads.
- There is considerable concern locally about the additional traffic that the development will cause to The Ridgeway – an already busy thoroughfare especially during school activities. An increase of cars over two entrance/exit points does not seem excessive. Nevertheless, at times there is undoubted congestion on The Ridgeway, mostly caused by poor parking and the development does provide an opportunity to re-examine parking provision, bus stop location, pedestrian crossing points and other related matters to ensure adequate traffic flow and safety for pedestrians especially school children.
- The D&AS gives under Section 2 – page 16 Sub-section 2.5 Area Context, page 33 Subsection 2.18 The Vernacular Material Palette and page 37 Sub-section 2.22 Analysis of Local Vernacular gives a plethora of local images which seem to be included as a guide to a possible material palette of the buildings. Leaving aside the cruciform building

and its deconstructed wings that we have discussed elsewhere (see clause 3b), the remaining buildings do not seem to relate to the local vernacular.

- The proposed house types seem relatively sensitive as do blocks in the Woodland Cluster namely J1, J2, J3, K1 and K2. The units facing The Ridgeway namely D1 and D2 seem especially banal. The remainder of the block could be found in any development and bear little relation to being in the Mill Hill Conservation Area.
- We would draw attention to our scoping letter – clauses 10.2, 10.8, 10.11 and 10.17 as we are not sure if these items have been dealt with in this application.
- The Preservation Society seeks to emphasise the great importance of safeguarding the integrity of the Folly Brook, not simply from pollution but to ensure that the buffer zone of just 20 metres is robust.
- With respect to the woodland element we agree that it needs some management – however, it is a haven for wildlife and we suggest access to the public would be inappropriate. Some form of unobtrusive fencing is required but with openings to enable wildlife to move in and out of the area.
- The landscaping proposals and the planting strategy by Liz Lake Associates is an appropriate solution apart from the reservations set out in 7a above.
- The views of the development from Burtonhole Lane seem reasonable - (see Clause 3a). The views from The Ridgeway seem reasonable with the exception of Blocks C1, C2 and D1-D2 as noted previously – (see Clause 3.b and 3.c). The view from St Vincent's Lane is poor. The long distance views from the Totteridge Valley are very important. The view visualisations clearly show that the new cruciform building will have a similar impact in the valley. It also shows that the 12 houses are well below the tree line and should not be out of keeping. However, the remaining blocks all seem to appear to be above the tree line and will be an intrusion into the landscape.
- The Traffic Report proposes that a route through the Conservation Area for trucks would be acceptable. We disagree with this. The NIMR scheme is on the edge of the Conservation Area and so it would be sensible for construction traffic to spend as little time in it as possible – coming and going using Bittacy Hill down to Holders Hill Circus and joining the wider road network. This should be incorporated into the planning conditions.
- The demolition and construction programme is anticipated to span a 5 year period. It is important that this programme is incorporated into the approval so as to avoid the development period has been extended unreasonably.
- The Society request that the branded hoarding be limited to The Ridgeway as it will be an unnecessary intrusion around other parts of the site. This comment also relates to Clause 5.53 and 5.54 as the Society considers the closure of public footpaths unacceptable.
- Clause 5.48 of CP&M states that limited staff parking will be provided on-site during the demolition and construction phases. The Society would expect the developer to make the necessary arrangements for on-site parking for all the staff and workmen to avoid overspill parking.
- In respect of Clause 5.68 of CP&M Liaison with Neighbours MHPS would be prepared to contribute to regular community group meetings with the development team.

- We were surprised to see that the cruciform building was down as the last phase of works. The housing alongside Burtonhole Lane is shown in the first phase, and during Phases 3 & 4 the 'emergency access' to Burtonhole Lane will be the resident access for blocks K1, K2 & J1, J2 J3 – that is for the period from June 2019 through to December 2021. This will not be a thrilling prospect for the residents who use Burtonhole Lane as their only means of access to their homes. After that time if the main site road is not available due to the cruciform building being the last phase then we can see this access being used for a considerably longer period. This scenario would be totally unacceptable to the Society.
- Fir Island: This is part of the site tendered for by Barratt London, but this element has not been included in the current application. The Society believes that all aspects of the whole site should have been included in the application.

Mill Hill Neighbourhood Forum

Height & Design: The Forum does understand that there are structural issues in retaining the main building. As the rebuilt building has a similar height/mass, this is acceptable to the Forum.

That said the site falls outside the Regeneration and Growth Areas defined in the Local Plan. Once this density and height crosses the boundary set by the Local Plan the suburban nature of Mill Hill will change to urban. Policy CS1 is about consolidating growth to provide stronger protection for the suburbs and enhance the quality of neighbourhoods. Policy CS5 states that tall buildings (8 stories / 26m or more) may be appropriate in specific strategic locations that include the Colindale AAP. Importantly, Mill Hill is not one of these locations. The policy states that 'outside of these specific locations, proposals for tall buildings will not be supported'.

We are surprised to see that some of the buildings around the "Core" in this application are proposed at a height of 6 storeys and this we object to, as it does not comply with the Local Plan, and exceeds the heights of other existing buildings on this site.

While we recognise that the current "wings" of the cruciform building have flat roofs, we think that the new pavilions and certainly those facing the Ridgeway should have pitched roofs that would be more in keeping with surrounding properties and should take their design cues from the Mansard roof of the "Core" building as it is proposed to be rebuilt. We suggest that pitched roofs would provide a better solution, softening the rather bland, harsh exteriors of the other buildings in this application.

The design of the houses is unimaginative and the wood cladding will look awful within weeks. They display very little award winning architectural merit. We do not see any design continuity with other houses in the vicinity.

Further the Planning Statement acknowledges Barnet Council's Local Plan requirement that 40% of the properties in this new development should be "affordable", it does not however commit to the actual number that will be "affordable". Without such value based data it is frankly impossible to decide whether it is a good scheme overall and one which we should support or object to.

Transport Assessment: Under Transport Connections Part 4.1 recognises that "there is likely to be a high car dependency on this site". It is after all in a PTAL1b area. Surrounding steep slopes means cycling is unlikely to be an option. We note that one traffic survey on the

Ridgeway was completed on 21st July 2015 in the middle of school holidays and is thus invalid.

Outside “peak” hours the Northern Line operates as a “Shuttle” service to Finchley Central every 15 minutes. So while Mill Hill East tube station is outside the maximum distance considered in the PTAL assessment it also needs to be recognised that it is not currently fit for purpose.

Parking: needs have to be contained entirely within the site. Parking in any surrounding roads is simply not an option. Overall we believe that this level of parking is totally unrealistic in a site that has a “high car dependency” and no scope for overspill.

While the above suggested parking provision could perhaps accommodate the needs of visitors to resident’s properties, they would not cover the needs of staff working at the site, or visitors to the café and the business centre.

We are also concerned as to the use of the woodland, open spaces and sports facilities towards the North of the development will encourage overspill parking.

There are currently very few cycle storage racks at Mill Hill East station. Mill Hill Broadway Station has more but they are well used, old and not terribly secure; though these issues could be addressed.

If the developer truly wants cycles to be used then safe cycle paths should be created to the North alongside the footpath from Burtonhole Lane to Totteridge/Whetstone. A second could link the Ridgeway through fields down to Milesplit Cemetery then through Arrandene, to Mill Hill Park, Mill Hill Broadway and on through the old railway cutting to Edgware. Another route could go from Arrandene through Copthall Playing Fields over to Hendon, and all mostly across “Green routes”.

Under the Construction Methodology at 5.49, it is stated that HGVs will not be allowed through Mill Hill Village. This must be made a condition.

It is proposed in the Design & Access Statement at Page 31, that bus stops on the Ridgeway should be moved, apparently proposing to combine in the Easterly direction the stop outside St Vincent’s School with the one outside NIMR. We oppose this as it will greatly inconvenience the school children with very little benefit to residents on the new NIMR development. We agree with the proposal that a Zebra crossing be provided outside the NIMR site.

We definitely agree that the Frith Lane/Bittacy Hill junction is not currently fit for purpose.

Air Quality/ Contamination: We are concerned that due regard is taken for Asbestos which in view of the age and type of construction of many buildings on the site must be present in sizeable amounts and will need appropriate treatment by professionals.

We would hope that normal best practice would be to issue safe soil certificates for all loads exiting the site and subsequently for all such new deliveries to the site.

Construction Plan: We would like to see this developer improve on the proposed target completion date of 2022. We are concerned that a protracted build period means longer overall disruption for local residents and the very unattractive proposition for early residents on the site of living longer in a building site.

Supporting Infrastructure: Currently our doctor’s surgeries are under pressure with it being very difficult to get GP Appointments. We are aware that a new secondary school is required

in Mill Hill within the next 2-3 years on current projections. Bearing in mind the high car dependency of the site, additional parking facilities need to be provided at local stations, shopping centres etc to accommodate the growth as these people will want to enjoy the local amenities and as a consequence this could be good for the local economy but only if they are attracted to spend their disposable income in our area.

Transport for London

Whilst the site has a PTAL of 1b, Mill Hill East and Mill Hill Broadway stations are within 1.4 kilometres and 2.4 kilometres from the site respectively which is a short bus journey. These stations will be used by residents for a significant number of trips by sustainable modes (particularly to access Central London jobs).

The applicant's transport assessment (TA) has underestimated the likely resident mode share for underground and rail use, which should be increased in line with the 2011 Census level for the local area. The omission of secondary modes (e.g. walk/cycle/bus to and from LU/train stations), results in an inaccurate reflection of trip patterns and the site's contribution to promoting sustainable travel. The TA should therefore be revised, in order for the impacts of the development on the transport network to be fully determined. The level of any necessary mitigation measures will then be assessed, which may include contributions towards step free access at Mill Hill East station and/or additional bus capacity.

594 car parking spaces are proposed for the 462 dwellings, amounting to 1.3 spaces per unit. This exceeds the London Plan maximum standard of 516 spaces for this development. Whilst it is accepted that the site has a low PTAL, occupiers may opt to walk or cycle to one of the above stations and as such the development should promote active and sustainable travel. Further discussion on reducing the levels of parking on the site is therefore required. Electric vehicle charging points should be doubled to meet with London Plan standards.

The proposed on-site cycle parking is in compliance with London Plan standards. However the applicant should also further consider the wider cycling and pedestrian environment in a cycle level of service assessment (CLoS) and a pedestrian environment review system (PERS). Routes to Mill Hill East/Mill Hill Broadway stations, and the cycling parking facilities at these stations, should be especially considered in order to identify whether improvements are necessary to further encourage sustainable travel.

Amendments to site the access points and the location of the two adjacent bus stops are proposed which are acceptable in principle. New bus shelters should be provided by the applicant with 'countdown' features, and designed following TfL accessible bus stop design guidance. The funding for this should be secured via appropriate legal agreement. Conditions and/or s106 obligations should also secure the submission and implementation of final workplace and residential travel plans, construction logistics plan, and a delivery and servicing management plan.

Greater London Authority

London Plan policies on Green Belt, housing, affordable housing, urban design, inclusive access, sustainable development and transport are relevant to this application. Whilst the scheme is broadly supported in strategic planning terms the application does not yet fully comply with the London Plan as set out below:

Principle of development: The redevelopment of a previously developed site in Green Belt for residential and commercial use is supported and in compliance with the NPPF and London Plan policy, as the development constitutes limited infill and would enhance the openness of Green Belt. The applicant should confirm that the proposed employment floorspace is flexible and affordable to meet the needs of SMEs.

Housing and affordable housing: Notwithstanding the applicant's affordable housing offer of 20% intermediate units, the assumptions in the applicant's viability assessment, which contends that no affordable housing is viable, should be challenged. All options must be explored to increase the affordable housing provision.

Urban design: The approach to the design and layout is supported, having regard to preserving the openness of the Green Belt.

Inclusive access: The Council should condition the implementation of the applicant's detailed access strategy.

Climate change: The proposals are in compliance with London Plan climate change policy.

Transport: The applicant's transport assessment should be revised to reflect the likely resident trip modes and promote sustainable travel. Reviews of the wider pedestrian and cycle environment should be undertaken to inform any necessary improvements.

1.5 Summary of Internal Consultees

Environmental Health

This department have advised that a number of conditions be attached.

Refuse and Recycling

The only stipulation we would make is that where the bin storage area were not accessible to our crews the bins would have to be presented to an agreed collection point.

Highways

Highways comments outlined in section 3.14

Drainage and Flooding

The proposed development is classified as a Major Development the proposal must use Sustainable Drainage Systems (SuDS) for the management of surface water runoff, unless demonstrated to be inappropriate, as per the Department for Communities and Local Government Written Ministerial Statement of 18 December 2014.

The Flood Risk Assessment (FRA) demonstrates that the site is located entirely with Flood Zone 1; however, the site is greater than 1ha, thus a FRA was required. The site's land use of dwellings is classified as "More Vulnerable Development" in accordance with Table 2 of the Planning Practice Guidance (PPG, 2015). As the site lies entirely within Flood Zone 1 it is considered appropriate for development in accordance with Table 3 of the PPG (2015).

The development has proposed the use of a SuDS management train, consisting of cascading SuDS mechanisms throughout the sloping site, cellular storage tanks, biodiverse roof attenuation systems (brown roofs and green roofs) and open landscaped attenuation swales and ponds.

A management company will be appointed to maintain the roads, landscaping and shared SuDS throughout the development. Maintenance is to be carried out in accordance with the best practices and the CIRIA Manual C753.

The post-development has proposed a reduction in impermeable area to 18% from 23% impermeable area in the existing land use. The post-development surface water runoff rate will be reduced by 82.7% from the pre-development surface water runoff rate. Therefore, the proposed development will provide significant betterment over the existing drainage regime.

The climate change allowance factor utilised for assessing surface water attenuation volume of 40% given within the FRA has been assumed in accordance with the revised climate change allowance to rainfall intensities by the Environment Agency (February 2016). It is assumed that the 'Upper end' climate change allowance should be used for designing the proposed development's drainage system, unless you are able to demonstrate that the lower allowance is sufficient and does not increase flood risk to others. A 40% allowance for climate change has assumed the 'Upper end' climate change allowance for Total Potential change anticipated for the '2080s'.

Trees

Due to the scale of the development a substantial number of trees have been scheduled for removal to accommodate the proposal. The loss of this quantity of trees in such a confined area will have, as the assessment evaluates, significant impact on visual tree amenity and wildlife habitat which is unacceptable. Site topography, the steep slope down to the north means that infrastructure and buildings need to be cut into the slope which requires additional tree removal than would normally be expected.

The mitigation measure for the loss of these trees is a replanting programme that will only start to achieve the level of screening the proposed 5/6 story buildings require in year 40, post planting. This is a long time for the building to remain unscreened.

Trees within G31 (A1) and G37 (W2) are protected by a Tree Preservation Order and will be impacted by the provision of a new access road. Large boundary trees, mainly mature oak are proposed for removal within G37. I consider this loss unacceptable.

A higher concentration of development on the upper slope and crest of the site was considered better than development spread over a wider area. The proposal for the lower part of site is for landscaped area and reserved for wildlife, sustainable urban drainage system and recreation. This approach is agreeable.

The site has good range of tree ages from mature oak that pre date any development on the site and plantings around the site post NIMR development. I believe it important that both these aspects are shown on the site. So that post this proposed development the historic and cultural time line is still evident on the site.

This can be achieved by retaining pockets of these trees throughout the development.

The majority of large mature oak trees are on the eastern side of the site along the boundary which are retained on the plan.

Tree Recommendations:

Significantly reduce the scale of the development to retain a greater number of trees/open space on site. In particular around western, eastern and northern areas of the site.

Alternatively permit more land in the north of the site to be developed so that the overall density of development can be reduced to retain a greater number of trees.

Make a TPO on the site protecting trees and groups of trees to ensure that there is sufficient number of trees to screen the development effectively.

Conservation

In assessing this application two of the key considerations are, the effect of the proposal on the Green Belt, including its openness, and the impact on the character and appearance of the Mill Hill conservation area.

Heritage Issues and relevant NPPF policy

The NPPF indicates at paragraph 60 that decision makers should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It does indicate, however, that it is proper to seek to promote or reinforce local distinctiveness.

Further guidance in paragraph 131 indicates, that when determining applications within the historic environment authorities should take into account the Government objectives as expressed in the overarching definition of sustainable development including, the desirability of new development making a positive contribution to local character and distinctiveness.

There are concerns that the proposals have failed to recognise the importance of this objective and that the design and layout of the scheme has paid insufficient regard to the wider character of the Mill Hill conservation area. Consequently, in broad terms the development appears out of keeping in terms of its design, scale and massing with the established character and appearance of the conservation area.

The sheer scale of the development proposed will have a considerable impact when seen in both short and longer distance views. Collectively they will have a highly urbanised appearance. The density and grain of development proposed across the site is quite unlike any other group of buildings found locally and undermines the semi-rural qualities of the conservation area.

The apartment blocks proposed have a very similar architectural style and form, with flat-roofs and recessed balconies, and matching brickwork and detailing. There is little to suggest that the conservation area's existing character has been considered to inform the designs. Also, the opportunity to create distinct character areas has not been taken and consequently the blocks appear closely grouped and uniform in appearance.

Paragraph 132 of the NPPF makes clear that 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

In this instance harm will be caused to the significance of the Mill Hill conservation area by

virtue of the number, scale and close grouping of the replacement buildings which collectively will appear noticeably out of place in this sensitive setting.

It should be noted that there is no in principle objection to the proposed replacement of the 'cruciform' building with a new building of a very similar design, scale and siting. Also, it is accepted that re-building the four 'wings', but in a detached form can be achieved without an adverse visual impact.

The Council's arboricultural assessment of the scheme has concluded that there will be a significant loss of tree screening. Clearly, as the many semi-mature and mature trees on the site make a major contribution to the significance of the conservation area, their loss will have a negative impact which will not be remedied by replacement planting in the short to medium term.

The site is visible from numerous public viewpoints. It can also be seen in mid-range and longer distance views from the Totteridge valley. Some of the longer views are from the neighbouring Totteridge conservation area. The views across the Totteridge valley currently reveal the north-facing hillside with the 'cruciform' building rising above the tree canopy. The middle and lower part of the hillside is dominated by trees, which contributes to the sylvan character of the area. Only glimpsed views of other buildings are possible. When seen from the sports fields and meadow to the north, the built development on the site is largely screened from view by the dense vegetation.

In contrast, the proposed development will be clearly visible in those views where the flatted blocks will appear imposing and dominant. View E from the local cricket club is rendered and the winter view does reveal the imposing impact of the group of blocks on the hillside. View 17 also shows a glimpsed view of the proposed houses and blocks from a position close to the existing security fence. View 8 (looking from The Ridgeway towards Burtonhole Lane) reveals two of the flat-roofed blocks. Views 14 and 16 clearly show the dominant impact of some of the closest blocks when seen from St Vincent lane.

These views demonstrate that from different points around the site, the development would appear highly urban in character and out of place with its surroundings due to its scale, massing and height, with the consequence that the quality of those views would be eroded.

Conclusion

In my view, the proposed development fails to pay appropriate reference to the local character and identity of the conservation area and instead seeks to introduce a distinctly urban form of development with tall blocks, closely spaced across the site. This will contrast sharply with the more modest-sized buildings of varied design and detail that characterise the Mill Hill conservation area. The development would be dominant because of its density, scale, form and siting and it would erode the quality of various views, both long and short range around the site.

I conclude that the proposed scheme fails to comply with some of the key objectives and guidance set out in the planning brief and consequently will cause harm to the character and appearance of the Mill Hill conservation area. In coming to a decision on the proposal and in accordance with the NPPF, it will need to be considered whether there are sufficient public benefits from the scheme to outweigh the harm caused to the character and appearance of the Mill Hill conservation area. Although the need for new housing should not be underestimated, this must be balanced against the significance of the conservation area and the damage that may result from a residential scheme of this density, scale and prominence.

Urban Design

Green Belt: The masterplan regards the greenbelt as an asset rather than a constraint to development and in this particular case enables public access to the Totteridge Valley. The

existing layout of the site comprises various buildings with a large overall footprint (the largest single building being the Cruciform building) and various large plots of hardscape currently used for principally vehicle parking purposes. It is notable that the current configuration does not allow for the green aspects of the site to be accessible or utilised to the best of their potential.

The new masterplan sets the development back to the Southern boundary closer to the Cruciform, allowing for more open space to the North and retains the existing recreation and sports grounds. This opens up a whole new area of green space to be utilised by residents. New soft landscaping and planting of this green space will significantly contribute to the vibrancy of the location.

Land Use: The proposed masterplan attempts to maximise green space while introducing new uses to the site. The uses planned are commercial in the form of modern employment spaces and residential, which would suit the location better than the current medical research uses. The Cruciform building; acting as anchor; is proposed to host employment and residential flats, making this a mixed use building. The fields and adjacent open space are planned primarily for sport and recreation, effectively retaining and enhancing the existing provision. It is notable that the quantum of green space far surpasses the quantum of development also eliminating previously hardscaped areas used for parking by NIMR employees.

Massing and Height: Public consultation revealed that the height of the Cruciform building, albeit uncharacteristic of this green belt location, has been found to be an acceptable form of development by local residents and the Mill Hill Forum. The green roof; residents say; is widely recognised and acts as a landmark for the area. From a professional standpoint it also acts as an informal legibility/way-finding tool, allowing drivers and pedestrians to acknowledge the site from a distance. Therefore the height of the cruciform is maintained in order to preserve the landmark status of this building.

The height and massing of the development scheme, dissipates to the North where a series of modern houses are proposed. This is to allow for more views from the Southern part of the site which sits at a higher level AOD. Finally the recent reduction in height on the Lower Lane pavilions (F blocks) further respects the locality.

Masterplan form: The proposed masterplan is partly informed by the topography of the site and partly by maximising open space in the green belt. The resulting form is anchored by the Cruciform building in the South with houses to the North.

The open space between the structures allows for landscaped paths to be implemented which creates legible semi-rural environments benefiting from views to the Totteridge Valley below.

An important aspect to the scheme development has been permeability, especially for pedestrians and the introduction of new views through the site to the green belt area some of which were not available previously. The scheme has not only endorsed this approach but has pursued this objective as a parameter of the scheme evolution and development philosophy with significant benefits to the overall scheme.

Pedestrian Accessibility and circulation: The pedestrian circulation within the site is of the utmost importance. The efficient circulation of people will significantly contribute to the vibrancy of the adjacent green spaces and the internal traffic-calmed streets and pedestrian pathways. The South to North connections lead people to useable landscaped spaces and most importantly they allow for open green space access and views towards Totteridge valley. In addition these routes take advantage of the height differences (contours) of the site allowing pedestrians to enjoy pleasant views into landscaped pocket areas.

Redevelopment Proposals for the Cruciform building: The cruciform building which is the

most significant structure on the site is to be redeveloped but its built form is to be preserved within the new build. The main built form is enhanced by carefully locating building details of the past into the new building elevations without compromising on quality. The 'wings' of the Cruciform are proposed to be removed from the main structure in order to create stand-alone buildings, that allow for long views of the green roof to be more legible as well as allowing for additional views through the site.

Employment: The Cruciform building is proposed to house employment use in the form of modern working spaces at the base of the structure. This would allow for a mixture of companies, particularly SMEs and start-ups to locate, allowing for a more inclusive economic model to take place. Due to the location of the employment spaces in the Cruciform, it is the aim for any vehicular traffic stemming from this use to not interfere with the residential uses outside the Cruciform. This is to be achieved through the design of the roads and how vehicular circulation is proposed to be distributed and managed.

Housing: The residential uses planned vary in size and typology, allowing for different environments to be designed and therefore more inclusive to different demographic profiles of future residents.

From the flats in the South, to the houses in the North the residential footprint allows for maximum open space between built forms, creating a sense of rural living within this predominantly suburban environment.

Street Lighting

For all planning applications for any type or quantity of external lighting we require a lighting design submission.

We do not expect more than 3 lux to escape the site boundary when using a horizontal measurement.

We require a submission detailing philosophy, reasons and targeted achievements dealing with expectations, controls, light pollution and spillage. Without which we cannot judge the impact of the lighting on the surrounding area.

We will require details on ALL the equipment used, specific lamps, luminaires and columns with images. For each luminaire we will need full technical specifications such as glare ratings, wattage, colour rating and what e-class has been used. We want to know what light levels they have chosen and why, which guidelines they have referred to, to arrive at the chosen level and how they applied the guidelines.

We require the isolux diagrams of the report overlaid with the parking areas, public areas and the surrounding houses and roads showing as a minimum 3, 5 and 10 lux lines. Should there be properties near we require vertical illuminance calculations across the backs of all the properties taken at 10 to 20 metre intervals. We will need to see the highest and average point on the surrounding properties at 2m and 4m heights and everything above 10 lux. We will also require intrusive light calculations to nearby properties.

All of the external lights, whatever they are, whoever they belong to and wherever they are, need to be included if they affect the design area.

As far as the residents are concerned any additional or changed lighting will have an effect on nearby houses. To be acceptable it must be shown the design does not add to sky glow, lighting nuisance or intrusive light trespass. That is our start point - now the applicant needs to convince us the light can be controlled.

A condition has been imposed requiring these details be submitted.

1.6 Response to statutory consultees

This section addresses consultation responses from statutory consultees who raise issues of concern regarding the proposed scheme.

Response to arboricultural officer

Efforts were made during the pre-application stage to relocate the through routes and woodland cluster in order to preserve more trees at the eastern edge of the site. However, unfortunately due to the level changes across the site, this was impossible. However, in other places on the scheme the location of the buildings has changed to protect groups of trees.

It is important the sufficient screening is provided on site and that any proposed trees are of good quality and sufficient maturity. For this reason, the Council needs to review the landscaping during the construction process in order to request larger, more mature species and greater screening to protecting surrounding residential amenities or the green character of the site. Appropriate conditions have been added to this effect as well as conditions protecting trees during the construction phase.

Response to Conservation Officer

The planning department has carefully considered how the layout, height and mass of the proposed buildings relate to the Conservation Area and Green Belt. Through pre application meetings, numerous amendments have been made to the scheme in line with officer comments. Such amendments include reducing the building heights, splitting buildings and re-orientating the layout to preserve trees. The proposed scheme as amended is considered to be satisfactory in a number of regards. The fragmentation of the buildings increases permeability and legibility, while the scale and layout of the buildings respond to level changes across the site.

Although there will be loss of trees, changes have been made to the site layout to preserve as many trees as possible. Unfortunately the numerous physical constraints on site (recognised in the Planning Brief) including the level changes has made tree preservation a more difficult aim to achieve. However, on balance planning officers consider the number of and type trees being retained, the strong soft landscaping measures and the establishment of a new park at the rear of the site outweighs the harm of the loss of some of the trees, none of which are Category A.

A number of conditions have been added with this application to ensure that proper protection measures are in place to protect the retained trees. Also conditions have been added requiring reviews of the soft landscaping scheme, so if, in the event that more mature trees need to be implemented in order to increase the screening, this can be done later in the planning process (with consultation with trees officers).

Careful consideration has been given to the impacts of the proposal on views of the site. As a result, the mass of block F1 has been reduced in order to have a more acceptable impact on St Vincent's Lane. Although, along the Ridgeway, some buildings may be more visible, this is not considered to compromise the character of this key route through Mill Hill.

Response to Mill Hill Neighbourhood Forum

Building Height and Design: Policy DM05 states that '*Proposals for redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the*

townscape'. The proposed core part of the main building (which is over 8 storeys and therefore meets to local classification of a tall building) will be a significant improvement in terms of its appearance and contribution to townscape to the existing building. The reason for this is due to the significant amount of external flues, caballing and infrastructure additions that have been added over the years of its use as a medical institution. Together these compromise the appearance of the building, giving it an 'industrial' appearance. Furthermore, these additions have damaged the building, further comprising its appearance. Such damage includes corrosion of the green copper roof and cracks to the brickwork. As such the redeveloped core building will, through its improved design, have a positive contribution on the townscape, hence complying with the terms of DM05.

The density of the proposed development is in line with a suburban area, not urban. The built form of the development and the high number of new, high quality spaces is not characteristic of an urban development. The Urban Design section outlines why the increase in the wing height and the use of flat roofs is considered to be appropriate for this site. The houses are considered to be both contemporary in their design while reflecting traditional design characteristics the existing site exhibits e.g. chimneys. Their scale and relationship with the soft landscaping scheme means they nestle into the landscape.

The provision of affordable housing has been determined through viability appraisals. Full details are provided in the affordable housing appraisal section of this report.

Parking: The parking provision has been increased in line with consultation comments. This provision is in line with local policy and is considered by the Council's highways team to well exceed local parking demands. The changes in uses resulting from the proposed redeveloped are not considered to result in overspill parking.

Air Quality/Contamination: Asbestos is not conditioned by planning, but instead will be monitored by the Building Control department. Environmental Health have been consulted regarding this application and have recommended conditions relating to contamination and air/noise control.

Construction Plan: Although the start date of construction works are controlled by conditions, the construction period cannot be enforced.

Supporting Infrastructure: Appropriate contributions are being made through CIL and S106 contributions.

Response to Mill Hill Preservation Society

- 1) Any future development of the southern part of the site would need to be submitted under a planning application. Its location in the Totteridge Valley and Green Belt would be a key consideration. It should be noted that the heads of terms require the transfer of the playing field land to the Council.
- 2) Although there is an increase in the floorspace area, there is a decrease in built footprint, particularly as the building line is being brought back at the rear of the site to create new open green space. There are many other benefits being brought about through this application (full details outlined in the Green Belt section). It is considered that these outweigh the increase in floorspace area.
- 3) The proposed building footprint is 1,155m² less than existing. This is considered to be a positive change to the site and its relationship to the Green Belt.
- 4) Full details relating to the use of the playing fields is outlined in the S106. It is intended

that through this development access to and use of the playing fields will increase.

5) The urban design section outlines fully the design measures used in this scheme and why they are considered appropriate.

6) The wings reflect an appropriate level of detail to the core building. It would not be considered appropriate for the wings to have the same green pitched roof as the core building as the existing wings do not. The design section of this report fully outlines the design principles the wings match with the core building.

7) There is a 4 storey building proposed adjoining Rhodes Farm. There are a number of reasons why this building is considered to have an acceptable built relationship with this neighbouring property. Firstly, there is significant separation distance between these two properties (minimum of over 10 metres at ground floor level). This distance is further than the existing separation distance which is only 6 metres. Secondly, the fourth floor is set in, reducing the impact and increasing the separation distance to up to 14 metres.

8) The details regarding the provision of affordable housing are detailed within the heads of terms.

9) The parking provision for all uses has been reviewed by the Council's Highways Team who considers the provision to be acceptable. Full details can be found in the Highways section of this report.

10) The balance of units is considered to be reasonable as proposed.

11) The London Plan interpretation of density appraisal is considered appropriate and is the standard measure of density used in all planning appraisals by the Council. Of course in addition to this the built form, mass and height has also been considered.

12) The only access to the site from Burtonhole Lane is an Emergency Access. Restrictions will be in place to stop any through movement of non-emergency vehicles.

13) The cycle parking provision is in line with London Plan standards and is therefore considered to be acceptable.

14) The Highways team has assessed the visitor parking provision and considers this to be acceptable.

15) The parking provision on site has been further increased in line with local concerns regarding overspill parking. The Council's Highways department considers on-site parking provision sufficient to not result in detrimental overspill parking.

16) A Transport Assessment has been submitted with this application and has been appraised by the Highways department. The additional traffic movements resulting from the proposal are considered acceptable.

17) The Urban Design section outlines the variety of elevation treatments and palette of material used to provide distinctive and interesting buildings.

18) Appropriate ecology conditions have been implemented to protect species on site. This condition covers the whole site not the building area. These include White Letter Hairstreak Butterflies and Grass Snakes

19) Folly Brook will be protected through a condition.

20) Appropriate measures to protect existing wildlife in the woodland area will be considered and implemented through conditions.

21) No response required.

22) The design section of this report analyses the impact of the views and the amendments that have been made in response of this.

23) The highways department have reviewed the construction management plan including the proposed routes.

24) Planning is not able to restrict the end date of the construction.

25) Relative conditions have been implemented in regard to hoarding.

26) The parking provision including staff and visitors parking has been appraised by the Highways Team who considered the provision to be acceptable.

27) This is noted.

28) A condition has been imposed requiring a new phasing plan be submitted to and improved in writing by the Council. At this stage a full review of the phasing implications on access arrangements will be reviewed by Highways officers.

29) The applicant is currently not proposing any development for Fir Island. This would require a planning application to be submitted.

2.0 DESCRIPTION OF SITE AND SURROUNDINGS

2.1 Site characteristics

The application site is located on the Ridgeway within the Mill Hill ward in the northern part of the London Borough of Barnet. This 19 hectare site lies fully in the Green Belt and the southern part of the site lies in the Mill Hill Conservation Area. Figures 1 and 2 below show the relationship of these land designations with the site.

The built form lies to the south of the site, while the north is characterised by open playing fields. The existing built character of the site is very varied. Its most distinctive building is the 9 storey Main Building (alternatively known as the Cruciform) which has four wings and fronts the Ridgeway. There are 60 other buildings on this site. These buildings range in height from one to four storeys with the majority having flat roofs and utilitarian in character. A full planning history is outlined in appendix 3. None of the existing buildings are listed.

Topographically the site varies significantly from north to south with the site exhibiting a 20-25 metre fall. This level change is exhibited through a series of steep banks and man-made flat terraces which are currently used for car parking. This level change is most significant at the southern part of the site, while the northern playing fields and open space is relatively flat.

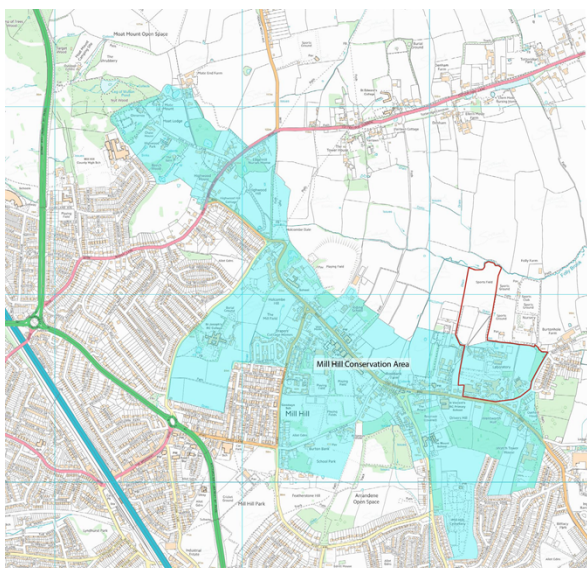


Figure 1: Mill Hill Conservation Area

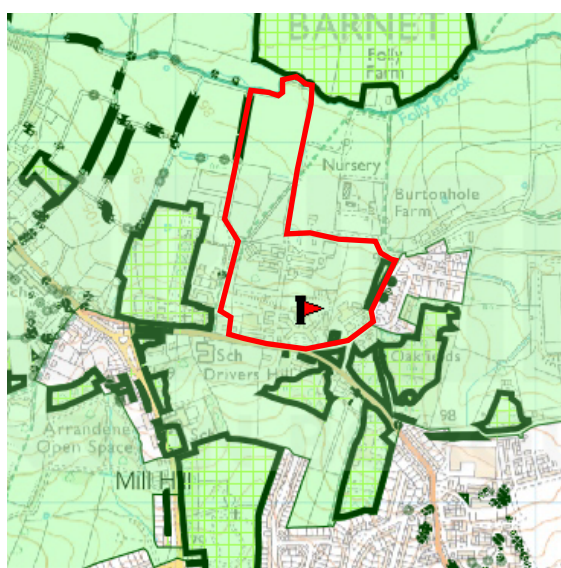


Figure 2: Green Belt

2.2 Surrounding Character

The site lies within the eastern part of Mill Hill Village and fronts onto the Ridgeway, the main route through Mill Hill. The Ridgeway is characterised by institutional buildings including Mill Hill and Belmont Schools. These have traditionally formal frontages as they are set back from the road with front lawns and mature trees fronting the Ridgeway. There are also a number of residential units which vary in design and age. This part of Mill Hill has a relatively dense built form, with little breakage in the building line along the Ridgeway to offer views of the Totteridge Valley beyond. The NIMR also presents a dense built frontage with limited legibility and views to the Green Belt to the North. The nearest listed building is the Grade II Chapel of St Vincent's Convent which lies on the Ridgeway, 116 metres west of the site.

Burtonhole Lane lies to the east of the site and is characterised low-density, two storey housing with front gardens on the other side of the Lane. The boundary the site shares with Burtonhole Lane is heavily screening by trees and bushes. The character of the Lane becomes more rural towards the East, especially as the pavement adjacent to the site is replaced by a soft verge and the houses to the south east are more set back and do not visually address the Lane.

St Vincents Lane lies to the west of the site and slopes steeply down to the north. This is a private road with a public right of way and has open views across to Totteridge Common. The boundary this lane shares with NIMR is partially screened by trees on a semi-private lawned area, with a low clipped hedge to the pavement. There are only residential properties on the western side of this Lane in the form of a flatted development approved circa 2000. At the northern end of St Vincents Lane is a public footpath which leads to the playing fields and Totteridge Valley.

To the north of the site is the Totteridge Valley which rural in nature as it is characterised by open fields, some of which are used for sheep farming, bordered by dense hedgerows. There is a network of public footpaths which connect this part of the Green Belt to the other side of the valley and Totteridge Common. Adjacent to the site are playing fields with a sports pavilion and a garden centre with some limited parking.

2.3 Existing Uses

The site is occupied by the Medical Research Council's National Institute for Medical Research (NIMR). As such the site is primarily used for research and development purposes (use class B1(b)). The site also includes offices, and residential accommodation (used for the housing of students working on the site), associated car parking, storage and open space. In total there is 4200 m² of floorspace on site. Although the majority of the 61 buildings on site are used for scientific research, a number have a supporting infrastructure function as substations, underground stores, animal house and stables.

2.4 Existing Accessibility

As the site is currently private land, there are no public roads within the boundary of the site. The existing site has three access points, two from the Ridgeway and one from Burtonhole Lane which directly serves the MRCT building.

The majority of the site has a PTAL rating of 1b (with the southern part of the site having a ptal rating of 1a). The nearest London underground station is Mill Hill East which lies 0.8 miles to the south east of the site. There is a bus stop on the Ridgeway, directly outside the main building which serves Mill Hill Broadway, Mill Hill East and Edgware stations.

The most prominent building on the site is the Main Building (alternatively known as the Cruciform). This building has 9 storeys and four attached wings ranging from four to five storeys. Due to this building's height and distinctive green copper roof it is visible from a number of locations across Barnet including Hendon and Whetstone.

2.5 The Planning Brief and the site character

The adopted Planning Brief (2016) splits the existing land use into two distinct areas, as shown on Figure 3 below:

- the southern element fronting The Ridgeway and part of Burtonhole Lane, contains the majority of buildings in two clusters, together with areas of hardstanding, formal landscaping fronting the Main Building and a wooded area between the Main Building and the buildings off Burtonhole Lane. This area consists of over 30 different buildings, including the Main Building, and is the main area used for research and development; and
- the northern part of the site largely consists of open space which is used for sport and recreational purposes, currently, by MRC employees. There are in this area, however, a number of low rise ancillary buildings, together with six houses, which have a rural character. The open space in the northern section extends into the Totteridge Valley and comprises informal grassland (the Meadow) and playing pitches. The playing pitches are currently private, and adjoin Council owned pitches at the Mill Hill Sports Club.

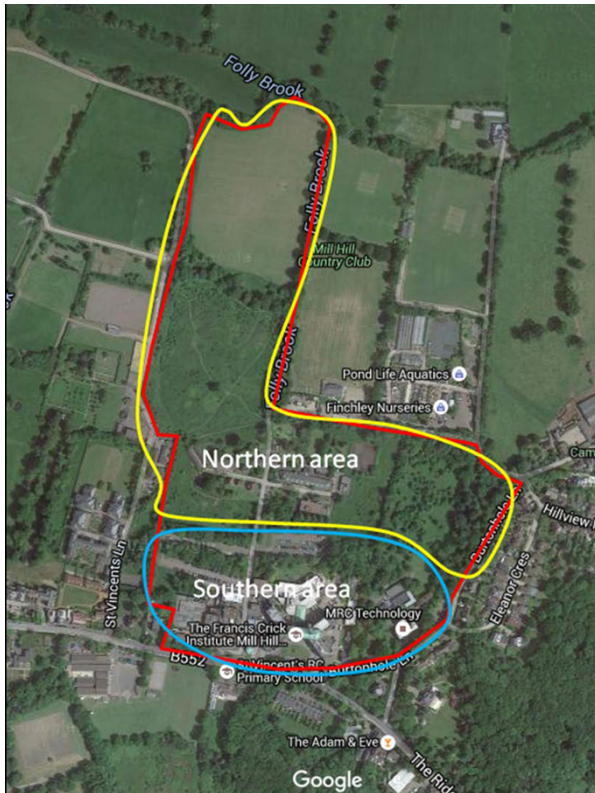


Figure 3: Northern and Southern Areas

3.0 PLANNING CONSIDERATIONS

3.1 Planning Brief

A planning brief for the National Institute for Medical Research site was adopted by the Policy and Resources Committee on 22nd March 2016 following a 6 weeks consultation period. The purpose of the planning brief is to guide future development on this site. Therefore, this document has a key role when assessing the suitability of the application, its uses and built form.

The Brief outlines that the key objectives for the redevelopment of the site are as follows:

- 1) *“To deliver a high quality residential-led mixed used development comprising a range of housing types and tenures, including family homes;*
- 2) *To ensure the positive management of the Green Belt, by maintaining openness, as well as seeking to enhance biodiversity and improving access to opportunities for outdoor sport and recreation;*
- 3) *To preserve or enhance its contribution to the character and appearance of the Mill Hill Conservation Area;*
- 4) *To provide opportunities for employment creation, ensuring the continued contribution to innovation and growth through provision of workspace for small to medium enterprises; and*
- 5) *To ensure any new development is of the highest design and environmental standards and appropriate in scale and siting.”*

In order to deliver the objectives, the Brief states that the redevelopment of the Site presents a number of opportunities, which include:

- 1) *“Positive management of the Green Belt to provide improvements in overall quality and accessibility;*
- 2) *A strategic contribution towards housing delivery in Barnet. The size of the site will ensure steady delivery of housing over the medium term;*
- 3) *The development should not result in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, unless very special circumstances are demonstrated;*
- 4) *The development should not adversely impact on the Conservation Area and adjoining amenity;*
- 5) *The development should seek to take advantage of the topography and the landscaping so that, with the exception of the Main Building, development nestles within the existing and enhanced landscaping;*
- 6) *The existing large number of trees present throughout the site can play an important role in screening proposed buildings as well as adding amenity value and character to the development;*
- 7) *New employment space meeting the needs of modern businesses in particular small to medium enterprises;*
- 8) *The removal of security fencing is an opportunity to improve public access to the Green Belt. Improvements to the quality of the existing public right of way can make it more accessible;”*

When appraising the compliance of the proposed scheme against the Planning Brief, particular attention should be paid to the objectives. This section addresses each of the objectives in turn and appraises the schemes compliance:

- 1) It is considered that the proposal does provide a high quality, residential led scheme. The residential units exceed London Plan floor space standards and the vast majority have dual or triple aspects. The full appraisal of the residential quality is outlined in the Residential Standards section.
- 2) The proposal maintains the openness of the Green Belt and its functionality. Full appraisals of the impacts are outlined in the Green Belt section of this report.
- 3) The proposal as amended is considered to preserve and enhance the contribution of the site to the character and appearance of the Mill Hill Conservation Area. Full details relating to this are outlined in the Urban Design Section.
- 4) The proposal is providing 1640m² of office floor space. This is considered to be an acceptable contribution to employment creation. Full details of the acceptability of the proposed employment space provision are outlined in Employment Section. Furthermore, contributions are being made to employment and training through the S106. Full details are outlined in the heads of terms at the beginning of this report.
- 5) The proposed development is considered to be of a high quality design. The layout of the proposal increases views of the Green Belt and presents a more sympathetic relationship to The Ridgeway. The scale of the buildings is considered to be appropriate following revisions to block F1. Full details are provided in the Urban Design section.

The proposal is considered to meet the objectives of the planning brief as outlined above. Full details are outlined in the Urban Design section.

3.2 Impact of the Proposal on Green Belt

Introduction

The whole site falls within the Green Belt and therefore is subject to the strongest level of national and local policy protection.

This section of the report assesses the proposed development against such policy and demonstrates that this represents an appropriate development in a green belt setting and is in accordance with paragraph 89 of the NPPF. For this reason, 'very special circumstances' are not required as part of the appraisal of the impact.

In addition, this section present the significant number of benefits that this proposal provides which enhances access to and usability of the Green Belt.

Planning policy

When appraising the impacts of the proposed development on the Green Belt, the following documents contain policies and guidance relevant to the consideration of this proposal:

- National Planning Policy Framework
- Barnet's Local Plan Core Strategy (2012)
- Barnet's Local Plan Development Management Policies Document (2012)
- Planning Brief for National Institute for Medical Research (March 2016)

In terms of green belt policy the key local and national policies include:

- Local Plan Development Management Policy DM15 – Green Belt and open spaces
- National Planning Policy Framework paragraph 80 and 89
- Planning Brief for National Institute for Medical Research

National Policy

Paragraphs 79 to 92 of the NPPF outlines this documents approach to development in the Green Belt.

Due to the already established green belt boundary and the uses of the proposed development, key paragraphs that are considered particularly relevant in this appraisal are 79, 80, 81, 87 and 89. Each of these will be addressed.

Paragraph 79 states that '*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*'.

Paragraph 89 states the following:

"A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- *buildings for agriculture and forestry;*
- *provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*

- *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”*

Paragraph 80 states the following:

“Green Belt serves five purposes:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

Paragraph 81 establishes that local planning authorities should plan to enhance the beneficial use of the Green Belt. It states *‘local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access, to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity,; or to improve damage and derelict land’.*

London Plan

Policy 7.16 states that the Mayor strongly supports the current extent of London’s Green Belt, its extension in appropriate circumstances and its protection from inappropriate development.

This policy also states that inappropriate development should be refused, except in very special circumstance, but that development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.

Barnet’s Local Plan

The Development Management Policy DM15 – Green Belt and open spaces states that:

- a) *i. Development proposals in Green Belt are required to comply with the NPPF (paras 79 to 92). In line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL).*

- v. The replacement or re-use of buildings will not be permitted where they would have an adverse impact on the openness of the area or the purposes of including land in Green Belt or MOL.*

The key consideration is whether the proposal has an adverse impact on the openness of the area or the purposes of including land in Green Belt. So if it fails one aspect it would be considered inappropriate development.

The adopted NIMR Planning Brief

One of the key objectives of this Brief is to ensure the positive management of the Green Belt through maintaining openness, as well as seeking to enhance biodiversity and

improving access to opportunities for outdoor sport and recreation.

The Brief goes on to state that any future redevelopment must comply with national, regional and local planning policy. Particular reference is made to paragraphs 81 and 89 of the NPPF (see full detail of this policy above).

The Brief clearly states development principles that should be adopted to protect the openness of the Green Belt. One such principle is restricting all new development to the Ridgeway Cluster and Burtonhole Lane Cluster. Another principle is allowing the site to be designed, re-sculptured and enhanced by fresh landscaping and the establishment a mix of uses complementary to its setting and the Green Belt.

Assessment of Proposal against Policy

NPPF

Para 89:

The proposal is considered to accord with the sixth exception of this paragraph.

To demonstrate its compliance, this appraisal will address how the site is 'previously developed' and the development will have no greater impact on the openness and purpose of the Green Belt.

- (i) Appendix 1 of the NPPF provides a definition of previously development land.

“Land which is or was occupied by a permanent structure, including the curtilage of developed land (although is should not be assumed that the whole curtilage should be developed) and any associated fixed surface infrastructure. This excludes; land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time”

The southern part of the site, which is subject to redevelopment, is currently occupied by 61 permanent built structures, including the nine storey Main Building. In addition there are large areas of permanent hard surfacing in the form of car parking, loading areas and internal routes through the site. It is considered that these all constitutes previous development. The applicant's planning statement defines the 3 metre high fence surrounding this part of the site as the boundary for developed land. The Council considers this to be an appropriate definition.

The development characteristics of this site do not fall within the exception categories as defined in Appendix 1 of the NPPF.

As the redevelopment proposed is within the defined area pf previously developed land, the proposal is considered to comply with paragraph 89 of the NPPF.

- (ii) Greater impact on the openness of the Green Belt

“Openness” is not defined either in the NPPF or in any development plan policies.

It is however generally considered to mean an absence of building or development, and the extent to which a building or development may be seen from the public realm.

- A number of characteristics of the proposal need to be considered in the appraisal of the impact of the development on the openness of the green belt.
- The size or floorspace of new buildings is a consideration as a measure of openness. Although this is used particularly in relation to extension and alternation of existing buildings, it should still be considered relevant in this instance. The proposal will reduce the amount of previously developed land by 38% and reduce the building footprint by 8%. There will, however, be an increase in overall floorspace by 38%.
- However the proposal will focus built development by moving the line of built development further south and creating a more coherent built boundary (reducing previously developed land -38%). The proposal will also reduce the mass and bulk of buildings along The Ridgeway and increase visual perception of openness through the site and across the wider Green Belt to the north. The proposal will also remove the security fence which surrounds the entire site and currently prevent public accessibility and permeability of the site. This ability to visually connect oneself from within the site to the vast areas of open green space (the Totteridge Valley) is considered to represent an important aspect of 'openness'.
- Furthermore, the layout is significantly improved, offering appropriate gaps and landscaping area between buildings. These allow greater permeability and legibility while also offering increased views of the Green Belt through the site. The new development also uses the level changes across the site and retained and new trees to merge the development with the landscape.
- Therefore, when balancing these benefits with the increase in floorspace, it is considered that the significant benefits brought about by the redevelopment including increased accessibility, permeability; the reduction in developed and hardsurfacing area as well as breakage of the built mass along the Ridgeway outweighs the increase in floorspace on site.

(iii) The purpose of the Green Belt

In order to fully ascertain whether a greater impact is achieved, an assessment of the existing purposes has to be made followed by the likely changes.

The text below summarises the contribution the existing site makes to the purposes of the Green Belt as defined by paragraph 80 of the NPPF. When making this appraisal particular reference is made to the northern and southern parts of the site, as defined in the adopted Planning Brief.

to check the unrestricted sprawl of large built-up areas;

The northern part of the site is undeveloped and therefore restricts sprawl. The southern part of the site in some ways makes a contribution to this purpose as the built character is lower density at the rear of the developed site, and there are open spaces around the buildings. However, the built footprint and areas of hard surfacing are comparatively high.

to prevent neighbouring towns merging into one another;

The northern part of the site is undeveloped, and with the Totteridge Valley effectively forms a green separation between Mill Hill and Totteridge, Edgware and Borehamwood. The northern part of the developed site makes a positive contribution to this purpose. The north

section of the southern part of the site makes a partial contribution, as, although this part of the site is developed, the density is low and there is a comparatively large proportion of green space. The southern part of the developed site does not contribute to this purpose due to the large areas of hard surfacing and continuous mass of buildings.

to assist in safeguarding the countryside from encroachment;

The northern part of the site contributes to this purpose as it safeguards the countryside from encroachment. The southern part of the developed site does not contribute as the existing buildings encroach.

to preserve the setting and special character of historic towns,

The southern part of the site is characterised by a high number of low quality buildings and therefore does not contribute to this purpose.

to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The southern part of the site will become vacant brownfield following the relocation of the institution.

The text below summarises the contribution the proposed site makes to the purposes of the Green Belt as defined by paragraph 80 of the NPPF:

to check the unrestricted sprawl of large built-up areas;

The northern part of the site remains free from built development and its impact will therefore be unchanged. The proposal will focus built development by moving the line of built development further south in the southern part (north) and creating a more coherent built boundary. This will reduce the sprawl of built-up areas; the total area of built and developed land will reduce. The most southern part of the site is already developed and its impact is therefore unchanged.

to prevent neighbouring towns merging into one another;

As the proposal will focus built development by moving the line of built development further south in the southern part (north) and creating a more coherent built boundary. This will reduce the effect of neighbouring towns merging; the total area of built and developed land will reduce.

to assist in safeguarding the countryside from encroachment;

The setting back of the building line, reduction in the built footprint and creation of new open green space is considered to be the opposite of encroachment on the countryside, as the proposal is effectively making a land contribution to the countryside.

to preserve the setting and special character of historic towns,

The proposal will significantly enhance the character and appearance of the Mill Hill Conservation by removing the existing poor quality, damaged buildings and replacing them with a high quality, innovative scheme.

to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposal will assist urban regeneration by redeveloping a large and relatively inaccessible employment site into a residential led scheme which will increase access to open spaces and the wider green belt.

Beneficial Uses

The proposal makes numerous contributions in regard to the character, appearance and usability of the Green Belt. These benefits are outlined below:

Increased Accessibility and permeability – The proposal is seeking to reduce the existing boundary fence, allowing access into the site itself and the playing fields to the rear of the site.

Improved views of Green Belt – the proposed layout creates physical breakages in the built form, allowing views through the site to the Green Belt beyond.

New green space – the setting back of the building line creates new public amenity space.

Improve opportunities for outdoor sport – the enhancement of the sport pitches and facilities to the north of the site (including a new pavilion secured through the S106) will secure the long term use of the playing fields for sport. This will benefit residents and the wider community.

Biodiversity Enhancements – numerous measures are to be implemented (secured through conditions) to protect and support existing species.

New Soft Landscaping – a range of new planting is proposed to ensure high quality open amenity space and to make contributions to the character of the Green Belt.

3.3 Urban Design

The following section explores and analyses the design principles adopted within this proposal and whether these are considered appropriate for this site.

Cruciform Cluster

This section appraises the value of rebuilding the Main Building as opposed to a converting it, the design approach used including the detachment of the wings and the height and elevational treatments of the rebuilt main building. Later sections address other design principles adopted across the site including the establishment of a new green space to the front of the Cruciform.

The detachment of the wings

The proposal seeks to detach the 4 wings of the cruciform. There are a number of benefits in detaching the wings from the main building. Firstly, the existing building presents an impenetrable façade of 94 metres in width. With the detachment of the wings, four new views of the green belt are provided (see figures 4 and 5 below).

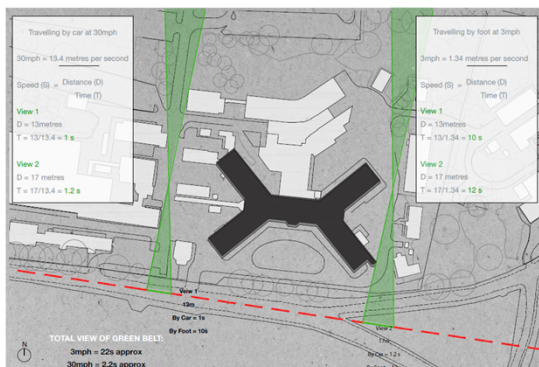


Figure 4: Existing layout with limited view of Totteridge Valley



Figure 5: Proposed layout with new views of Totteridge Valley

Furthermore, the accommodation quality within the existing wings is detrimentally impacted through the built connection to the core building. Through detachment, each wing has an additional aspect, allowing more light and ventilation into these wings as well as improved access.

The design quality of the main cruciform building will be carried through into the deconstructed wings. The brickwork will follow a similar pattern with the top storey being finished in fluted brickwork. The proportioning system of the blocks is derived from the 3:2:1 proportion of the main cruciform block to ensure a consistent approach. Therefore, the detachments of the wings does not weaken their connection with the main building.

Rebuild as opposed to conversion

Value of building

The significance of a building is defined in the glossary of the NPPF (page 56) as *“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”*.

Historic England’s Conservation Principles, Policies and Guidance (2008) include a methodology for assessment significance of considering heritage values. These are outlined below:

Archaeological interest: is defined in the glossary of the NPPF as follows: *There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worth of expert investigation at some point. Heritage assets with archaeological interest are of the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.*

With reference to buried archaeology of earlier periods Historic England are satisfied that there is unlikely to be significant harm as concluded in the submitted archaeological desk-based assessment. Specifically, there appear to be only minor landscaping works proposed in the northern part of the site which has been less disturbed in modern times.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that this application affects a historic building or buildings of archaeological interest. If permission is granted the archaeological interest in the historic building(s) should be conserved through a written scheme of investigation being submitted.

Aesthetic and architectural interest (‘aesthetic value’): is defined in the principles section as *“To be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; special interest may also apply to nationally important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms”*.

The main building is of some limited architectural interest, having been designed by a relatively well known early C20th architect, Maxwell Ayrton. The main building is considered to be a landmark building due to its distinct profile on the skyline when viewed from outside Mill Hill. Its distinctive green copper roof makes it identifiable from a number of locations across the borough including Whetstone and Hendon. However, on closer inspection the buildings appearance is compromised by the significant level of damage that has occurred to the building over the years of use as a medical facility.

This is partly due to the significant number of extensions and internal changes made to the Cruciform Building during the 1960s in response to the changing works of the institution. Such alterations included the addition of a floor to each of the four wings, the installation of surface mounted drain pipes to all elevations, addition of ventilation ductwork, lift tower and external fire escape. Such alterations are shown by figures 6 and 7 below.



Figure 6: flues added to Cruciform elevation



Figure 7: plant machinery on top of wings of Cruciform

With the alterations and general use of the building came inevitable damage, including the oxidation of the copper roof, which when viewed on site, appears very discoloured. Other damage includes the removal of the original balcony and the breaking of detailed brickwork.



Figure 8: discoloured existing copper roof

Furthermore, when inspecting the building more closely it is found that many aspects of its original design are not of considerable merit. The main buildings landmark status owes much to its height rather than its elevational treatments. The brickwork is dull and the mortar and brick contrast is not distinctive.

Historic interest ('historic value') is defined in Principles of Selection as "*To be of special historic interest a building must illustrate importance aspects of the nation's social, economic, cultural, or military history and/or close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing*".

The site has had two uses in the past: as the base of the Woman's Royal Navy Service during the Second World War and as a research institution since

The foremost interest of the site is its history as a national research institution. Although the building was constructed for this use, scientific works did not happen on site until after the Second World War in 1950. The institution has been home to numerous Nobel Prize winning scientists including neuroscientist Henry Dale, chemist John Cornforth and biochemist Archer Martin. Scientific breakthroughs at the institution include the invention of gas liquid chromatography, the discovery of the gene that determines male sex development and the development of cryobiology.

However, despite the alterations made to the building, in 2004 it was acknowledged that the site was no longer fit for purpose. The relocation of the institution to Kings Cross is essentially breaking this historic link.

Value of building conclusion

Although the Main Building holds some architectural and historical interest, most of its significance is from the existing use of the site as a medical research institution. When this use is relocated to the new Francis Crick Institution in Kings Cross, this historical connection will be largely lost. The Council does not consider the building to constitute a non-designated heritage asset.

Internal condition of building

Turning to the internal spaces, the existing building presents significant problems regarding floor height. The fourth and mezzanine floors have an internal height of 2.35 metres which are too low for residential uses.

The proposed rebuild allows the volume of the core building to remain constant while correcting floor to ceiling heights. Also, through a rebuild the stairs cores can be relocated of to allow the full efficient utilisation of the building.

There are a number of other structural issues that warrant a conversion impractical and costly. As the existing building has a loadbearing masonry façade, even small changes to the internal space of the building requires complex and difficult temporary support. The façade will need to be supported by a new structure designed to cope with lateral stability and to counteract disproportionate collapse. In the event of a conversion, the existing floors will need to be strengthened or re-cast as they are not designed for non-residential loadings. The lower ground floor slab will require extensive underpinning and excavation under the existing building as it is not suitable for use and is stepped. Another significant cost associated with converting the existing building is connecting the new basement to new cores. In addition, in order to detach the wings and repair the roof, more than 50% fabric replacement will be required.

It is recognised that through a rebuild with the inclusion of the best features of the original structure, the main building can still retain its landmark status and visibility across the borough. Furthermore, significant improvements can be made to the quality of the main building and its internal accommodation further strengthening this building's status in the borough.

It is for the reasons outlined above that the rebuilding of the central part of the Main Building to resemble the existing form is supported by the Planning Brief. The proposal therefore complies with this recently adopted Brief.

Mass and Height

The level of the ridge of the proposed rebuilt core of the main building is the same as existing (at a level of 147.35 metres above sea level). This means that there will be no greater impact in its rebuilt form.

The two front wings have an extra storey than existing. There are a number of reasons why this increase in the number of storeys is considered acceptable.

Firstly, due to the reductions in storey heights of the internal rebuilt main building a more accurate comparison in terms of impact of height is the level of the building above sea level. The height of the existing wing parapet is 129.6 metres above sea level. The height of the proposed wing parapet is slightly higher at 131.87. This increase in height is considered to be comparatively minimal and is therefore an acceptable increase.

Secondly, the front right wing (when viewed from the Ridgeway) has a number of plants, flues and other structures on the roof, effectively adding to the height of the wings.

As the wings of the main building are being removed, their physical linkage is being broken and the landmark status of the main building is effectively being compromised. It is therefore important that the wings are presented in such a way that makes them distinctive in terms of their design and appearance from the other proposed buildings. This is partly achieved through the use of elevational treatments from the main building (such as green tiling, window proportions etc). However, the extra storey makes the wings taller than the other proposed buildings, maintaining the Cruciform cluster's landmark appearance. The additional storey is still proportionate to the core building and for the reasons outlined above is considered an acceptable addition.

Due to their 'detachment' from the main building, the wings are effectively being reduced in width. The original front wings are over 23 metres in length while the proposed wings are 18 metres in width. The height of the wings in relation to their new width is proportionate. The wings, by means of their height, are distinct from the other proposed buildings

Elevational Treatments

The rebuilt Main Building both maintains the distinctive design principles which make this building a landmark, while making significant improvements to the quality of the building. Features being retained include the green roof and brickwork. Improvements include the re-proportioning of the main entrance, making it more inviting and allowing views through to the Totteridge Valley.

As stated above, due to the detachment of the wings, it is important that their design and elevational treatments strongly connect to the Main building. Such matching design features include matching brickwork (including the use of green brickwork), 3:2:1 window layering, emphasis on vertical proportions and similar detailing to entrances. These measures are considered to be satisfactory. However, to secure the high quality of materials and elevational treatments, a materials and architectural details condition has been added to this permission.

Other Cruciform Cluster design principles

A new landscaped area is to be created in front of the reconstructed main building including a new pond. The rear of the main building will open out onto the Valley Terrace and residential units will benefit from views of the Totteridge Valley. The public will also have access to these views and facilities as through the removal of existing fences, the site and proposed café will be accessible to all.

3.4 Other proposed buildings

Mass, height and layout

This section addresses how the current mass, height and layout of the existing site have a negative impact on the Green Belt and Mill Hill conservation area, and how the proposal seeks to address these issues.

The mass and bulk of the buildings along The Ridgeway, in particular the main building, present an overbearing and dominant frontage. The haphazard distribution of the buildings exacerbate their oppressive character and impact on the perception of openness by allowing only limited views through the Site to the Totteridge Valley.

From within the southern part of the Site there is a limited feeling of openness, permeability and legibility. There are limited views from the Ridgeway through the site to the north due to the sprawling layout of the existing buildings throughout the site. Furthermore, the unsympathetic built form of the existing site is exacerbated by the large areas of hard surfacing in the form of terraced car parking areas.

Under the proposal the buildings have been carefully positioned to create new viewing corridors from The Ridgeway to the Totteridge Valley and Green Belt. The layout of the scheme utilises the level changes, in line with Planning Brief guidance, as the proposed blocks step down in height and mass as the site drops towards the valley to the north. As such the built form of the proposal is merged with the new and existing tree canopy and soft landscaping.

Fronting The Ridgeway, the buildings scale and design reflect the institutional character of Mill Hill. Going down the slope, massing is eroded to smaller pavilion blocks and finally individual houses. Careful consideration has been given to boundary treatments and how they should not restrict the sense of openness. For this reason a ha-ha wall has been used as a boundary treatment separating the rear gardens of the houses from the new green space rather than a regular wall or fence. A ha-ha wall is a more sympathetic and natural soft boundary measure. This demonstrates again how the proposal aims to provide a sympathetic relationship with the Green Belt and the scheme's compliance with the adopted Planning Brief.

Roof design

Key consideration was given to the use of either flats roofs or pitched roofs during the design meetings with planning and conservation officers. Flat roofs were considered to be preferable for a number of reasons. Firstly, the additional height associated with pitched roofs would result in increased visual impact than flat roofs. Therefore, the use of flat roofs is more appropriate for the site to minimise the visual impact of the scheme on the Green Belt and Mill Hill Conservation Area and to ensure the development nestles within the existing and proposed landscaping from long-distance views in accordance with the adopted Planning Brief.

The pitched roof of the Cruciform Building is a strong and defining feature of the site. If pitched roofs were applied to the new residential buildings on the remainder of the site, they would compete with the Cruciform Building, losing the clarity of its landmark status. Furthermore, pitched roofs are generally not appropriate for residential apartment blocks as the proportion of the roof would be out of scale of the block dimensions.

Although there are a number of pitched roofs in Mill Hill, they are not considered to be a defining characteristic of this part of the Conservation Area, which contains a variety of building typologies and styles. Examples of nearby flat roofed buildings include Nos 1-11

Wentworth Hall, Ibsa House, Watchtower House, Milbrea, Mill Hill School and St Pauls School. The use of flat roofs contributes towards the delivery of high quality architecture that both reflects the site's unique location and responds to its very particular and varied context.

Finally, the use of flat roofs allows green roofs to be utilised. These serve an important ecological role in enhancing biodiversity on the site, in line with Planning Brief objectives.

Building materials

The proposed scheme incorporates a range of building materials including four types of brick (both light and dark), timber, reconstituted stone and metal panels. The submitted design and access statement demonstrates how the review of local materials has informed the applicant's choice of materials for the application. Stone is distinctively used on Mill Hill School and the Church. Brick and timber are both highly prevalent within the residential properties of the Ridgeway.

Although the majority of brick used is red, the colouring of the brick within the proposal is motivated by not just trying to conform to the material pallet of Mill Hill, but to the surrounding natural environment. The level changes and high number of existing and proposed trees on site offers the opportunity for brickwork to reflect the colour of trees so buildings merge into the tree canopy. This will mean when the site is viewed from across the Totteridge valley, the buildings will be effectively camouflaged within the soft landscape. If the popular red brick of Mill Hill village was utilised, the new buildings would stand out in its Green Belt setting, which could have a detrimental impact on the character of this part of the Green Belt.

Due to the application's Green Belt and Conservation Area location, securing high quality materials is essential. For this reason conditions have been included requiring further samples to be submitted and sample wall panels be constructed on site for Local Authority approval.

3.5 Building Design

The size of the site allows for separate character areas to be established. This section of the report describes the character areas established and appraises the different design measures used.

The Ridgeway Courtyard

The Ridgeway Courtyard is formed of four blocks (D1, D2, E1 and E2) which open out onto an internal courtyard. This courtyard maintains a formal flat front facing onto the Ridgeway, reflecting the built relationship of other institutional buildings within this road. The height of these blocks is lower than the Cruciform wings, so the status of the main building as the visual landmark and focal point of this site is not compromised.

During the pre-application stage, the first masterplans produced by the applicant showed D2 and E2 as one single block. However, at the recommendation of the Council this block was split to reduce its built mass and allow improved permeability and legibility.

The L shaped design of the courtyard blocks promotes dual aspect views as well as providing informal views through the courtyard to green spaces beyond. The top floors of these blocks have been set back to reduce the mass and provide a more sympathetic design. A range of elevational treatments have been employed on these blocks including hit and miss brick banding, lighter brick step backs and layering brick tones.

Lower Lane Pavilions

The lower lane pavilions are formed of three separate blocks (F1-F3) connected by a single basement car park.

The blocks arrangement follows the site contours and has been positioned to avoid a cluster of existing trees which the Council's arboricultural officer wanted to preserve. The width and depth proportions allow over 80% of units within these blocks to be dual aspect.

During the pre-consultation and application stages various changes have been made to these blocks. Firstly, the original design of these blocks was in a straight line which planning officers considered to be too regimented. The plans were therefore amended to re-orientate these buildings to give them a less uniform appearance.

The impact of block F1 on St Vincents Lane in terms of its size, mass and proximity to the western boundary was not considered acceptable. As a result, the mass of Block F1 has been reduced in order to have a more sympathetic relationship with St Vincents Lane.

Elevational treatments on these blocks include hit and miss wall blanks and horizontal brick banding.

Lower Belvedere Pavilions

The Lower Belvedere Pavilions comprise of two blocks (G1-G2) mirrored either side of the Cruciform axis. These blocks look out onto the Valley Terrace, providing natural surveillance. Entry to these blocks is from the Upper Lane. This provides an easier connection to The Ridgeway and facilities within the Cruciform.

Elevational treatments to these blocks include textured brick, stone framed bays and brick tone layering. Some of these details have been copied from the Cruciform and Upper Belvedere Pavilions to create a continuous built relationship.

The Woodland Cluster

The Woodland Cluster is formed of five separate blocks (K1, K2, J1, J2 and J3) which open onto a shared courtyard. Like the Pavilion blocks, these buildings follow the site contours and are nestled into retained trees.

The layout of the cluster around the open space allows for positive natural surveillance. The depth and width of these blocks allows 80% of residential units to be dual aspect. Elevational treatments include hit and miss brick, timber panelling and deep brick reveals. Tiling is used to emphasise entry points and ribbed brick wraps into the entrances, marking the lower levels of the buildings.

Lower Lane Houses

The lower lane houses (H1-H12) mark the northern edge of the site. These houses follow the site contours and their layout does not compromise the pedestrian route to the Northern Fields.

The varying brickwork and timber treatments provide individuality to the houses. Elevational treatments include articulated brick details and vertical timber tops. The architect has reflected the built characteristics of Mill Hill through the inclusion of chimneys which are present on the Main Building as well as numerous residential properties, Mill Hill and Belmont School. Another design feature is recessed entrances which are exhibited at the Ridgway Properties to the south east of the site.

Design summary

The design of the range of buildings and the architectural principles employed are considered to be acceptable. However, the council is seeking further details relating to the specifics of the building design including window and balcony details. Therefore a condition is included to require detailed drawings be submitted showing the design of a range of architectural features.

3.6 Quality of Accommodation

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch3 'London's People', and Ch7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD and Residential Design Guidance SPD.

Dwelling Mix

Policy DM08 of the DMP – DPD states that new residential development should provide an appropriate mix of dwellings and with regards to market housing states that 4 bedroom units are the highest priority and 3 bedroom units are a medium priority.

The development proposes the following mix of units:

- 146 x 1 bed units (32%)
- 220 x 2 bed units (48%)
- 82 x 3 bed units (18%)
- 12 x 4/5 bed units (3%)

It is considered that the development would provide a good level of family sized housing and a suitable range of dwelling sizes and types to address housing preference and need in accordance with the above mentioned policy.

Affordable Housing

London Plan 2015 Policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings. All of the above policies seek a tenure split of 60% social rented and 40% intermediate housing.

The application was accompanied by an 'Affordable Housing and Economic Viability Assessment' produced by BNP Paribas (BNPP) which stated that it would be unviable to provide any affordable housing on site. However, the applicant has made an offer to the Council of 20% of units to be intermediate housing in the form of affordable rent. This will comprise of 92 units. The split of these affordable units is detailed below:

- 48 x 1 bedroom units
- 34 x 2 bedroom units
- 10 x 3 bedroom units

The aforementioned mix would provide a good mix of properties. In addition, the applicant is willing to also offer £4.56M towards an off-site cash payment towards social rented accommodation within Barnet.

The delivery of the aforementioned affordable housing would be secured through appropriate clauses within the S106 Agreement. In addition to the clauses securing the delivery of the affordable housing, a review mechanism would be inserted into the S106 Agreement to allow for a re-evaluation of the viability if financial circumstances should change. The heads of terms for the S106 Agreement relating to affordable housing are set out within this report.

Residential Space Standards

Table 3.3 of the London Plan provides a minimum gross internal floor area for different sizes of dwelling. This is set out in Table 1.0 below, which shows the areas relevant to the units proposed within the development:

Table 1.0: Residential Internal Space Standard Requirements

Bedrooms	Bedspaces	Minimum gia (sqm)			Built-in storage (sqm)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Notes to Table 3.3

- *Where a one person dwelling has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.
- The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. GIA should be measured and denoted in square metres (m²)
- The nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.

All of the proposed units would at least meet and in most cases would exceed the minimum standards, providing a good standard of accommodation for future occupiers. The majority have dual (64%) and triple (18%) aspect.

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan policy 3.8. Both the Planning Statement from Deloitte Real Estate and the Design and Access Statement from Hawkins Brown and dMFK Architects confirm that the development

would incorporate 10% wheelchair accessible units in accordance with the aforementioned policy requirements.

In this regard, a condition would also be attached to ensure that a minimum of 10% of the units are provided as wheelchair accessible in accordance with both the Planning and Design and Access Statements. The location of these units within the development will also be required to be confirmed via the condition.

Amenity space

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Outdoor Amenity Space Requirements	Development Scale
For Flats: 5m ² of space per habitable room	Minor, major and large scale
For Houses: 40m ² of space for up to four habitable rooms 55m ² of space for up to five habitable rooms 70m ² of space for up to six habitable rooms 85m ² of space for up to seven or more habitable rooms	Minor, major and large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

The development proposes a mix of private and public amenity areas. The level of public amenity space is significant, totalling at 155,560sqm.

The public amenity space would be provided through a large area of soft landscaping to the rear of the Main Building (referred to as the Valley Terrace) and a new area of green space at the rear of the lower lane houses referred to as the Woodland Glade.

As shown in the table above, Barnet council's Sustainable Design and Construction SPD (2016) identifies that 5 m² of private amenity space should be provided per habitable room for flatted units while 70 m² and 85 m² of space should be provided for houses with up to six and seven and more habitable rooms respectively. Therefore, the proposed houses would require a total of 960sqm of private amenity space. This is well exceeded, with 5310sqm of private amenity space provided for the houses (units H1-H12). The flats have in total 1853 habitable rooms and therefore 9265m² of private amenity space should be provided. However, the application only manages to provide 4686.8m². However, the application is providing over 150,000m² of public space as well as a significant amount of communal amenity space (2,230m² for Ridgeway Cluster and 860m² for F blocks). Therefore the deficiency in private amenity space is considered acceptable.

3.7 Trees

The site is characterised by mature broadleaf trees, which are particularly prevalent on the eastern boundary. Some of these trees, particularly the mature oak trees, were growing

before NIMR was constructed, while others were planted to soften the existing buildings. The Planning Brief identifies that the existing large number of trees present throughout the site can play an important role in screening proposed buildings as well as adding amenity value and character to the development. Therefore the retention and re-provision of trees are a key consideration.

Policy Context

British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations clearly sets out the requirements for tree retention in proximity to development and will be used as the benchmark for considering development proposals.

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

Trees make an important contribution to the character and appearance of the borough. Trees which are healthy and are of high amenity value can be protected by the making of a Tree Preservation Order (TPO) under the Town and Country Planning Act 1990. Tree Preservation Orders can help to protect trees from inappropriate treatment and prevent their removal, as permission must first be sought from the council to carry out most types of tree surgery. Appropriate protection of TPO trees and those identified for retention will be expected in line with good practice during construction of a development.

Appraisal

An arboricultural survey and tree removal plan was submitted with this application. This has been reviewed by the Council's arboricultural officer. The arboricultural impacts assessment estimates the overall tree loss as 400 Category C trees, 100 Category B trees, 7 Category U trees. The tree officer has identified that the number of trees being removed will have a detrimental impact on the character of the site.

The value of the existing trees is recognised and as a result efforts were made during the pre-application stage to relocate the through routes and certain buildings, such of the Woodland Cluster, in order to preserve more trees at the eastern edge of the site in line with the Arboricultural Officer's comments. However, unfortunately due to the level changes across the site, such changes could not be made. However, in other places on the scheme the location of the buildings has altered to protect groups of trees.

The Council's arboricultural officer has identified that, due to the length of time required for new planting to reach maturity, some buildings will not be adequately screened post construction. It is important the sufficient screening is provided on site and that any proposed trees are of good quality and sufficient maturity. For this reason, the Council needs to review the landscaping during the construction process in order to request larger, more mature species and greater screening to protect surrounding residential amenities and the green character of the site. Appropriate conditions have been added to this effect as well as

conditions protecting trees during the construction phase.

3.8 Loss of employment

Introduction

NIMR is a significant source of employment in Barnet, with approximately 600 people employed on site. The adopted Planning Brief identifies that it is inevitable that there will be a significant reduction in employment on the site in order to bring forward a residential led redevelopment scheme. However, a key objective for the Planning Brief is '*new employment space meeting the needs of modern businesses in particular small to medium enterprises*'.

Policy Context

There are a number of key national and local planning policies which should be reviewed when appraising the re-provision of employment floorspace on site.

Paragraph 19 of the NPPF states that "*significant weight should be placed on the need to support economic growth through the planning system*".

Paragraph 22 of the NPPF also states that "*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.*"

The proposals will need to appropriately address the requirements of Barnet Local Plan policies CS8 (Promoting a strong and prosperous Barnet) and DM14 (New and existing employment space).

Policy CS8 states that major developments will be required to provide financial contributions and to deliver employment and training initiatives in consultation with the Skills Development and Employability Group.

This policy goes on to state that the Council will support SMEs by requiring new employment provision to include a range of unit sizes and types such as affordable and flexible workspaces and home working hubs.

Policy DM14 identifies specific conditions to be met before the loss of B class use floor space will be permitted. These include:

- evidence that the site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term;
- evidence that a suitable period of effective marketing has been undertaken.

This policy goes on to state that "*where appropriate, loss of employment space will be expected to provide mitigation in the form of contributions to employment training*".

Employment Appraisal

The Employment Study has demonstrated that a comprehensive employment review has been undertaken and the Site has been appropriately marketed in accordance with policy DM14 of the Local Plan (2012).

In order to identify the type and quantity of employment generating uses that are considered to be viable and deliverable on the site the adopted Planning Brief required an Employment Study to assess the potential for modern business uses in the short, medium and long term as part of a residential led scheme. Subject to the findings of the Employment Study the Planning Brief expected the development to seek to provide at least 2,000m² of employment space for B1(a) and B1(b) uses.

Deloitte Real Estate has conducted an Employment Study which assesses the potential for employment generating uses on the application site. In particular, this study addresses the characteristics of the office market across Barnet and the local area; an assessment of office market trends in London and clusters and a review of the potential for flexible/managed office space.

The Employment Study has identified that there are a comparatively higher number of self-employed workers (and therefore Small Enterprises) in Barnet compared to other London Boroughs. Surveys have found that office space in the borough is typically located in areas with a high PTAL or near arterial roads (i.e. the North Circular). As a result Mill Hill has low quantity of office space. The office space which is located in Mill Hill is found in the more urbanised areas of this ward.

Although the most popular areas of employment in the Mill Hill are wholesale and retail activities, office-based work in various forms constitutes a large proportion of the other dominant sectors, particularly in administration, real estate and finance. Other findings of local employment surveys include the average office space take up in Mill Hill is just below 2,000 ft² and over a 12 month period the total office space leased was 20,000 ft².

The Employment Study shows that the site does not meet the requirements for employment uses. Therefore the provision of 1640m² of B1 floor space, which is less than the 360m² less than the provision outlined in the Brief, is considered acceptable. The employment space is located on the lower ground and ground floors of the Cruciform building. In compliance with the Planning Brief, this use is integrated into the new development through its location on the lower floors of the Main Building. Contributions are required through the S106 for employment and training. The S106 also requires that management agreement be submitted and agreed with the Council to ensure that the provision, design and commercial rates of the new employment floor space are in line with Council objectives. Conditions have also been imposed requiring that the office space remain as this use and that any change to the subdivision of this employment space requires consent from the Council.

3.9 Children's play space

The London Plan states that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

The Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG sets a standard of 10m² of usable children's play space to be provided per child, with particular emphasis on play space for children under five years old to be provided on-site. This SPG places significant emphasis on the need for play space for children under five years old to be provided on-site. Based on the number of units being provided a total play space area of 515m² will need to be provided. Of this, 257m² will need to be doorstep play space for children under five.

The proposal is providing 465m² of doorstep play space and 11,203 m² of accessible open natural environment for all ages that incorporates a trim trail and sports pitches, significantly exceeding the minimum requirement stated above. The total play space area also exceeds

the minimum standard, particularly due to the large new areas of green space being made available as part of the re-development.

A condition has been added requesting the detailed design of the play spaces including suitable landscaping, climbable objects, fixed equipment, facilities for younger and older children and facilities suitable for disabled children and carers. This will ensure the quality of the new playspace and that it can be used by all new residents.

3.10 Density

The site displays the characteristics of a “suburban” site. The London Plan density matrix (Table 3.22) therefore suggests residential densities of between 150 to 250 habitable rooms per hectare and 35-80 units per hectare. The proposed density for the application is 49 units per hectare and 195 habitable rooms per hectare when assessing density on the southern developed part of the site which has an area of 9.5 hectares). This density falls within the appropriate ranges as outlined in the London Plan.

3.11 Privacy and Overlooking

The most sensitive of the proposed units in terms of privacy are those located at the ground floor level adjoining the shared amenity area.

Barnet Council Sustainable Design and Construction SPD (2016) specifies that *‘in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden’*.

Due to the clustering of proposed buildings particularly at the woodland cluster, the courtyard buildings and the Cruciform wings, there are instances where these separation distances are not met. In the case of these buildings as most units are dual aspect, where one aspect fails to meet the acceptable privacy distance, the other aspect exceeds this privacy distance.

It is however still important that appropriate obscure glazing is provided. Therefore a condition had been added requesting that details of obscure glazing are submitted in order to ensure appropriate privacy is maintained.

3.12 Daylight/Sunlight

A daylight/sunlight assessment has been submitted in support of the application by gia which is inclusive of an assessment on the levels of both daylight and sunlight that would be received by units of the proposed development. All habitable rooms were assessed for Average Daylight Factor (ADF), No Sky Line (NSL) and Room Depth Criterion (RDC). gia tested a selection of units across all typologies located on the lowest residential floor within each building. Therefore the results represent the worst case daylight and sunlight scenario.

The results show that, looking at the lowest residential floors only, the overall compliance with the daylight guidance is 90%, increasing to 95%, when considering that a number of Living/Kitchen/Diner, fall just short of the recommended 2% ADF for rooms including an kitchen, however they meet or exceed the 1.5% ADF target suitable for living areas. However, should all proposed habitable rooms within this scheme be assessed, the overall daylight compliance would be close to 100%.

The sunlight potential diagrams submitted with the daylight sunlight report show that the vast majority of units with living areas offering a southerly aspect comply with the recommended Annual Probable Sunlight Hours (APSH) levels. The few tested rooms which fall short do so because the living room windows are set behind a generous balcony, which serves as an important amenity provision. For this reason, the difference of

APSH levels on these units is considered to be acceptable.

In conclusion the proposed development will provide satisfactory levels of daylight and sunlight amenity to its future occupants.

3.13 Sustainability

Paragraph 17 of the NPPF states that one of the 12 core planning principles is to support the transition to a low carbon future, including the use of renewable resources. Paragraph 95 states that LPAs should actively support energy efficiency improvements to existing buildings. Paragraph 96 states that LPAs should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant that this is not feasible or viable.

London Plan policy 5.2 states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy of being 'lean, clean and green'. It states that developments should seek to achieve a 35% carbon reduction target beyond Part L 2013 of the Building Regulations.

The applicant submitted an energy assessment with the application. This assessment shows that the proposal will achieve an overall carbon saving of 35% above a 2013 Building Regulations compliant development via energy savings, the installation of a site heat network supplied by a single energy centre and renewable energy technology.

The carbon dioxide savings comply with Policies 5.2, 5.6 and 5.7 of the London Plan. Conditions have been added to ensure the implementation of the energy strategy and the future connection of the future development to a district heating network, should one become available.

3.14 Transport / Highways

Policy context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure.

Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Car Parking

Originally 566 parking spaces were proposed, split between 462 residential spaces, 51 (10%) visitor spaces and 19 commercial spaces. The Table below outlines the commercial parking provision.

Table 1: Commercial Parking Provision

	Size	London Plan	London Plan	TA
Offices	1,640 sqm	1 space per 100-600 sqm	3-16	19
Café / gym	308 sqm	A3/D2: No details	No details	
Total			3 to 16 +	19

With regards to the commercial provision, as a significant proportion of the use of the café / gym will be linked to the residential development, the number of spaces is acceptable.

With regards to the residential provision, the car ownership from the 2011 census for Mill Hill ward results in a projected average ownership per household of 0.7. Therefore, the number of parking spaces proposed is above expected ownership at 356 vehicles. However, following the submission of a number of consultation responses objecting to the lack of parking provision and concern of consequential overspill parking, the residential parking provision has been increased to 543, in addition to the 19 spaces for the commercial uses and 51 visitor spaces. Therefore, the overall car parking provision is 613. The additional 47 residential spaces are all proposed to be within enlarged basement parking areas and should ensure there is no overspill onto adjacent residential streets. The additional 47 spaces will be allocated to the 3 bedroom flats. Based on a PTAL of 1b, the proposed number of spaces, which is within DM17 standards, is acceptable. The table below shows the amended residential parking provision.

Table 2: Amended Residential Parking Provision

Type of Unit	Units	DM17	DM17 Total Spaces	TA proposed spaces per unit	TA Total spaces
1 Bed Flat	146	0-1	0-146	1	146
2 Bed Flat	220	1-1.5	220-330	1	220
3 Bed Flat	82	1-1.5	82-123	50% -1 / 50% -1.5	154
4 Bed House	4	1.5-2	6-8	3	12
5 Bed House	8	1.5-2	12-16	3	12
Total	460		320 (0.7) - 623 (1.35)		544

*Plus 50 visitor spaces

Electrical Vehicle Charging Point provision for residents, at 20% active and 20% passive, as per the London Plan, is provided. For office parking, 20% provision of all spaces for electric vehicles, with an additional 10% passive provision is also proposed as per the standards.

Disabled parking provision for the offices is proposed in accordance to the London Plan at one space per each employee who is disabled motorist, plus 5% of the total capacity of visiting disabled motorists, plus a further 5% of the total capacity of enlarged spaces for future provision.

Cycle Parking

The review of parking provision is summarised in the following table:-

Table 3: Cycle Parking

	Units / Size	London Plan Short Stay	London Plan Long Stay	London Plan Spaces	TA Spaces
1 Bed Flat	146	1 per 40 units	1 per unit	790	12 short stay / 798 long stay
2+ Bed Flat	316		2 per units		
Offices	1,640 sqm	1 per 500 sqm	1 per 150 sqm	14	11 short stay / 13 long stay
Café / gym	308 sqm	Café: 1 per 40 sqm	Café: 1 per 175 sqm	10	
Total				814	834

Based on the above, the cycle parking provision complies with London Plan standards and is considered to be acceptable.

Access

The existing Medical Research Council building has one entry only access and one exit only egress situated on The Ridgeway. Access to the Medical Research Centre of Technology is via Burtonhole Lane.

Primary access to the new development is proposed via a new ‘T’ junction with The Ridgeway, at the location of the existing egress from the site. Another ‘T’ junction to the west will provide a secondary access. An emergency access (not for daily use) will be provided on Burtonhole Lane.

The new access arrangements meet the required highway standards and have spare capacity, with minimal queuing predicted both on The Ridgeway and within the site. The new arrangement will result in two eastbound bus stops being replaced by a single facility between the two new accesses. Transport for London have agreed this in principle.

A new zebra crossing on The Ridgeway should improve the safety of pedestrians and visibility on the Ridgeway will be increased by the introduction of parking restrictions.

Impact on local roads

Existing traffic flows were surveyed on the adjacent highway network, specifically:

- The Ridgeway: Automatic Traffic Count from 27/1/16 to 14/2/16
- The Ridgeway / Burton Hole Lane: 12 hour Junction Classified Count on 21/7/15
- The Ridgeway / Milesplit Hill: 12 hour Junction Classified Count on 28/1/16
- The Ridgeway / Partingdale Lane: 12 hour Junction Classified Count on 28/1/16

The highway network peak periods are 07:45-08:45 hours and 16:30-17:30 hours. Average and 85th percentile speeds are summarised below:

Table 4: Daily vehicle Speeds on The Ridgeway

Direction	Vehicle Speeds (mph)	
	Average	85 th Percentile
Eastbound	26.8	34.0
Westbound	24.9	32.0

A comparison of the existing and predicted development trips to and from the site has been undertaken. The results, as tabulated below, indicate an increase of 98 and 56 vehicles (2 way) in the AM and PM peak hours respectively.

Table 5: Net difference in trips (Two way)

	AM Peak	PM Peak
Vehicle driver	98	56
Pedal cyclist	-1	-2
Train	5	4
Underground	48	34
Bus	21	14
Motorcycle	3	3
Taxi / Minicab	2	1
Walk	28	22
Other	2	2

The impact of the development is shown to have an increase of less than 5% on the adjacent junctions.

Table 6: Predicted Traffic Flows (2023)

Junction	AM Peak			PM Peak		
	Base Flow	Development	Change	Base Flow	Development	Change
The Ridgeway / Milesplit Hill	1427	+53	3.7%	971	+47	4.8%
The Ridgeway / Burtonhole Lane (W)	1406	+53	3.7%	969	+15	1.6%
The Ridgeway / Burtonhole Lane (E)	1417	+50	3.5%	983	+12	1.2%
The Ridgeway / Partingdale Lane	1508	+50	3.3%	1027	+12	1.2%
Engel Park / Bittacy Hill	1442	+39	2.6%	1433	+7	0.5%
Inglis Way / Bittacy Hill	1474	+39	2.6%	1512	+7	0.5%
Frith Lane / Bittacy Hill	1720	+39	2.2%	1813	+7	0.4%
Holder Hill Circus	2978	+39	1.3%	3074	+7	0.2%

At the Bittacy Hill / Frith Lane junction, the roundabout is shown to be overcapacity without the development and improvements are proposed to negate the impact of the increase in traffic.

Overall, the development traffic impact on the surrounding network is negligible with less than two vehicles per minute in the AM peak and less than one vehicle per minute in the PM peak.

4.0 EQUALITY AND DIVERSITY ISSUES

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

“(a) eliminate discrimination, harassment, victimisation and any other conduct

that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

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

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

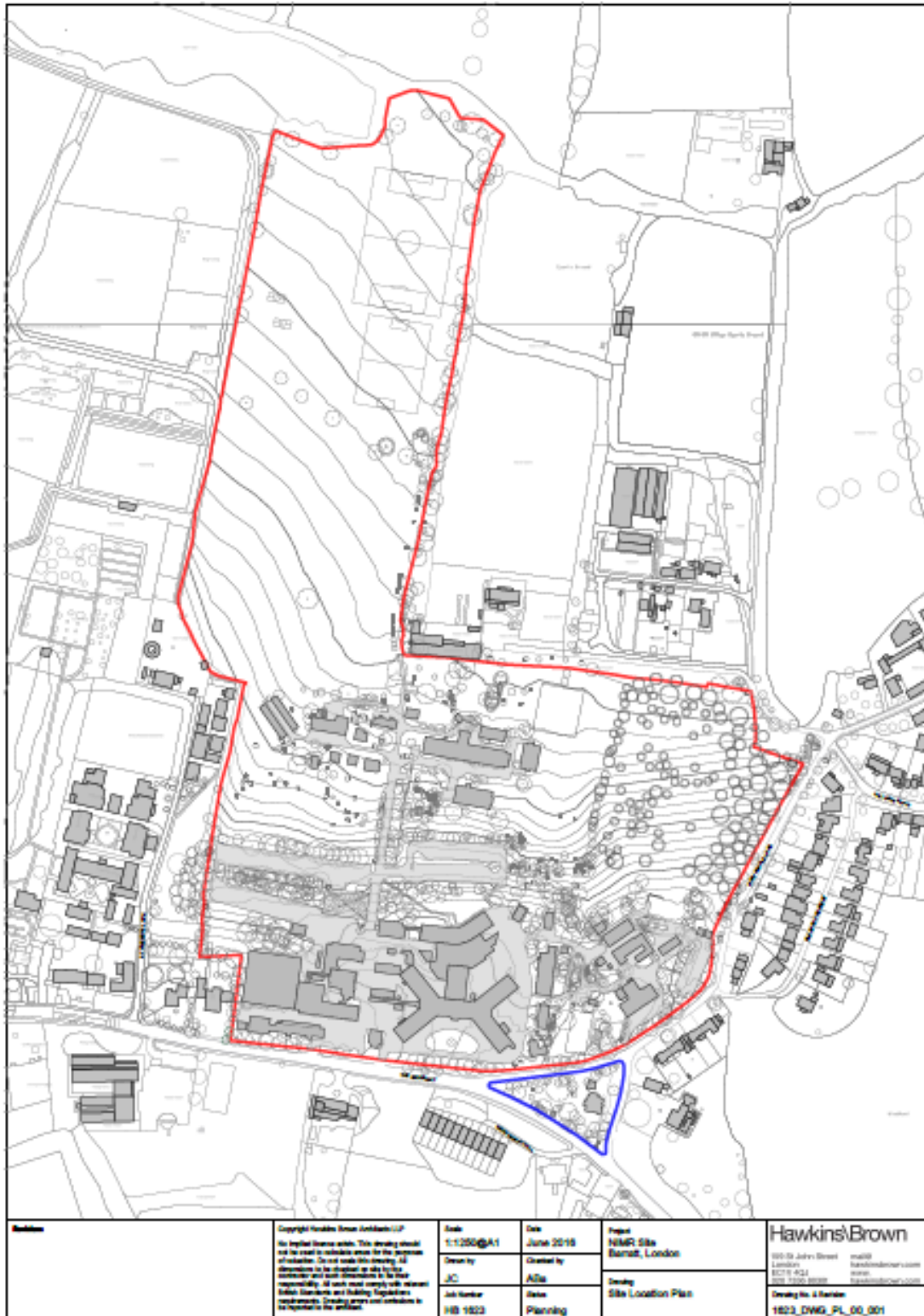
Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under this important legislation.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site. The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

5.0 CONCLUSION

In conclusion, the scheme is considered acceptable and has regard to relevant policies and guidance. This application is therefore recommended for approval.

Appendix 1: Site Plan



Appendix 2: Masterplan



Appendix 3: Relevant Site History

Planning Reference Number	Application Description	Decision	Decision date
W00095M	Specific Pathogen Free Animal Breeding Unit. Circular 100 Procedure	No objection	17/07/1968
W00095N	Extension to monkey quarantine building	No objection	17/09/1979
W00095P	Additional storey to the existing single storey laboratory building at these premises for radio chemical research facilities	No objection	26/08/1970
W00095Q	Prefabricated building to form squash court	Approved subject to conditions	09/12/1970
W00095R	Two bedroom bungalow	Approved subject to conditions	06/01/1971
W00095U	Renewal of permission for Medway prefabricated building for the breeding of mice for immunological purposes	Approved subject to conditions	10/05/1971
W00095T	Renewal of permission for Medway prefabricated building for the breeding of mice for immunological purposes	Approved subject to conditions	10/05/1971
W00095Z	Provision of fire escape stairs and fume cupboard ducts	Approved subject to conditions	04/07/1973
W00095X	Renewal of permission for concrete storage buildings	Approved subject to conditions	31/05/1972
W00095AB	The infilling of undercroft to provide labs, workshop etc	Approved subject to conditions	03/02/1975
W00095AD	Provision of fire escape and three safety handrails around north-west, south-west and north-east wing roof areas	Approved subject to conditions	23/04/1975
W00095AE	Alterations and provision of two fire escapes	Approved subject to conditions	23/04/1975
W00095AC	The installation of a chemical burner	Approved subject to conditions	23/04/1975
W00095AH	Renewal of temporary permission W.95U for retention of Medway prefabricated structure used for the breeding of mice for immunological purposes	Approved subject to conditions	08/09/1976
W00095AG	Renewal of temporary permission W.95T for retention of Medway prefabricated structure used for the breeding of mice for immunological purposes	Approved subject to conditions	08/09/1976
W00095AJ	Erection of passenger/goods lift on rear external face of main	Approved subject to conditions	13/10/1976

	building		
W00095AK	Erection of covered way	Approved subject to conditions	11/05/1977
W00095AL	Retention and continued use of building for general storage purposes	Approved subject to conditions	27/07/2977
W00095AM	Upgrading of main building and east wings	Approved subject to conditions	19/10/1977
W00095AN	Formation of covered way	Approved subject to conditions	19/10/1977
W00095AP	Temporary single storey laboratory building	Approved subject to conditions	19/10/1978
W00095AQ	Two storey computer building	Approved subject to conditions	19/10/1978
W00095AR	Retention and continued use of building for general storage purposes	Approved subject to conditions	10/01/1979
W00095AS	Retention and continued use of building for general storage purposes	Approved subject to conditions	01/09/1982
W00271T	Formation of pitched roof	Approved subject to conditions	22/04/1987
W00095AX	Details of materials pursuant to condition 3 of planning permission ref. W00095AV dated 07.06.89 for the erection of four storey (including basement) biological services building	Approved subject to conditions	17/10/1989
W00095AY	Single storey extension to main building	Approved subject to conditions	22/08/1989
W00095AZ	Erection of single storey building to be used for storage purposes	Approved subject to conditions	22/09/1989
W00095BB	Erection of four storey (including basement) biological services building	Approved subject to conditions	18/04/1990
W00095BF	Alterations to old polio building including erection of external fire escape, link corridor connecting existing buildings and plant enclosure	Approved subject to conditions	23/10/1990
W00095BQ	New shallow pitch roof to north-east wing and construction of plant platform above roof	Approved subject to conditions	23/11/1995
W00095BR	Creation of concrete hard standing adjoining existing compacter area	Approved subject to conditions	20/11/1996
W00095BS	Retention of 2 aerials to chimney on roof of building and installation of radio equipment cabin at ground level with linking cable tray	Approved subject to conditions	19/12/1996
W00095BT	Enclosed hardstanding for	Approved subject	19/05/1997

	waste handling equipment	to conditions	
W00095BU	Erection of single storey detached building close to the Burtonhole Lane/Ridgeway Junction	Approved subject to conditions	29/05/1998
W00095BV	Details of archaeological work to be carried out pursuant condition 3 of planning permission W00095BU for a single storey detached building	Approved	09/09/1998
W00095BW	Details of landscaping pursuant to W00095BU	Approved	30/09/1998
W12459/01	Erection of 15m telecommunications 'Ultra Slim' monopole with 1 no. Trisector antenna, 18cm dish, 1 no. Equipment Cabinet and Development ancillary thereto.	Refused	04/05/2001
W00095BZ/01	Erection of a fire escape balcony on the south-east elevation	Approved subject to conditions	15/10/2001
W00095CF/03	Installation of new sectional GRP water tanks to replace existing fronting the Ridgeway	Approved subject to conditions	10/07/2003
W00095CG/03	Installation of 4 no. face mounted panel antennae and 1 no. equipment cabin at ground floor level	Approved subject to conditions	14/08/2003
W00095CH/03	Erection of 2.4 metre high wire mesh fence around Mellanby Building	Approved subject to conditions	05/01/2004
W00095CK/04	Installation of three telecommunications antenna on chimney and associated equipment cabin at ground floor level.	Approved subject to conditions	27/02/2004
W00095CJ/04	Installation of approximately 7 metre high telecommunication pole and associated equipment cabinet	Refused	17/03/2004
H/01199/10	Installation of 3 replacement antennas on the eastern chimney. Retention of cabinet at ground level and ancillary development including cabling and air condition units. TELECOMMUNICATION APPLICATION	Approved subject to conditions	19/05/2010
16/3872/FUL	Demolition of the chemical store, squash court and east annex of the National Institute for Medical Research	Approved subject to conditions	08/08/2016

LOCATION: Brent Cross Cricklewood Regeneration Area, North West
London

AGENDA ITEM 8

REFERENCE: 16/7490/CON

Received: 25th November 2016

Accepted: 25th November 2016

WARD: Childs Hill, Golders
Green, West Hendon

Expiry: 20th January 2017

APPLICANT: Brent Cross Development Partners

PROPOSAL: Submission under Condition 2.4 and Condition 2.5 to make minor amendments to approved documents (Revised Design Guide, Revised Development Specification Framework and Revised Design and Access Statement) of planning permission F/04687/13 approved 23/07/2014 for the comprehensive mixed use redevelopment of Brent Cross Cricklewood regeneration area.

Changes relate to minor amendments to the parameters/principles as a result of the amended design of Bridge Structure B1 (Replacement A406 Tempelhof Bridge) including associated infrastructure, and to the re-phasing of six items of infrastructure (Claremont Avenue; Claremont Road Junction North; High Street South (East Works); Orchard Lane; Clitterhouse Playing Fields Improvements (Part 1) and Claremont Park Improvements) from Phase 1A (North) to Phase 1B (South).

Further changes relate to minor amendments to the parameters/principles and definitions of Clarefield Park Temporary Replacement Open Space and Community Facilities (Clitterhouse Playing Fields Zone).

RECOMMENDATION

This application is recommended for **APPROVAL**.

1. APPLICATION SUMMARY

A submission has been made under Conditions 2.4 and 2.5 of the 2014 Section 73 planning permission Ref: F/04687/13 (the 's73 Permission') to make minor modifications to the Revised Development Specification and Framework (RDSF) and to the Revised Design Guide (RDG) and Revised Design and Access Statement (RDAS).

The application was submitted as part of a suite of applications required in connection with the approval process set out in the s73 Permission whereby Re-phasing Applications and Reserved Matters Applications are expected to be preceded or submitted in conjunction with detailed information pursuant to a reconciliation mechanism. This set of conditions was purposefully included in the s73 Permission decision notice to allow acceptable adjustments to be made to the specifications, parameters and definitions of the s73 Permission.

In the case of this particular submission, the application was submitted together with application 15/06571/RMA for Reserved Matters associated with Bridge Structure B1 (Replacement A406 Tempelhof Bridge). The following associated applications were also submitted at the same time:

- An application under condition 4.2 of the s73 Permission to allow six items of critical infrastructure to be re-phased from Phase 1A (North) to Phase 1B (South) thereby transferring responsibility for delivery of these infrastructure items from the Northern development partner to the Southern development partner. These infrastructure Items include:
 - o Claremont Avenue (up to the junction with Tempelhof Link Road and Tiling road);
 - o Claremont Road Junction North;
 - o High Street South (East Works);
 - o Orchard Lane;
 - o Claremont Park Improvements; and
 - o Clitterhouse Playing Fields Improvements (Part 1).
- An application under Section 96A to make non material alterations to: Condition 13.1 attached to the s73 Permission to identify the six infrastructure items as part of Phase 1B (South), rather than Phase 1A (North); Condition 14.1 attached to the s73 Permission to identify High Street South (East) being within Phase 1B (South); Condition 9 of Reserved Matters Approval Ref No: 15/00720/RMA relating to the revised delivery of Clitterhouse Playing Fields (Part 1) and Claremont Park; Conditions 20.20 and 20.26 of the s73 Permission relating to existing Clarefield Park, and inserting a new condition (Condition 20.24) relating to re-phasing of Clitterhouse Playing Fields (Part 1); and Condition 1 of Reserved Matters Approval Ref No: 15/03312/RMA and inserting new Condition 1A relating to the approved drawings associated with the re-phased items of highway infrastructure (Reference 16/7574/NMA).
- A submission under Condition 1 of the Reserved Matters approval (Ref: 15/03312/RMA) to update plans contained in Volume 4 of the submission.

Amendments include alterations to the approved design to allow two way traffic flows on the Tempelhof Link Road, to accommodate the re-phasing of High Street South (East Works) and Claremont Avenue, and alterations to the Claremont Road/ Tiling Road Junction to create a signalised junction.

The application seeks to update the parameters/principles contained within the s73 Permission control documents as a result of the amended design of Bridge Structure B1 (Replacement A406 Tempelhof Bridge) together with the six re-phased infrastructure items.

Additional alterations required under the provisions of conditions 2.4 and 2.5 relate to minor amendments to the parameters/ principles of Clarefield Park Temporary Replacement Open Space and the (Clitterhouse Playing Fields Zone) Community Facilities.

These amendments, if approved, will align the documents approved as part of the s73 Permission with; (a) the proposals in the Reserved Matters Application Reference 15/06571/RMA (Phase 1A (North) - Bridge Structure B1 (Replacement A406 Tempelhof Bridge)); and, (b) the documents in the re-phasing application under Condition 4.2 (reference 16/7489/CON).

Non-material amendment application reference 16/7574/NMA submitted under section 96A of the Town and Country Planning Act 1990 (as amended) seeks, equally and accordingly, to update the conditions in the s73 Permission.

The proposed alterations are minor in nature and, in their essence, seek to ensure that the permission documents are adjusted to reflect the alterations to the design of the Replacement Tempelhof Bridge from four lanes to three lanes and to the rephasing of the above listed items from Phase 1A (North) to Phase 1B (South).

The modifications have been assessed in relation to the s73 Permission and its attendant supporting documents and, due to their minor nature and alignment with the aims and objectives of the original consent, are considered to be acceptable.

2. MATERIAL CONSIDERATIONS

2.1 Relevant Planning History

Outline Consent

Outline planning permission was granted for the redevelopment of the Brent Cross Cricklewood regeneration in 2010 and was amended in 2014 via application under Section 73. Please refer to Appendix 2 attached to committee report for RMA application reference 15/06571/RMA in relation to Tempelhof Bridge. (This application – 15/06571/RMA - also before the Committee tonight)

Previous Condition 2.4 and 2.5 applications

The RMAs for Phase 1A (North) were supported by applications under Conditions 2.4 and 2.5 for minor changes to the DSF, DAS and DG which were approved accordingly.

These previous applications can be summarised as follows:

- 15/00834/CON – minor updates to the scale thresholds for buildings in Building Zone BT1;
- 15/00664/CON – minor updates to the parameters relating to Clitterhouse Playing Fields and Claremont Park;
- 15/05040/CON – minor updates to the parameters relating to specific infrastructure items including Bridge Structure B1; and
- 15/07802/CON – minor updates to the parameters to reflect the alternative at-grade pedestrian and cycle crossings at the M1/A406 and A5/A406 Gateway Junction.

3. DESCRIPTION OF THE SITE AND PROPOSAL

3.1 Site Description and Surroundings

Brent Cross Cricklewood Regeneration Area

The s73 Permission for the Brent Cross Cricklewood development relates to a 151 hectare site which is defined to the west by the Edgware Road (A5) and the Midland mainline railway line and to the east by the A41, and is bisected east to west by the A406 North Circular Road. It is adjacent to Junction 1 of the M1 (Staples Corner) and includes the existing Brent Cross Shopping Centre and Bus Station to the north of the North Circular as well as the existing Sturgess Park.

To the south of the North Circular Road the area contains the Brent South Shopping Park, existing Tesco store and Toys 'R' Us store, the Whitefield estate (approximately 220 units), Whitefield Secondary School, Mapledown Special School

and Claremont Primary School; Hendon Leisure Centre, Brent Cross London Underground Station to the east; Clarefield and Claremont Parks and Clitterhouse Playing Fields (Metropolitan Open Land); the Hendon Waste Transfer Station, Claremont Way Industrial Estate and Cricklewood Railway Station to the far south. The application site includes parts of Cricklewood Lane, including the open space in front of the B & Q store.

The Templehof Bridge and the A41 flyover provide the only existing direct north-south link across the North Circular Road within the site. A section of the River Brent, contained within a concrete channel, flows east to west through the site to the south of the shopping centre.

The London Borough of Brent is located to the immediate west of the application site, on the opposite side of the A5 Edgware Road. The London Borough of Camden adjoins the site to the south at Cricklewood Town Centre.

The site is dominated and constrained by the existing road network and rail infrastructure. It contains industrial land, former railway land, retail 'sheds' and large areas of surface car parking.

To the north, east and south, the site is surrounded by traditional low rise suburban development, predominantly two storey semi-detached houses. These areas of existing housing - with the exception of the Whitefield Estate - are not directly subject to the proposals as they are not contained within the planning application boundary.

The application site currently has a public transport accessibility level (PTAL) varying between 1 and 5, where 1 is low and 6 is high. It includes key parts of the Transport for London Road Network (TLRN) at Hendon Way (A41) and the North Circular Road (A406).

4. AMENDMENTS AND VARIATIONS PROPOSED

4.1 Revisions to DSF – Condition 2.4

Description of proposed revisions to the Revised Development Specification & Framework (RDSF)

A406 Tempelhof Bridge (Ref B1)

The alternative design of the bridge proposes three lanes and as such it is necessary to amend Paragraph 4.5 of the DSF, as follows:-

Paragraph 4.5

*4.5 The application seeks permission for a new bridge, as a replacement to the existing Templehof Bridge to provide a link over the A406, linking Market Quarter and Brent Cross East & West Development Zones. The general location of the bridge is identified on Parameter Plan 002. The bridge will provide **4 3** traffic lanes (~~two~~ **one** of which will have a public*

transport priority) as well as pedestrian and cyclist facilities. Initial construction management principles are set out in Section 5.54 of the Construction Impact Assessment Addendum (BXC 21) which will inform the detailed construction management of the bridge. The implementation of these works will be governed by a detailed phase delivery programme to be approved before commencement of the relevant phase and is related to the delivery of a specified amount of development controlled by the infrastructure triggers set out in **Appendix 7**.

Paragraph 4.6 sets parameters for the detailed design of the bridge, including the overall length (160-200m) and width (18-34m) of the structure. The alternative design for the bridge measures approximately 164m in length and between 17.6m and 21.8m in width, with minimum clearance of 5.3m. The alternative proposal is therefore slightly beneath the minimum width parameters and it is proposed to amend Paragraph 4.6 as follows:-

Paragraph 4.6

4.6 The detailed design of the bridges will be subject to later approval by the LPA. However, it will have the following principal characteristics:

- *Minimum headroom clearance of 5.3m above the A406 (after an allowance for deck deflection from permanent loads and differential settlement) and a maximum of 7m;*
- *3 or 4 Intermediate piers, as shown in the Approval in Principle plans and none of which will be located between individual lanes of the A406, as shown on the Approval in Principle plans;*
- *Cycle route;*
- *Approximate overall length (between abutments) and width of structure 160 - 200m and **25-18-17** - 34m respectively (these details will be refined at the detailed design stage).*

Tempelhof Avenue

Paragraph 5 of the supporting text to Parameter Plan 002 (Transport Infrastructure) in Appendix 2 of the DSF sets out the minimum width of pedestrian footways (as modified by approval Ref No: 15/05040/CON) which requires updating for Tempelhof Avenue, as follows

Appendix 2 - Primary Routes (Main Roads)

*5. These will provide the main circulation corridors for vehicles within the site. These routes would accommodate buses and service/delivery vehicles. The plan identifies the location of these routes, their connection points into the existing highway network as well as connection to rail and tube stations and fixed bridge links. Main roads will have a maximum back of pavement to back of pavement width of 28m (aside from Tempelhof Avenue which is to have a maximum width of 34m and Claremont Avenue which is to have a maximum width of 31m) and a minimum of 13m, of which pedestrian footways will be a minimum of 2.5m (apart from Tempelhof Link Road **and Tempelhof Avenue** which is are to have a minimum pedestrian width of 2m). The location of these routes are subject*

to a limit of deviation of +/-35m, however, these are further constrained by the following which will have to be reflected:

Rephrasing Claremont Avenue and Claremont Road North Junction

It is proposed to amend paragraph 6.29b of the DSF to reflect that Claremont Avenue and Claremont Road North Junction (North) are no longer proposed to be part of Phase 1A, as follows:-

Paragraph 6.29b

6.29b Sub Phase 1A (North) contains a substantial infrastructure package which not only facilitates the delivery of plot development in Brent Cross East Zone in Phase 1B North, but also includes infrastructure necessary to enable the realisation of plot development south of the A406 in Phase 1B (South) and the remainder of the town centre south, such as the A5/Cricklewood Lane and Cricklewood Lane/Claremont Road Junctions; ~~Claremont Avenue; Claremont Road North Junction;~~ Claremont Avenue Junction with Tilling Road, etc. This infrastructure is necessary to enable development south of the A406 to commence. Ensuring its commitment as part of Phase 1A (North) therefore provides a significant start on the comprehensive development of the application site.

Rephrasing to the delivery of the temporary open space

Alterations are required to paragraph 2.68 to reflect changes to the delivery of the temporary open space, as follows

Paragraph 2.68 - Ecology and Open Space

2.68 The Scheme will result in an overall increase in public open space of 9ha. Parameter Plan 003 identifies the approximate location of new and retained open spaces, which achieves a minimum area of around 34ha. This exceeds the existing provision which equates to 25.46ha. A schedule of existing and new spaces is shown in Table 5 below and explained in more detail in Parameter Plan 003 (as well as within the Revised Open Space & Public Realm Strategy BXC7). The development results in the loss of existing Clarefield Park and small open spaces off Brent Terrace (as shown on Parameter Plan 016), which are re-provided in alternative locations across the site. These open spaces are removed in the PDP and as a result early improvements are made to Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and Claremont Park, ~~before~~ and an area of temporary open space (circa ~~1.2~~ 0.8 ha) immediately north of Clitterhouse Playing Fields, as shown indicatively on Parameter Plan 019, is provided. ~~The temporary open space will be retained until the land is required for redevelopment (as part of the Education Campus or other development).~~

Rephrasing of Claremont Avenue, Claremont Road North Junction, Clitterhouse Playing Fields (Part 1) and Claremont Park Improvements

It is proposed to update Table 11b to also reflect the fact that Claremont Avenue, Claremont Road North Junction, Clitterhouse Playing Fields (Part 1) and Claremont Park Improvements are no longer proposed to be part of Phase 1A (North) as follows:-

Table 11b - Delivery of Infrastructure

Phase 1	2010 Permission	Section 73 Application
Sub Phase 1A	<ul style="list-style-type: none"> - Site Engineering and Preparation Works insofar as these are comprised in Phase 1; - A406 Brent Cross Ingress/Egress Junction Improvements; - A41/A406 Junction Improvements; - A407 Cricklewood Lane/Claremont Road Junction Improvements; - A5/Diverted Geron Way (Waste Handling Facility) Junction. - A5/A407 Cricklewood Lane Junction Improvements. - Claremont Avenue - Claremont Road Junction North; - Claremont Park Road (Part 1); - Templehof Avenue and Templehof Link Road - Tilling Road West Re-alignment and Diversion (Part 1) - Claremont Avenue Junction with Tilling Road - Brent Cross Pedestrian Underpass Works ; - Prince Charles Drive Diversion; - Bus Station Temporary Enhancement Works - Clarefield Park Temporary Replacement Open Space - Clitterhouse Playing Fields Improvements Part 1 - Eastern River Brent Alteration & Diversion Works. - Bridge Structure B1 (Replacement A406 Templehof Bridge) - River Brent Bridges (as relevant to the Eastern River Brent Alteration and Diversion Works) 	<ul style="list-style-type: none"> - A406 Brent Cross Ingress/Egress Junction Improvements (N) - A41/A406 Junction Improvements (N) - A407 Cricklewood Lane/Claremont Road Junction Improvements (N) - A5/Diverted Geron Way (Waste Handling Facility) Junction (S) - A5/A407 Cricklewood Lane Junction Improvements (N) - Claremont Avenue (N) - Claremont Road Junction North (N) - Claremont Park Road (Part 1) (S) - Templehof Avenue and Templehof Link Road (N) - Tilling Road West Re-alignment and Diversion (Part 1) (N) - Claremont Avenue Junction with Tilling Road (N) - Brent Cross Pedestrian Underpass Works (N) - Prince Charles Drive Diversion (N) - Clitterhouse Playing Fields Improvements Part 1 (N) - Eastern River Brent Alteration & Diversion Works (N) - Bridge Structure B1 (Replacement A406 Templehof Bridge) (N) - River Brent Bridges (as relevant to the Eastern River Brent Alteration and Diversion Works) (N) - M1/A406 and A5/A406 Junction Improvements (N) - Central River Brent Alteration & Diversion Works (N) - Bridge Structure B6 (M1 Junction 1 Pedestrian and Cycle Bridge) (N) - River Brent Bridges (as relevant to the Central River Brent Alteration and Diversion Works) (N) - Living Bridge (N) - Whitefield Estate Replacement Units (Part 1) (N) - Western River Brent Alteration & Diversion Works (N) - Claremont Park Improvements (N) - Plots 53 and 54 (N)

<p>Sub Phase 1B</p>	<ul style="list-style-type: none"> - Southern Plots 18, 25, 28, 46, 59 (subject to compliance with Conditions 35.3, 35.4 and 35.6) and 63 - Brent Cross Main Square - River Brent Nature Park - Eastern Brent Riverside Park - School Green Corridor - Claremont Park Improvements - Market Square - Brent Terrace Green Corridor - Whitefield Estate Replacement Units 	<ul style="list-style-type: none"> - Clarefield Park Temporary Replacement Open Space (S) - Southern Plots 18, 25, 28, 46, 59, (subject to compliance with Conditions 35.3, 35.4 and 35.6) and 63 (S) - School Green Corridor (S) - Market Square (S) - Brent Terrace Green Corridor (S) - Community Facilities (Market Quarter) (S) - Transport Interchange T2 (Replacement Brent Cross Bus Station) (N) - Whitefield Estate Replacement Units (Part 2) (S) - All Northern Development Plots (N) - Brent Cross Main Square (N) - River Brent Nature Park (N) - Eastern Brent Riverside Park (N) - Central Brent Riverside Park (N) - Community Facilities (Brent Cross East) (N) - Sturgess Park Improvements (N) - High Street North (N) - River Brent Bridges (as relevant to the Western River Brent Alteration and Diversion Works) (N) - Western Brent Riverside Park (N) - Claremont Avenue (S) - Claremont Road Junction North (S) - Clitterhouse Playing Fields Improvements Part 1 (S) - Claremont Park Improvements (S)
<p>Sub Phase 1C</p>	<ul style="list-style-type: none"> - all Plot Development and other Critical Infrastructure within Phase 1 (but not including Phases 1A and 1B) 	<ul style="list-style-type: none"> - All Other Southern Development Plots (less Plots 53 and 54) - Temporary Health Centre - Neighbourhood Police Unit (Market Quarter)

4.2 Revision to DAS and RDG - Condition 2.5

Description of proposed revisions to the Revised Design and Access Statement (RDAS) and Revised Design Guidelines (RDG)

Tempelhof Avenue and Tempelhof Bridge.

The alternative design for Bridge B1 provides one dedicated bus lane, a cycleway and footpath and as such it is proposed to amend the text at Section A3.9 of the DAS, as follows:-

Section A3.9 (page 124)

A3.9 Tempelhof Avenue and Tempelhof Bridge. This road is yet to be designed in detail but the bridge will offer a multi modal link between north and south, comprising a dedicated bus lanes, cycle routes, and pedestrian

walkways. A residential development on the west side of the street and a new department store and hotel on the east will create a strong edge to this part of the development.

The scale of these buildings will define and create an imposing civic street as it slopes down from the new Tempelhof Bridge, through Tempelhof Circus to the western roundabout.

Rephasing Claremont Avenue

It is proposed to update Section A4.1 of the DAS to reflect that Claremont Avenue and Claremont Road North Junction are no longer proposed part of Phase 1A (North), as follows:-

Section A4.1 of the DAS

Claremont Avenue/ Claremont Road North Junction (page 146)

*A4.1 Sub Phase 1A (North) contains a substantial infrastructure package which not only facilitates the delivery of plot development in Brent Cross East Zone in Phase 1B (North), but also includes infrastructure necessary to enable the realisation of plot development south of the A406 in Phase 1B (South) and the remainder of the town centre south, such as the A5/Cricklewood Lane and Cricklewood Lane/ Claremont Road Junctions; **Claremont Avenue; Claremont Road North Junction**; Claremont Avenue Junction with Tilling Road, etc. This represents a significant infrastructure investment and is necessary to enable development south of the A406 to commence. Ensuring its commitment as part of Phase 1A (North) therefore provides a significant start on the comprehensive delivery of the development.*

Phasing Plans - Rephasing of items from Phase 1A (North) to Phase 1B (South) (Claremont Avenue, Claremont Road North Junction, Clitterhouse Playing Fields (Part 1) and Claremont Park Improvements)

It is proposed to update the Phasing Plans at Appendix 2 of the DAS to reflect the proposed rephasing of these items from Phase 1A (North) to Phase 1B (South), in accordance with updates to the re phasing of the six Infrastructure items. (The keys below reflect changes to large scale plans which are not reproduced within the report.):-

Appendix 2 of the DAS (Phasing Plans Phase 1A N, Phase 1A S, Phase 1B N, Phase 1B S and Phase 1C)

Phase 1A (North)

KEY

- K1 - A406 Brent Cross Ingress/Egress Junction Improvements
- K2 - A41/A406 Junction Improvements
- K3 - A407 Cricklewood Lane/Claremont Road Junction Improvements
- K4 - A5/Diverted Geron Way (Waste Handling Facility) Junction
- K5 - A5/A407 Cricklewood Lane Junction Improvements
- K6 - Claremont Avenue
- K7 - Claremont Road Junction North
- K8 - Claremont Park Road (Part 1)
- K9 - Templehof Avenue and Templehof Link Road
- K10 - Tilling Road West Re-alignment and Diversion (Part 1)
- K11 - Claremont Avenue Junction with Tilling Road
- K12 - Brent Cross Pedestrian Underpass
- K13 - Prince Charles Drive Diversion
- K14 - Clarefield Park Temporary Replacement Open Space
- K15 - Clitterhouse Playing Fields Improvements Part 1 (Excl C. Stream Nature Park, Inc plots 52&8)
- K16 - Eastern River Brent Alteration & Diversion Works
- K17 - Bridge Structure B1 (Replacement A406 Templehof Bridge)
- K18 - River Brent Bridges (as relevant to the Eastern River Brent Alteration and Diversion Works)
- K19 - M1/A406 and A5/A406 Junction Improvements
- K20 - Transport Interchange T2 (Replacement Brent Cross Bus Station)
- K21 - Central River Brent Alteration & Diversion Works
- K22 - Bridge Structure B6 (M1 Junction 1 Pedestrian and Cycle Bridge)
(or a safe, direct and high quality alternative at grade pedestrian and cycle link between the
and Station Quarter if agreed with the highway authorities),
- K23 - River Brent Bridges (as relevant to the Central River Brent Alteration and Diversion Works)
- K24 - Living Bridge
- K25 - School Green Corridor
- K26 - Claremont Park Improvements
- K27 - Market Square
- K28 - Brent Terrace Green Corridor
- K29 - Community Facilities (Market Quarter)
- K30 - All BXE Development Plots
- K31 - Brent Cross Main Square
- K32 - River Brent Nature Park
- K33 - Eastern Brent Riverside Park
- K34 - Central Brent Riverside Park
- K35 - Community Facilities (Brent Cross East)
- K36 - Sturgess Park Improvements
- K37 - High Street North
- K38 - Neighbourhood Police Unit (BXE)
- K39 - Western River Brent Alterations & Diversion works
- K40 - River Brent Bridges (as relevant to the Western River Brent alteration and diversion works)
- K41 - Western Brent Riverside Park
- K42 - Temporary Health Centre
- K43 - Neighbourhood Police Unit (Market Quarter)
- K44 - High Street South "East Works"
- K45 - Orchard Lane
- K46 - School Lane
- K47 - Waste Handling Facility Rail Sidings and Gantry Crane
- K48 - Threshold spaces - Layfield Place, Fenwick Place and Templehof Circus

- Current Phase
- Implemented
- North/South Element
- Yet to be Implemented

Phase 1B (South)

KEY

- K1 - A406 Brent Cross Ingress/Egress Junction Improvements
- K2 - A41/A406 Junction Improvements
- K3 - A407 Cricklewood Lane/Claremont Road Junction Improvements
- K4 - A5/Diverted Geron Way (Waste Handling Facility) Junction
- K5 - A5/A407 Cricklewood Lane Junction Improvements
- K6 - Claremont Avenue**
- K7 - Claremont Road Junction North**
- K8 - Claremont Park Road (Part 1)
- K9 - Templehof Avenue and Templehof Link Road
- K10 - Tilling Road West Re-alignment and Diversion (Part 1)
- K11 - Claremont Avenue Junction with Tilling Road
- K12 - Brent Cross Pedestrian Underpass
- K13 - Prince Charles Drive Diversion
- K14 - Clarefield Park Temporary Replacement Open Space**
- K15 - Clitterhouse Playing Fields Improvements Part 1 (Excl C. Stream Nature Park, Inc. plots 51 & 82)**
- K16 - Eastern River Brent Alteration & Diversion Works
- K17 - Bridge Structure B1 (Replacement A406 Templehof Bridge)
- K18 - River Brent Bridges (as relevant to the Eastern River Brent Alteration and Diversion Works)
- K19 - M1/A406 and A5/A406 Junction Improvements
- K20 - Transport Interchange T2 (Replacement Brent Cross Bus Station)**
- K21 - Central River Brent Alteration & Diversion Works
- K22 - Bridge Structure B6 (M1 Junction 1 Pedestrian and Cycle Bridge)
(or an at-grade pedestrian/cycle solution if agreed with the highway authorities).
- K23 - River Brent Bridges (as relevant to the Central River Brent Alteration and Diversion Works)
- K24 - Living Bridge
- K25 - School Green Corridor**
- K26 - Claremont Park Improvements**
- K27 - Market Square**
- K28 - Brent Terrace Green Corridor**
- K29 - Community Facilities (Market Quarter)**
- K30 - All BXE Development Plots
- K31 - Brent Cross Main Square
- K32 - River Brent Nature Park
- K33 - Eastern Brent Riverside Park
- K34 - Central Brent Riverside Park
- K35 - Community Facilities (Brent Cross East)
- K36 - Sturgess Park Improvements
- K37 - High Street North
- K38 - Neighbourhood Police Unit (BXE)**
- K39 - Western River Brent Alterations & Diversion works
- K40 - River Brent Bridges (as relevant to the Western River Brent alteration and diversion works)
- K41 - Western Brent Riverside Park**
- K42 - Temporary Health Centre**
- K43 - Neighbourhood Police Unit (Market Quarter)**
- K44 - High Street South "East Works"**
- K45 - Orchard Lane**
- K46 - School Lane
- K47 - Waste Handling Facility Rail Sidings and Gantry Crane
- K48 - Threshold spaces - Layfield Place, Fenwick Place and Templehof Circus**

- Current Phase
- Implemented
- North/South Element
- Yet to be Implemented

5. BACKGROUND TO CONDITIONS 1.6, 2.4 & 2.5 OF THE S73 PERMISSION

The s73 Permission is supported by a suite of documents which together provide the parameters, principles and controlling framework to facilitate delivery of the Brent Cross Cricklewood Regeneration Scheme. The s73 Permission is also subject to a S106 Agreement which, along with relevant Planning Conditions, provides a further layer of control for the implementation of the development.

Planning Condition 1.6 of the s73 Permission

Condition 1.16 seeks to ensure that the Reserved Matters Applications pursuant to the 2014 Section 73 Outline Consent are submitted in line with the permission documents and it states, as follows:

All Reserved Matters Applications and Reserved Matters Approvals and all Other Matters Applications and Other Matters Approvals required by the Conditions contained in this Permission shall be in accordance with the parameters and principles described mentioned or referred to in the DSF (including all of the Parameter Plans) and the principles described mentioned or referred to in the Design and Access Statement and Design Guidelines (or such revised or amended documents as may have been approved in accordance with Conditions 2.4 and 2.5).

In essence, under Condition 1.16, the s73 Permission requires Reserved Matters approvals to be in accordance with the parameters and principles described, mentioned or referred to in the RDSF including all of the Parameter Plans and the principles described mentioned or referred to in the D&A Statement and the Design Guidelines.

In addition, Condition 1.16 also seeks to permit changes to the parameters and principles of the s73 Permission via the submission of “revised or amended documents”. In order to give effect to these changes it requires that the proposed alterations are in accordance with Conditions 2.4 and 2.5 so long as those changes are unlikely to cause any significant adverse environmental impacts beyond those already assessed in the Environmental Statement.

As such, this condition acknowledges the outline nature of the s73 Permission by recognising that it will be necessary to make minor revisions to the permission documents from time to time while detailed designs are developed in the form of RMAs or Other Matters Applications (OMAs).

This is further reinforced in paragraphs 6.8 of the RDSF, which states:

“(....) To assist the Council in this process it is proposed that the indicative layout plan and relevant indicative zonal layout plan in its updated form as at the time the Development Partners apply for an Relevant Reserved Matters or other approvals under a Planning Condition anticipated in the planning permission sought, shall be used as the starting point for an Illustrative Reconciliation Plan (IRP) which will then be updated as successive reserved matter applications are submitted and approved.”

Therefore, Condition 1.16 of the s73 Permission requires all RMAs to be in accordance with the parameters and principles contained in the RDSF, the RDAS and RDG or such revised or amended documents as may have been approved in accordance with Conditions 2.4 and 2.5.

Planning Condition 2.4 of the s73 Permission states:

The DSF shall be revised by the Developer (subject to obtaining approval in accordance with this Condition) from time to time in order to incorporate approved revisions into the Reconciliation Mechanism reflecting any changes brought about through:

- 2.4.1.1** *Reserved Matters Approvals, Other Matters Approvals or best practice guidance, or any other matters; and/or*
- 2.4.1.2** *any Further Section 73 Permission and/or Alternative Energy Permission and/or any Additional Planning Permission; and/or*
- 2.4.1.3** *any consequential changes as a result of any approved variation of the Phases in accordance with condition 4.2.*
- 2.4.2** *Any application for a proposed revision pursuant to condition 2.4 will be determined in accordance with the requirements of the EIA Directive.*
- 2.4.3** *The development of each Plot or other part of the Development approved thereafter shall be designed and carried out in accordance with such approved revised Development Specification and Framework.*

Planning Condition 2.5 of the s73 Permission states:

The Design and Access Statement and Design Guidelines shall be revised by the Developer (subject to obtaining approval in accordance with this Condition) from time to time to incorporate approved revisions into the Reconciliation Mechanism reflecting any changes brought about through:

- 1.5.1.1** *Reserved Matters Approvals, Other Matters Approvals or best practice guidance, or any other matters; and/or*
- 1.5.1.2** *any Further Section 73 Permission and/or Alternative Energy Permission and/or any Additional Planning Permission and/or*
- 1.5.1.3** *any consequential changes as a result of any approved variation of the Phases in accordance with condition 4.2.*
- 1.5.2** *Any application for a proposed revision pursuant to condition 2.5 will be determined in accordance with the requirements of the EIA Directive as appropriate.*
- 1.5.3** *The development of each Plot or other part of the Development shall thereafter be designed and carried out in accordance with such approved revised Design and Access Statement.*

As such, Conditions 2.4 and 2.5 of the s73 Permission are therefore structured specifically to investigate and enable minor amendments and changes to the RDSF, the RDAS and RDG subject to confirmation that the proposed amendments will not give rise to significant adverse environmental effects.

6. PLANNING APPRAISAL

A submission has been made under Conditions 2.4 and 2.5 of the s73 Permission (Ref: F/04687/13) to make minor modifications to the Revised Development Specification and Framework (RDSF) and to the Revised Design Guide (RDG) and Revised Design and Access Statement (RDAS).

The application was submitted together with application reference 15/06571/RMA (Reserved Matters Application within Phase 1A (North) - Bridge Structure B1 (Replacement A406 Tempelhof Bridge), application reference 16/7489/CON (for the approval of amendments required in connection condition 4.2), an application under s96A (non-material amendment) with reference 16/7574/NMA (for the insertion of a further condition - number 20.24 - in relation to the re-phasing of Clitterhouse Playing Fields (Part 1)) and details pursuant to conditions number 1.30 (Glossary Definitions), 13.1 (Phase 1 - Critical Infrastructure Details), 14.1 (Phase 2 - Critical Infrastructure Details), 20.20 (Timelines - Tempelhof Avenue and Link Road) and 20.26 (Timelines - Claremont Park Improvements).

The applications are required in connection with the approval process set out in the s73 Permission to update the parameters/principles as a result of the amended design of Bridge Structure B1 (Replacement A406 Tempelhof Bridge) together with the B1 Bridge associated infrastructure, and to the re-phasing of six Infrastructure Items, as follows; Claremont Avenue; Claremont Road Junction North; High Street South (East Works); Orchard Lane; Clitterhouse Playing Fields Improvements (Part 1) and Claremont Park Improvements) from Phase 1A (North) to Phase 1B (South). Further changes relate to minor amendments to the parameters/principles and definitions of Clarefield Park Temporary Replacement Open Space and Community Facilities (Clitterhouse Playing Fields Zone).

Bridge Structure B1 (Replacement A406 Tempelhof Bridge)/ Tempelhof Avenue

The Reserved Matters Application (RMA) 15/06571/RMA, seeking planning consent for an alternative design for Bridge Structure B1 (Replacement A406 Tempelhof Bridge) is also on the agenda before the Committee. This application proposes a revised configuration comprising three lanes of traffic including a northbound bus lane, a footway and segregated two way cycle lane on the western side.

It is worth noting that should the Committee resolve to grant permission for the Reserved Matters Application then the current submission under the 2.4 and 2.5 Conditions will, accordingly, enact the amendments to the 2014 outline permission documents. This will ensure that the permission documents are fully aligned with the detailed design and information contained in the Reserved Matters Application proposals for Bridge Structure B1.

The committee report assessing the RMA application concludes that the proposed alternative design for the Bridge Structure B1 is considered acceptable in planning terms and is generally in conformity with the parameters and specifications of the s73 Permission. Likewise, it is considered that the design proposed for the Bridge Structure B1 (Replacement A406 Tempelhof Bridge) does not raise significant impacts relating to the Environmental Impact Assessment submitted with the s73 application or have implications relating to the comprehensive delivery of the Brent Cross Cricklewood Regeneration Project.

Re-phasing of Infrastructure Items

Claremont Avenue; Claremont Road Junction North; High Street South (East Works); Orchard Lane; Clitterhouse Playing Fields Improvements (Part 1);

Claremont Park Improvements) and Community Facilities (Clitterhouse Playing Fields Zone) from Phase 1A (North) to Phase 1B (South);

Application reference 16/7489/CON was submitted pursuant to Condition 4.2 so as to re-phase the six - above listed - items of Critical Infrastructure together with the Clitterhouse Playing Fields Zone Community Facilities from Phase 1A (North) to Phase 1B (South). The application submitted under Condition 4.2 is recommended for approval and is available elsewhere in this Committee agenda for decision.

The current application under Conditions 2.4 and 2.5 is submitted with respect to the phasing of the listed items and seeks to ensure that the permission documents are fully aligned with the details submitted for approval under Condition 4.2.

The submission clarifies that the rationale for the re-phasing relates to the delivery structure of the development south of the A406 following the appointment of Argent Related as LBB's delivery partner.

The transfer of responsibility for delivering these infrastructure works (which lie south of the A406) to Phase 1B (South) has significant logistical and practical benefits due to the close proximity and relationship between the infrastructure and plot delivery within the southern development.

Conditions 2.4 and 2.5 provide for the necessary arrangements and procedures to regularise such minor changes to the phasing of the Section 73 Decision Notice to Grant Planning Permission with Ref: F/04687/13 ('the 2014 S73 Consent'). The current submission refers to changes to the phasing of Infrastructure Items, as follows:

The proposed rephasing of the listed Infrastructure Items is considered acceptable in planning terms and the alterations are considered to be minor and non-material in planning terms. Therefore, the proposed rephasing is considered to be in conformity with the parameters and specifications of the 2014 Section 73 planning permission.

Similarly, it is considered that the rephasing proposed for the Infrastructure Items does not raise significant additional impacts relating to the Environmental Impact Assessment submitted with the s73 Permission or have implications relating to the comprehensive delivery of the Brent Cross Cricklewood Regeneration Project.

As such, there are no objections to the rephasing amendments proposed to the RFDS, RDG and RDAS under conditions 2.4 and 2.5.

7. CONCLUSION

It is considered that the proposed alterations under conditions 2.4 and 2.5 will not materially affect the conclusions of the October 2013 Section 73 Environmental Statement and they have been properly addressed under the revised ES Further Information Report.

The proposed rephasing of the Infrastructure Items listed with this application and the amended design for Bridge Structure B1 (Replacement A406 Tempelhof Bridge) are considered acceptable in planning terms and the alterations are considered, individually and in combination, to be minor and non-material in planning terms.

Therefore these amended proposals are considered to be in conformity with the parameters and specifications of the 2014 Section 73 planning permission.

Moreover, it is considered that the Bridge Structure B1 (Replacement A406 Tempelhof Bridge) amended design and rephasing proposed for the Infrastructure Items do not raise significant impacts relating to the Environmental Impact Assessment submitted with the S73 application or have implications relating to the comprehensive delivery of the Brent Cross Cricklewood Regeneration Project.

The proposed amendments and updates are acceptable and therefore APPROVAL is recommended.

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APPENDIX 1

SITE PLAN



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APPENDIX 2

INFORMATIVES

- 1) The plans accompanying this application are:
 - Explanatory Report – Phase 1A (North)/Phase 1B (South) Re-Phasing, Brent Cross Cricklewood. November 2016
 - Environmental Statement Addendum – Phase 1A (North) Re-Phasing Works and Templehof Bridge Amendments. November 2016
 - Reserved Matters transport Report
 - Early Phases Open Space Strategy
 - Illustrative Reconciliation Plan – Phase 1A (North)
 - Early Phases Open Space Strategy. 24 November 2016
 - Reserved Matters Transport Report - Phase 1A North: Infrastructure, Re-Phasing (BXCRCR-ACM-ZZ-ZZ-RP-TN-00004) Rev 3

- 2) In accordance with Reg 3 (4) and Reg 8 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, it is considered that:

this submission of conditions reveals, with regard to the subject matter of the application, that there are no additional or different likely significant environmental effects than is considered in the environmental information already before the Council (the Environmental Statement (ES) (BXC02) submitted with the Section 73 application (F/04687/13) and any further and/or other information previously submitted; and

the environmental information already before the Council (the Environmental Statement (ES) (BXC02) submitted with the Section 73 application (F/04687/13), and any further and/or other information previously submitted) remains adequate to assess the environmental effects of the development.

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LOCATION: Brent Cross Cricklewood Regeneration Area
NW9

AGENDA ITEM 9

REFERENCE: 16/7489/CON

Received: 25 November 2016

Accepted: 25 November 2016

WARD: Golders Green, Child's Hill, Hendon

Expiry: 20 January 2016

APPLICANT: Brent Cross Cricklewood Development Partners

PROPOSAL: Submission of information pursuant to Condition 4.2 of planning permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood regeneration area to re-phase infrastructure items including the following Highways Infrastructure: Claremont Avenue; Claremont Road Junction North; High Street South (East Works); Orchard Lane; and, the following Open Space Infrastructure: Claremont Park Improvements; Clitterhouse Playing Fields Improvements (Part 1) from Phase 1A (North) to Phase 1B (South).

RECOMMENDATION

Resolution to approve subject to:

Part 1:

The completion of a satisfactory Deed of Variation to make the necessary amendments the existing Section 106 Agreement dated 22nd July 2014 attached to planning permission F/04687/13, to secure the following:

- 1) Amendment to Definitions to accord with submissions against agreed definition changes under section 96A applications and changes resulting from conditions 2.4 and 2.5 and in accordance with approvals of Phase 1A (North) Reserved Matters Applications;
- 2) Amendments to Schedule 28 "PHASE 1A (NORTH) PARK IMPROVEMENTS - SPECIFICATION OF OUTLINE DESIGN PRINCIPLES" to accord with historic amendments approved under 15/00769/RMA.
- 3) Amendments to Illustrative Sub Phase Drawings under Schedule 8 to accord with Phase changing submitted under this application.

Part 2:

That upon completion of the Deed of Variation specified in Part 1 of the recommendation above, the Planning Performance and Business Development Manager approve application reference 16/7489/CON under delegated powers.

1. APPLICATION SUMMARY

The application is made pursuant to Condition 4.2 of the section 73 planning permission for the Brent Cricklewood Regeneration (reference F/04687/13) (the 's73 Permission'). This condition allows for amendments to be made to the phases of the approved development. The application seeks to amend the phasing of six infrastructure items including the following four Highways infrastructure items: Claremont Avenue; Claremont Road Junction North; High Street South (East Works); and Orchard Lane, as well as the following two Open Space Improvements: Claremont Park, and Clitterhouse Playing Fields (Part 1).

The above items are currently identified for delivery within Phase 1A (North) and all have detailed consent within the Reserved Matters applications already approved for this sub phase. This application proposes to move the items into Phase 1B (South). This would have the effect of passing the responsibility for delivery of these infrastructure items from the Northern Developer (Hammerson and Standard Life Investments) to the Southern Developer (BXS LP, the joint venture between the Council and Argent Related). There would also be a degree of change in terms of the timing of delivery of these infrastructure items given the Southern Developer's construction timescales.

The proposed re-phasing and change of delivery responsibility to the Southern Developer allows for a number of logistical and practical benefits due to the close proximity and relationship between the infrastructure works and plot delivery within the southern development. The infrastructure items are all located on the south side of the A406 within the southern development. Therefore transferring the delivery responsibility of these items to BXS LP will allow the Council and Argent Related to better control, co-ordinate and integrate the construction of these works with the plot development and buildings within Brent Cross South.

The majority of the highways and other infrastructure improvements will remain within Phase 1A (North) and will be delivered by the Northern Developer to support and enable the delivery of Brent Cross South and fulfil the planning policy imperative of comprehensive development.

. A number of minor changes to approved highway works are proposed to ensure that the highway layout of Phase 1A (North) without the 4 highways elements that will be transferred to Phase 1B (South) can operate satisfactorily to support the Northern Development including the shopping centre and that the associated free flow of traffic can still be accommodated within the resulting highway network should the expanded shopping centre be constructed ahead of the delivery of highways infrastructure to the south.

The proposed re-phasing of Clitterhouse Playing Fields (Part 1) and Claremont Park will alter the timing and sequence of delivery of these open space improvements. It is proposed to deliver the improvements sequentially

rather than all at the same time. This will not alter the overall quantum of open space to be provided but will mean the improvements to Clitterhouse Playing Fields (Part 1) will start later in Phase 1 than previously. However the sequential approach to the delivery of the improvements will ensure that there is a reasonable amount of open space accessible and available to the public at all times during the construction stages by completing enhancement works to one space before moving on to and closing another. On this basis officers are satisfied with the proposed Open Space Strategy and the controls in place to secure delivery. This application does not propose any changes to the detailed designs of the parks already approved under the previous Reserved Matters applications.

A number of other applications have been made alongside this phasing application to make necessary amendments to the s73 Permission and the approved Reserved Matters for Phase 1A (North) to reflect the changes to phasing. These are:

- An application under Section 96A (reference 16/7574/NMA) to undertake non material amendments to conditions of the s.73 Permission and Phase 1A (North) reserved matters consents references 15/00720/RMA and 15/03312/RMA;
- A submission under Condition 2.4 and 2.5 of the s73 Permission to make consequential changes to the approved control documents to reflect the amended design of Bridge Structure B1 and revised phasing, and amendments to definitions under Condition 1.30 attached to the s73 Permission. (Reference 16/7490/CON);
- A Submission Under Condition 1 of Reserved Matters approval reference 15/03312/RMA for the LPA to agree minor amendments to the design of Tempelhof Link Road and Claremont Road/Tilling Road junction, and other consequential changes through the replacement of approved plans;
- An exchange of letters in accordance with Condition 1.30 to amend definitions within the s73 Permission decision notice which result from this phase changing application; and
- A Deed of Variation to the s73 Permission S.106 Legal agreement to address consequential amendments to be made to the existing S106 Application.

2. UPDATE ON PROGRESS OF THE REGENERATION

Compulsory Purchase Orders

In addition to the reserved matters Councillors will be aware of the CPO Public Inquiry that took place to acquire land for the northern and southern developments in May and June of 2016.

A Compulsory Purchase Order (CPO3) was also been made towards the end of 2016 by Barnet Council to acquire the land for the Thameslink station project for which a public inquiry is expected in mid-2017.

Current Engagement and next Steps

Pre-application discussions are on-going between Barnet's Planning Authority (LPA) and the three development Partners: The 'Northern Developer' Hammerson Standard Life Investments (BXN); The Southern Developer Argent Related in its joint venture with Barnet Council (BXS LP); and, the Thameslink Developer Barnet Council (BXTL).

In relation to Brent Cross North the focus of pre-application discussions has been the detail of Phase 1B (North) including details of the Shopping Centre and various open spaces A series of exhibitions were held by BXN in November relating to the shopping centre development.

Discussions with BXS LP have been focused on the principles for the first phase of development to the South of the A406.

Barnet Council and Network Rail are working to deliver an additional station on the Thameslink line to serve the area and reprovide waste and freight facilities.

It is expected that a number of applications will be submitted in the coming months in relation to all three of the Brent Cross development areas.

Prior to such progression the Re-phasing applications and accompanying Tempelhof RMA are sought to resolve logistical and practical issues relating to the forthcoming delivery of the Brent Cross regeneration Project.

3. RELEVANT PLANNING HISTORY

3.1 Outline Consent

The principle of development at Brent Cross Cricklewood (BXC) was first established by way of a site-specific Development Framework produced in April 2004 as Supplementary Planning Guidance (SPG) in accordance with the London Plan. The SPG established a vision to *‘to create a new gateway for London and a vibrant urban area for Barnet’*.

The comprehensive redevelopment of the wider Brent Cross Cricklewood regeneration area was subsequently granted planning permission in outline in 2010 under planning permission C/17559/08 (the ‘2010 permission’). This permission was subsequently revised under a Section 73 planning application (F/04687/13) which was approved on 23 July 2014 (the ‘s73 Permission’) as described below:

Section 73 Planning application to develop land without complying with the conditions attached to Planning Permission Ref C/17559/08, granted on 28 October 2010 (‘the 2010 Permission’), for development as described below: Comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 - A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development (Outline Application).

Both the 2010 and s73 Permissions were subject to Environmental Impact Assessment. Details of the permissions are provided in Appendix 2 of the Tempelhof RMA 15/06571/RMA (also in front of this committee).

3.2 Reserved Matters Applications

Phase 1A North Approved RMAs

Phase 1A (North) is largely an infrastructure phase. It includes necessary highways infrastructure to support the northern development as well as improvements to critical southern junctions including A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements. The infrastructure required relevant to the River Brent re-routeing and Bridge works are also delivered as part of Phase 1A (North), along with the Living Bridge, Replacement Tempelhof Bridge, Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and the Claremont Park Improvements.

Reserved matters for Phase 1A (North) were broken down into four separate submissions due to the size, scale and complexity of this initial sub phase of the Brent Cross Cricklewood Regeneration scheme. All four of the reserved matters applications for Phase 1A (North) have been approved. These are summarised in Appendix 2 of 15/06571/RMA (also under consideration at this committee).

Following approval of the initial reserved matters for Phase 1A (North) a further four reserved matters applications were submitted in relation to distinct elements of the sub phase as a part of a value engineering exercise. Three of these reserved matters applications have now been approved. The remaining reserved matters application for Phase 1A (North) relates to Tempelhof Bridge.

The s73 Permission includes a number of Pre-Reserved Matters conditions intended to establish key principles of the forthcoming development. The majority of these require submission of reports and strategies prior to applications for reserved matters being submitted to the Council. Reserved Matters applications are required to accord with commitments and strategies approved under these conditions where relevant. The relevant Pre-RMA Conditions related to the RMAs approved for Phase 1A (North) have been approved. These are set out in Appendix 2 of 15/06571/RMA (also under consideration at this committee).

Phase 1A North Current RMA

A review of the design of aspects of the approved Phase 1A (North) infrastructure resulted in the Brent Cross Development Partners submitting four further reserved matters applications in October 2015 for alternative designs for specific items of infrastructure as follows:

- Tilling Road West Realignment and Diversion (Part 1)
- River Bridge 1 and Central and Western River Brent Alteration & Diversion Works Central Brent Riverside Park
- Bridge Structure B1 (Replacement A406 Tempelhof Bridge)

The first three of the reserved matters applications listed above were approved in 2016.

The remaining application relating to Bridge Structure B1 (Tempelhof Bridge) proposes a reduction in the width of the bridge from that previously approved and has been subject to on going dialogue between the Developers, TfL and

the Council's Highways Officers. Amended plans were submitted in November 2016 which propose a bridge that would accommodate three lanes of traffic including a northbound bus lane, and a segregated pedestrian footway and cycle lane. The application is also on the agenda for consideration by this committee (reference 15/06571/RMA). Details of this application are set out in Appendix 2 of 15/06571/RMA (also under consideration at this committee).

Phase 1A South RMAs

Details of Phase 1A (South), a small scale phase consisting of only two stretches of new road (Claremont Park Road and School Lane) were submitted under application 15/06518/RMA. These reserved matters were reported to committee of 27 January 2016 and were subsequently approved on 5 February 2016. Details are set out in Appendix 2 of 15/06571/RMA (also under consideration at this committee). Relevant Pre-RMA conditions for Phase 1A (South) were also been approved.

Approved S96A Applications

Five section 96A applications have been approved to date in relation to the s73 Permission. Four relate to minor amendments to definitions within the planning permission to reflect the details of the RMAs for Phase 1A (North) and the associated changes under condition 2.4 that have been approved to support the various Reserved Matters applications to date. They also include minor amendments to the approved A406 Brent Cross Ingress/Egress Junction improvements. Details of these applications are set out in Appendix 2 of 15/06571/RMA (also under consideration at this committee).

The fifth s96a Application (reference 15/06197/NMA) sought to amend the s73 Permission to allow the implementation of Phase 1A (North) in the short term by the carrying out of minor works (specifically the digging of a trench to contain the piled foundations for one of the approved pedestrian bridges). The application was approved on 23 November 2015. The effect of this permission was to insert a new condition at 1.1 of permission F/04687/13 as follows:

"For the purposes of Condition 1.1.1A, but not for the purposes of Conditions 1.5.2, A(i) or B(i) nor for the purpose of Condition 1.6, notwithstanding that the requirements of any of the other conditions imposed on this planning permission, or any approval granted under it, have not first been met, satisfied or otherwise discharged (either in whole or in part), the development hereby permitted may be begun by the carrying out of the following material operation namely the digging of a trench to contain part of the piled foundations for the northern support of the pedestrian River Brent Bridge (Bridge 10) as shown on drawings BXCR-URS-AH-RM-DR-CE-00007 P09 and BXCR-URS-D2-XX-AP-SE-00001 P03. Before such material operation is begun (a) details of temporary fencing for the relevant area of the works shall be submitted to and approved in writing by the Council, and (b) the temporary fencing shall be provided as approved.

Reason: Necessary to enable the planning permission to be implemented whilst retaining control over all other matters”

Details of the temporary fencing were submitted to the LPA under application 16/1688/CON in accordance with the requirement of 1.1.A. This application was approved on 9 May 2016.

Following approval of the temporary fence details the works described within Condition 1.1.A were undertaken between 19 August 2016 and 28 September 2016 and the temporary fencing for the construction of the Works was erected. Phase 1A (North) has therefore commenced, however prior to any further development being carried out within Phase 1A (North) further pre-commencement conditions and other matters are required to be approved by the LPA.

4. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

4.1 Site Description and Surroundings

The BXC site comprises an area of 151ha and is located within the LBB. The site includes Brent Cross Shopping Centre to the north, the A41 and Brent Cross London Underground Station to the east, Cricklewood Lane to the south and the A5 to the west.

The items of Infrastructure subject to this phase changing application are located within the Brent Cross Regeneration area to the south of the A406.

The Four Highway infrastructure Items (Claremont Avenue, Claremont Road Junction North, High Street South (East Works), and Orchard Lane) would be located between Clitterhouse Playing Fields to the South and the Holiday Inn to the north.

Clitterhouse Playing Fields currently occupy an area extending to some 17 hectares of amenity grassland. The site is bound by residential properties to the east (Prayle Grove) and the south (Cotswolds Gardens). At the south eastern section the site is bound by the existing Clitterhouse Stream and Prayle Grove to the immediate north. The western boundary is largely with Claremont Road, across which lie existing residential properties. A new residential development at the former Hendon FC ground will also adjoin the park on the western boundary. To the south west of the site is Clitterhouse Farm.

Clitterhouse Playing Fields is a significantly under-utilised resource located to the east of Claremont Road which is identified as Metropolitan Open Land (“MOL”). The area currently comprises extensive areas of undulating grassland, however due to poorly defined and lit access points it is underutilised by local residents. A limited number of sport pitches are

currently provided during the summer months, however they are also significantly under-utilised due to poor drainage and marking out, in addition to a lack of changing facilities.

To the east of Clitterhouse Stream are existing allotments that partially front onto Hendon Way. The park crowns at this mid point, slopes northwards down to the northern gateway and south eastwards towards Clitterhouse Stream. There are a number of existing access points to the park.

The existing Claremont Open Space is considerably smaller in area than Clitterhouse Playing Fields and is more wooded in character. The open space currently acts as a green buffer between residential properties on Clitterhouse Crescent and Claremont Industrial Estate. It is bound extensively by tree and shrub planting with open areas in the midst of the park. The open space is used as a thoroughfare connecting the area at Brent Terrace to Claremont Road and also providing connections direct through to the Industrial Estate.

There are no existing facilities at either Clitterhouse Playing Fields or Claremont Open Space with the exception of the limited playing field provision at Clitterhouse Playing Fields and a small children's play area.

The surrounding area is primarily residential in character although to the north of Claremont Open Space is the industrial estate and generally northwards the land use changes to include Whitefield School, retail parks, the North Circular Road and Brent Cross Shopping Centre. Further to the west of the area there are extensive railway lands. Cricklewood Station served by the Thameslink services lies to the south west.

4.2 Proposal

This application has been made pursuant to Condition 4.2 of the s73 Permission and seeks permission to change the phasing of six items of critical infrastructure from Phase 1A (North) to Phase 1B (South) thereby transferring responsibility for delivery of these infrastructure items from the Northern development partner to the Southern development partner.

Condition 4.2 provides the ability for changes to be made to the phasing of the s.73 Permission subject to confirmation that the changes:

- a) do not have any significant adverse environmental effects; and
- b) do not undermine comprehensive redevelopment.

Condition 4.2 reads as follows:

The Indicative Phasing Parameter Plan and/or Phase 1A(North) Phase 1A (South), Phase 1B (North), Phase 1B (South) and Phase 1C may be amended from time to time to reflect changes to the phasing of the development on written application and subject to obtaining the prior written approval of the LPA in respect of the definition of (a) any

amendment to the Phases shown on Parameter Plan 029 or any subsequently approved Phasing Parameter Plan or (b) any part of a Phase as an approved Sub-Phase, but provided always that such approval to an amended Phase or Sub-Phase shall not be given unless and until any such proposed amendments or changes or the definition of any Sub-Phases shall have been demonstrated to be unlikely to

4.2.1. have significant adverse environmental effects compared to the assessments contained in the EIA Process unless and to the extent that such changes are validly approved by the LPA after they have been assessed by a subsequent new or revised Environmental Statement and an appropriate EIA process; and/or

4.2.2. significantly undermine comprehensive delivery of the mixed use town centre development in accordance with Saved Policy C1 of the LPA's UDP 2006.

And Provided that any application for approval of any amendments or changes under this Condition shall (in accordance with Clause 14 of the S106 Agreement) clearly specify any consequential changes to (a) the Critical Infrastructure to be delivered as part of such Phase or (as the case may be) Sub-Phase and/or (b) the payments to be made to the LPA for the purposes of the Consolidated Transport Fund under the CTF Schedule in respect of such Phase or (as the case may be) Sub-Phase and (c) the relevant Phase Details to be approved pursuant to the detailed requirements for pre-commencement approvals in accordance with Conditions 13.1, 14.1, 15.1, 16.1, 17.1, 18.1, 19.1 and Conditions 20,21, 22, 23, 24, 25, and 26.

PROVIDED FURTHER THAT any proposed change to reassign Plots 53 and 54 from Phase 1 (South) to Phase 1 (North) and/or other appropriate phase changes to facilitate delivery of the Whitefield Estate Replacement Units (Part 1) and/or Plot 113 from Phase 1 (North) to Phase 1 (South) may be submitted and approved in accordance with this Condition in advance of submission and approval of the A5 Corridor Study and/or any other applications for Other Matters Approvals.

Reason: To ensure the orderly and satisfactory development of the Site in accordance with the assumptions which underpinned the EIA Process, in the interests of highway safety and to assist in achieving the planning benefits of the comprehensive development scheme, whilst allowing sufficient flexibility to enable the development to be delivered in a manner which accords with the EIA process.

Approval of this application would result in the change of phasing from sub-Phase 1A (North), to sub-Phase 1B (South) of the following Infrastructure items:

- Claremont Avenue;
- Claremont Road Junction North;

- High Street South (East Works);
- Orchard Lane;
- Claremont Park Improvements; and
- Clitterhouse Playing Fields Improvements (Part 1).

The following applications are also being considered in parallel to this phasing application and are also on the agenda for approval by the Committee:

Phase 1 A (North) Tempelhof Bridge Reserved Matters Application Reference 15/06571/RMA

Reserved matters application for alternative design proposals for Tempelhof Bridge. Originally submitted in October 2015 alongside three other reserved matters applications which sought approval for alternative designs for specific items of Phase 1A (North) infrastructure.

This application has been subject to ongoing discussion with TfL and the Council's Highways Officers. Amended plans were submitted in November 2016 and have been subject to further consultation. The current proposal now includes two northbound carriageways, one of which is a designated bus lane, a single southbound carriageway segregated pedestrian and two way cycling route to the west.

Application against Conditions 2.4 and 2.5 of the s73 Permission Reference 16/7490/CON

This conditions application has been submitted to undertake minor revisions to the Development Specification and Framework (DSF), Design and Access Statement (DAS), and Design Guidelines (DG) approved by the s73 Permission.

The conditions allow such changes to be made subject to confirmation being provided that no significant adverse environmental effects would be brought forward by the changes.

Section 96a Application for non-material amendments to conditions attached to the s73 Permission and approved Reserved Matters permissions Reference 16/7574/NMA

The approval of the phasing application and updated RMA for Tempelhof Bridge would require a number of consequential non material amendments to be made to the s73 Permission and to RMA permissions 15/00720/RMA and 15/03312/RMA in response to changes to delivery timescales including the following amendments:

- Condition 13.1 attached to the 2014 Permission to identify the six infrastructure items as part of Phase 1B (South), rather than Phase 1A (North);

- Condition 14.1 attached to the 2014 Permission to identify High Street South (East) being within Phase 1B (South);
- Condition 20.20 to require mitigation for the loss of Clarefield Park to be met by delivery of the 'Clarefield Park Temporary open space', rather than through provision of Clitterhouse playing Fields (Part 1) and Claremont Park as currently required.
- Condition 20.26 of the 2014 Permission to bring forward the trigger for completion of Claremont Park from 'prior to occupation of more than 750 units within the Market Quarter' to 'prior to occupation of more than 200 units within the Market Quarter',
- Insertion of a new condition 20.24 relating to the staged delivery of Clitterhouse Playing Fields (Part 1) and linking such delivery to unit occupation triggers;
- Condition 9 of Reserved Matters Approval Ref No: 15/00720/RMA changing the existing controls relating the development of plots 53 to delivery of Claremont Park and Clitterhouse Playing Fields (Part 1); and,
- Condition 1 of Reserved Matters Approval Ref No: 15/03312/RMA to exempt the four items of highway infrastructure from delivery in accordance with the approved Plans and to subsequently add a new condition 'Condition 1A' to identify these four infrastructure items as falling within Phase 1B (South) and secure their delivery as previously approved under this reserved matters application.

Submission Under Condition 1 of Reserved Matters Approval 15/03312/RMA

This submission is made for minor alterations to the design of Tempelhof Link Road and Claremont Road/Tilling Road junction, as well as other consequential changes.

Exchange of Letters in accordance with Condition 1.30 of the s73 Permission to amend definitions within the decision notice

Amendments to a number of definitions under Condition 1.30 attached to the s73 Permission which result from this phasing application.

Deed of Variation to S106

Approval of the phasing application would result in necessary consequential amendments to be made to the existing S106 Agreement attached to the s73 Permission. A draft deed of variation has been prepared and agreed with lawyers and is ready to be executed subject to the decision of the Committee.

5. MATERIAL CONSIDERATIONS

5.1 Public Consultations and Views Expressed

Public Consultation

1,888 local residents were consulted by letter.

2 Letters of objection were received in response to this consultation.

A summary of the objections received and officer comments in response can be found under **Appendix 3** of this report.

It should be noted that this application has been made pursuant to a planning condition attached to the s73 Permission and therefore there is no statutory requirement for public consultation. However, given the change in phasing of significant items of infrastructure including Open Spaces which have previously been subject to consideration by the Planning Committee it is considered appropriate in this instance for this application to be widely consulted and for it to be reported to the Planning Committee for consideration.

6. PLANNING ASSESSMENT

This section will explain the existing sub-phasing for Phase 1 and consider the planning and transport impacts associated with the proposal to move the 4 items of highway infrastructure from Phase 1A (North) to 1B (South) and will consider the differences in the timing of delivery of open space improvements and outline the strategy for the provision of temporary open space and delivery of park improvements. It will then assess the proposed changes against the core tests within Condition 4.2 in relation to compliance with the Environmental Statement and comprehensive delivery of the BXC development.

6.1 Current Sub Phasing within Phase 1 of the s73 Permission

The s73 Permission proposes the phased delivery of the comprehensive development for the whole site in accordance with the relevant London Plan and Local Plan policies for the site.

Phase 1 (the Primary Development Package or 'PDP') is proposed to be delivered in sub phases which are divided between north and south. The land to the north of the North Circular will continue to be delivered by Hammerson and Standard Life (BXN). The land to the south of the North Circular will be delivered by a joint venture known as Brent Cross South Limited Partnership ("BXS LP") between the Council and Argent Related (which is itself a joint venture partnership between Argent and Related Companies).

The approved sub phases for Phase 1 are as follows:

- Phase 1A (North) – this includes all the highways infrastructure to support the northern development including the key highways infrastructure to support the Phase 1 South, such as the improvements to the southern junctions of the A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements. In addition the River Brent re-routeing and Bridge works will be delivered as part of Phase 1A (North), and the residential development of Plots 53 and 54 to enable the decant of the Whitefield Estate Existing Units (Part 1). The Living Bridge is included in Phase 1A (North). Under the Revised Section 106 Agreement, its delivery will be triggered by the commencement of Phase 1B (North) and its delivery will be programmed to commence and be completed no later than before the occupation of Phase 1B North plots.
- The following items are currently within Phase 1A (North) but would, subject to approval of this conditions application, be delivered in phase 1B (South). Highways Infrastructure: Claremont Avenue, Claremont Road Junction North, High Street South (East Works), and Orchard Lane. Open Space Improvements: Claremont Park, and Clitterhouse Playing Fields (Part 1).

- Phase 1A (South) – A number of highway improvements needed to support Phase 1 of the Southern Development will be provided including the Waste Handling Facility (Diverted Geron Way/A5 junction; Claremont Park Road (Part 1); and School Lane Works.
- Phase 1B (North) – This includes all of the plot development on the north side with the exception of the residential development within the Brent Cross West Zone. The sub phase also includes the new bus station, reconfigured shopping centre, Brent Cross Main Square, High Street North and other northern pedestrian routes, as well as the Riverside Park, Sturgess Park Improvements and residential homes. Commencement of this Sub-Phase will trigger the BXP's obligations to deliver the Living Bridge which will link into the buildings and public realm to be provided on the Plots forming part of this Sub-Phase.
- Phase 1B (South) – This includes the Market Square, the Clarefield Park Temporary Replacement Open Space, the replacement food store, the Waste Handling facility, the CHP and the new and expanded Claremont School, in addition to more than 1000 residential units. The six infrastructure items that are the subject of this application and which are discussed above will fall under this phase with the approval of this application.
- Phase 1C – This will include the remaining plot development on the south side.

Phasing of the development is shown within the Indicative Construction Program (ICP) which is appended to the S106 Agreement as Schedule 18. The ICP shows the sequencing and approximate duration of operations associated with the delivery of the development.

Amendments to the ICP can be undertaken as far as required and appropriate to support changes to phasing under application 4.2 or in response to the submission of requisite pre-commencement Detailed Delivery Programmes (DDP) under conditions 5.1 or 5.2.

The phasing within the ICP has been subject to a previous phase change application under condition 4.2 (reference F/05552/14) which saw plots 53 and 54 brought forward to Phase 1A (North) from Phase 1C.

This application seeks further amendments to the indicated phasing. These changes are solely within sub phases of the PDP (i.e. they will remain within Phase 1 as a whole), in light of the conditioned triggers proposed, the necessity to submit a DDP prior to commencement of the delivery and the demonstration that the re-phased development continues to accord with the conclusions of the approved Environmental Statement and does not fetter the comprehensive delivery of the wider regeneration scheme, it is not considered necessary to require a formal update to the ICP at this time. However it should be noted that the LPA are in discussions with the Southern Developer

and the Council's delivery team for the Thameslink Station in relation to phasing adjustments associated with development plots within Phase 1B (South) and the timing and early delivery of the new Thameslink Station. As a result of these changes it is expected that a formal update to the ICP will take place.

6.2 Phasing of Open Spaces Within Phase 1

The two open spaces proposed to be re-phased under this application are Clitterhouse Playing Fields (Part 1) and Claremont Park Open Space (together 'the Park Improvements').

Details of the Park Improvements were approved under Reserved Matters application 15/00769/RMA and include significant and extensive improvements to these existing poor quality underused areas of Open Space.

The Park Improvements are identified within the definitions of both the s73 Permission and the s.106 Agreement for delivery within Phase 1A (North). Both are proposed to be moved to Phase 1B (South).

The existing ICP assumed that the Clitterhouse Playing Fields (Part 1) and Claremont Park Open Space Improvements would be delivered at the very beginning of the development with an intended delivery period of approximately a year.

The early delivery of these Open Spaces ahead of any additional housing within the Brent Cross Cricklewood Regeneration Area was required in order to mitigate a temporary deficit of open space that would have resulted from the loss of Clarefield Park and the two triangles informal open space on Brent Terrace prior to delivery of the Clarefield Park Temporary Replacement Open Space (TOS).

Proposed Early Phases Open Space Strategy

As a core principal, any loss of open space within the BXC development area must be assessed in terms of whether appropriate amounts of existing, temporary or permanent replacement open space are available at all times for local residents, workers and visitors.

This phasing application would see a later delivery of the Park Improvements and therefore these improvements would no longer be provided in time to mitigate the loss of Clarefield Park. An Early Phases Open Space Strategy for Brent Cross South has been submitted with this phasing application to explain how the proposed sequence of delivery of temporary open spaces and improvements to existing open spaces will ensure a sufficient quantum of open space is available and accessible to the existing community through the construction of the Southern Development.

The submitted strategy comprises the following elements:

- the provision of temporary open space to mitigate loss of Clarefield Park and Brent Terrace Triangles;
- the temporary provision of children's play equipment;
- sequenced delivery of improvements to Claremont Park and CPF (Part 1); and
- ensuring continued, convenient access to the parks during construction.

To support the strategy various additional commitments to delivery of the open spaces are proposed via amendments to existing conditions. Each open space is addressed in turn below.

It is important to note that the following open excludes the significant extent of new green and urban open spaces which will still be delivered to the north of the A406 under Phases 1A and 1B (North).

Clarefield Park

Clarefield Park extends to approximately 2ha. The audit of existing spaces undertaken as part of the original BXC application concluded that the quality of the existing Clarefield Park is 'fair'. It is however under-used, difficult to access and not well overlooked. Nevertheless, it does provide amenity, green space and children's play equipment.

The s73 Permission approved the loss of Clarefield Park to make way for infrastructure and plot development as part of the regeneration. In particular Clarefield Park is needed early on in the development to deliver highway infrastructure required to link the new Tempelhof Bridge to the southern road network. The early loss of Clarefield Park was mitigated by the early delivery of the Park Improvements and would in quantitative terms be made up in later phases of the development when there will be a net increase in open space provision.

The s73 Permission also approved the provision of a temporary open space on Plot 27, although this was not directly related to the loss of Clarefield Park because the location of Plot 27 relates to part of the existing Whitefield Estate and therefore in order to provide this temporary open space the existing residents would need to first be rehoused, and to do that new housing would need to be constructed. Therefore the timing of the provision of the temporary open space assumed in the s73 Permission is not aligned with the loss of Clarefield Park which would still need to be closed earlier to enable the construction of the new roads.

Parallel to this re-phasing application, amendments to Condition 20.20 are proposed to ensure that a Temporary Open Space is provided prior to the closure of Clarefield Park. In order to achieve this, the indicative location of the Temporary Open Space has been changed from Plot 27 to Plot 11 which does not impact on existing homes.

Plot 11 is however restricted by its proximity to Clarefield Park and surrounding roads and buildings as well as future development plots. As a result the indicated area of the Temporary Open Space is reduced from a minimum of 1.2ha to a minimum of 0.8ha within the definition contained within the s73 Permission decision notice. This is secured via a submission against condition 1.30.

The slight reduction in the size of the temporary open space will be compensated by the provision of temporary replacement play facilities within an appropriate area in the vicinity of the Temporary Open Space to off-set those lost from Clarefield Park. It is expected that this will be located in the northern section of Clitterhouse playing fields.

The principles for the temporary open space are to provide:

- a flexible space with the ability to host events;
- a well-managed and maintained space that is clean, safe and secure;
- an accessible space, within easy reach for local residents on foot and by bicycle;
- amenity, including, for example, children's play and a visitor's centre/community hub (to complement other community initiatives in the area, for example, Clitterhouse Farm); and
- hard and soft landscaping.

The proposed criteria for the temporary open space are that it should:

- be open and available for use prior to the closure of the main part of Clarefield Park;
- be around, 0.8ha (although this could vary with the approval of the LPA as development progresses and as more enhanced open space is delivered);
- located within Market Quarter (likely to be Plot 11, although to be agreed with the LPA, also with the potential to move location, if agreed with the LPA); and
- remain in place until completion of Claremont Park and CPF (Part 1) (unless otherwise agreed with the LPA).

The closure of a relatively small area of the northern part of Clarefield Park is still required early in the development programme as part of the Northern developer's infrastructure works in order to deliver the Tempelhof Link Road. This is expected to be in the order of around 0.2ha (although this will be agreed with the LPA) and primarily relates to areas of shrub planting along the northern edge of the park and would not impact on the existing play equipment. The majority of the park would remain open and accessible when this small section is closed off and until such time as the temporary open space is provided. In this context, officers are satisfied with the proposed

closure of this small section of the park to facilitate the early infrastructure works.

The provision of well maintained temporary open space in an appropriate and accessible location in the short to mid-term combined with temporary replacement play facilities is considered to be an appropriate and acceptable temporary provision which would acceptably mitigate the loss of Clarefield Park in the short term. The location of the Temporary Open Space would also be closer to existing residents to the south and west than Plot 27. Public pedestrian access will also be retained or provided from Brent Terrace to Clitterhouse Crescent in the vicinity of the existing path within the western end of Claremont Way Open Spaces from the northern end of Brent Terrace at all times during early construction.

The Clarefield Park Temporary Replacement Open Space is identified as critical infrastructure in 1B (South). Condition 13.1 requires details of critical infrastructure to be submitted to and approved by the LPA prior to commencement of a given sub-phase. Details of the Temporary Open Space including the replacement Play facilities will therefore be submitted prior to the commencement of Phase 1B (South). The information could be provided alongside the Reserved Matters Application for Phase 1B (South) to help understand the relationship with adjacent development plots.

The amendments to condition 20.20 will be secured via the separate s.96a application reference 16/7574/NMA. The proposed wording for the condition can be seen in **Appendix 4**.

Changes to the definition of Clarefield Park Temporary Replacement Open Space are also required and have been submitted against condition 1.30 and will be approved by exchange of letters subject to the determination of this application. Appropriate updates to the RDSF, DAS and DG have also been submitted under applications pursuant to Conditions 2.4 and 2.5 to reflect these changes.

Claremont Park

The improved and enlarged Claremont Park as approved under reserved matters for Phase 1A (North) will provide a much enhanced open space of approximately 1.95ha. Condition 20.26 of the s73 Permission currently requires delivery of the Claremont Park Improvements prior to occupation of the 750th residential unit within the Market Quarter Development Zone.

Whilst no longer required as direct mitigation for the loss of Clarefield Park, the Southern Developer is committed to the early delivery of the Claremont Park Improvements within Phase 1 and has proposed to amend the trigger for delivery of the Claremont Park Improvements to prior to the occupation of the 200th unit within the Market Quarter Development Zone. This change in trigger effectively brings the delivery of Claremont Open Space forward. The Temporary Open Space would also remain in place after the completion of Claremont Park.

This amendment to Condition 20.26 will be secured via the section 96a Application (16/7574/NMA) submitted in parallel to this re-phasing application and will be determined through delegated powers subject to the Committee's determination of this application.

Clitterhouse Playing fields (Part 1)

The current delivery of the improvements to Clitterhouse Playing Fields (Part 1) early within Phase 1 of the development was again directly related to the loss of Clarefield Park early in the build process without any replacement open space being provided.

By ensuring that the Clarefield Park Temporary Open Space is now provided prior to the loss of Clarefield Park, the need to deliver the CPF (Part 1) improvements at the very beginning of Phase 1 is removed.

Under the proposed re-phasing, Clitterhouse Playing Fields (Part 1) would be started after Claremont Park had been completed. The Southern Developer is proposing to carry out the improvements to Clitterhouse Playing Fields in up to three construction phases each of which will be linked to the delivery of housing units.

Where the current ICP timescales would have necessitated complete closure of both Claremont Park and Clitterhouse Playing Fields for the year of their delivery, the proposed phased delivery approach would ensure a consistent provision of accessible open space during the development process. At all times during the works to Clitterhouse Playing Fields, broadly two thirds of the park would be open for use by the public while a section was being worked on. It is also important to note that at this point in time the Temporary Open Space and completed Claremont Park would be available to residents.

A new condition, '20.24' (see **Appendix 4**) is proposed to be added to the s73 Permission through the associated section 96a application which would provide control over the delivery of Clitterhouse Playing Fields (Part 1). The condition would require details of the phased delivery of the works to CPF to be submitted and approved by the Council with the first such phase to be completed prior to occupation of no more than 750 units to the south of the A406 and to have completed all of the CPF (Part 1) works prior to occupation of more than 1,400 units to the south of the A406.

A sequential approach to the delivery of the Open Spaces is secured across the Park Improvements rather than the approach indicated within the current ICP of undertaking works to the open spaces in parallel which would result in little or no access to these existing spaces for the duration of the works.

The proposal therefore seeks to ensure that there is a reasonable quantum of open space accessible and available to the public at all times by completing enhancement works to one area of Open Space before commencing works on another.

Plots 53 and 54

When the application to re-phase Plots 53 and 54 (the Brent Terrace Triangles) was considered (Ref:) concerns were raised relating to the early loss of these informal open spaces.

The approval of the residential development of the Brent Terrace Triangles under Reserved Matters Application (15/00720/RMA) was therefore subject to a condition which sought to safeguard the timing of the delivery of Clitterhouse Playing Fields (Part 1) and Claremont Park Open Space so that the improvements to these spaces were complete prior to the occupation of the units to be built on Plots 53 and 54. Condition 9 of permission 15/00720/RMA is worded as follows:

“No material operation relating to the construction of the residential units on Plots 53 and 54 shall commence until arrangements have been made to the written satisfaction of the Local Planning Authority for the provision of the Claremont Park Improvements and the Clitterhouse Playing Fields Improvements (Part 1) and submission against this condition must include a clear commitment to a timetable of delivery.

No residential units on the Brent Terrace triangles shall be occupied prior to the practical completion and provision of the Claremont Park Improvements and the Clitterhouse Playing Fields Improvements (Part 1) in accordance with the relevant Necessary Consents unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the loss of open space on the Brent Terrace triangles is mitigated in an appropriate timescale by proportionate improvements to open space.”

This condition was applied to the reserved matters application in the light of the ICP which showed the Park Improvements delivered at the start of the development process. It was considered that this approach would reduce the impact upon local residents resulting from the loss of the two informal open spaces.

An amendment is sought to this condition under the Section 96a application given the later delivery of the Park Improvements that would result from this phase changing application. The condition would be amended to read:

“Not to Occupy any residential floorspace on Plots 53 and 54 until a construction contract is in place for the Claremont Park Improvements.”

Such a change is considered to be acceptable for the following reasons:

There is now an alignment between the loss of Clarefield Park and the delivery of the Clarefield Park Temporary Replacement Open Space which would ensure that the existing facilities of Clarefield Park are not lost until such a time as the Temporary Open Space and replacement play facilities are delivered. This will ensure that either the existing park and its facilities or the Temporary Open Space with replacement play facilities in its vicinity will continue to be available to residents including those of Brent Terrace.

The amended condition reflects the earlier trigger for delivery that would result from the section 96a change to condition 20.26. Previously this required provision of the Claremont Park Improvements prior to occupation of more than 750 units whereas this will be reduced to 'prior to occupation of more than 200 Units'. This reflects BXS LP's intent to deliver early improvements even though mitigation for the loss of Clarefield Park is now secured and would result in the delivery of significant park improvements over an area of 1.95ha immediately adjacent to the northern end of Brent Terrace.

Staged delivery of the Park Improvements would be secured with the approval of this phase changing application. This represents a change from the intended delivery approach in the ICP which would result in at least a year of simultaneous closure of both Claremont Park and Clitterhouse Playing Fields (Part 1). Such staged approval will result in early delivery of open space improvements immediately adjacent to Brent Terrace whilst ensuring that the existing open space at Clitterhouse Playing Fields are still available for use. Further commitments are also made to ensure existing pedestrian access routes from Brent Terrace to park facilities are retained throughout the development process.

The current wording of Condition 9 of 15/00720/RMA would have allowed the loss of the Brent terrace triangles prior to the delivery of the Park Improvements. The phase changing proposal and associated change of this condition 9 would ensure that open space facilities remain available and accessible to residents of Brent Terrace throughout the development process of both the Triangles and the Park Improvements. The changes would still see the early delivery of significant park improvements in the immediate vicinity of Brent Terrace and would continue to link the development of the triangles to the delivery of Claremont Park.

The proposed re-phasing of the open spaces under this application will have no impact upon the overall quantity of open space delivered within the Brent Cross Cricklewood Regeneration Scheme, which upon completion will amount to approximately 9ha of additional space.

There is no change in the overall area of open space delivered and whilst the phase change will result in a marginal delay to the delivery of the improvements to these two large areas of open space, this will not be significantly detrimental in the context of the overall development and will still result in the early delivery of significant open space improvements within the

scheme.

In summary, the early delivery of the Claremont Park and Clitterhouse Playing Fields (Part 1) improvements were previously being provided to mitigate the loss of Clarefield Park which will be closed to facilitate infrastructure construction. This re-phasing application and the associated changes under section 96A and condition 1.30, will ensure the provision of a temporary open space at a minimum of 0.8ha supplemented by provision of temporary children's play equipment within the vicinity of the temporary open space, prior to the loss of any usable area of Clarefield Park (notwithstanding the small area needed for construction of the Tempelhof Link Road).

In light of the poor quality and low use of the existing Clarefield Park, the provision of a well maintained temporary open space in an appropriate and accessible location alongside temporary replacement play equipment, is considered to be an acceptable replacement to offset the closure of Clarefield Park at the beginning of Phase 1 of the BXC development.

The change to the condition linking delivery on the 'Brent terrace Triangles' to delivery of open spaces is considered to be acceptable given the staged approach proposed to open space delivery, the commitment to maintain continued pedestrian access routes to available open space and the early delivery of Claremont Park Open Space.

Summary of Proposed Indicative Stages of delivery of Open Space

Set out below is a summary description of the proposed revised sequencing of the delivery of open spaces in the early phases of the BXS development.

- Closure of small area of the northern part of Clarefield Park to facilitate Northern Developer's infrastructure works to Tempelhof Link Road.
- Construction of the Temporary Open Space (approximately 4 – 6 months).
- Closure of Clarefield Park once Temporary Open Space complete.
- Closure of Triangle sites for construction of Whitefield Estate Replacement Units (Part 1).
- Clitterhouse Playing Fields remain open and accessible in their current condition.
- Claremont Park closed for improvements (approximately 9 - 12 months). During the Claremont Park Improvements, CPF (Parts 1 and 2) and the temporary open space would be available to the public. Pedestrian access via Clitterhouse Crescent from the northern end of Brent Terrace through the western end of Claremont Park to the Temporary Open Space and Clitterhouse Playing Fields is maintained until Claremont Park is re-opened.
- On completion of the Claremont Park Improvements, Claremont Park would be open to the public together with the temporary space.

- The phased delivery of CPF (Part 1) would then commence. One part of the open space (approximately a third) would be completed and open to the public before commencement of the next part. At any point in time, therefore, around two thirds of CPF (Part 1) would remain open to the public during the improvement works, together with the enhanced Claremont Park and the temporary open space.

Delivery of the open spaces subject to this application have provisionally been indicated to take place as follows:

- Claremont Park: 01/03/2019 to 28/02/2020
- Clitterhouse Playing Fields Part 1 (First Third): 01/03/2020 to 31/12/2020 (Starting after Claremont Park is completed)
- Clitterhouse Playing Fields Part 1 (Remaining Two Thirds): Starting after CPF (first third complete) 12 month period (aligned with completion of 1400th residential unit)

6.3 Phasing of Highway Infrastructure

The following highway links, all of which were approved under Phase 1A (North) RMA 15/03312/RMA, would be re-phased for delivery in Phase 1B (South):

- Claremont Avenue (up to the junction with Tempelhof Link Road / Tilling Road);
- Claremont Road Junction North;
- High Street South (East Works); and
- Orchard Lane.

Claremont Avenue would provide a vehicular link from the southern part of Claremont Road at the Claremont Road Junction (North) to Tilling Road. Traffic from Claremont Avenue (S) would join the Tempelhof Link Road in order to access Tilling Road. The road would pass the Market Square Junction and run parallel to the southern end of the Living Bridge.

Claremont Road Junction North would be located to the northern end of the Clitterhouse Playing Fields providing links to Claremont Park Road, as approved under Phase 1A (South); Orchard lane and Claremont Avenue.

High Street South (East Works) is to the west of Market Square off the New Claremont Avenue the road would in its end state be one of the main roads through the south side of the BXC development for buses, pedestrians and vehicles. The Eastern works include a junction to link to the southern end of Tempelhof Avenue.

Delivery of both Claremont Avenue and High Street South (East Works) would

result in the loss of Clarefield Park.

The proposed change to Phase 1B (South) as the delivery phase for these Highway Infrastructure Items would allow the alignment of the delivery of the Temporary Open Space with the loss of Clarefield Park securing a continuous and acceptable provision of open space. However later delivery removes key vehicular routes from traffic in the South to Cross the A406 on the new Tempelhof Bridge, by way of High Street South (East) junction with Tempelhof Avenue. Additionally the Route from the new Claremont Avenue onto Tilling Road via the Tempelhof Link Road would also be delayed.

Acceptance of this delay to the delivery of these phase changes is therefore contingent upon an alternate vehicular access to these routes being available. This alternate route needs to be able to accommodate a circumstance in which the southern development was not to come forward.

Currently the routes over Tempelhof and onto Tilling Road from the south are accommodated from Claremont Road. A submission has been made against Condition 1 of the Phase 1A (North) Reserved Matters Application which would undertake minor amendments to the approved infrastructure plans under this application to improve the free flow of traffic through the following changes: Alterations to the approved design to allow two way flows on the Tempelhof Link Road and alterations to the Claremont Road/Tilling Road Junction as part of the creation of a signalised junction.

These changes have been subject to modelling and evaluation in light of the alternative proposal for the design of the Tempelhof bridge under consideration at this committee (Ref: 15/06571/RMA). The amended bridge would accommodate two northbound lanes (one of which is a dedicated bus lane) and one southbound lane. Pedestrian facilities would be removed from the eastern side of the bridge but would be retained on the western side with a reduction in pavement width of 0.5m.

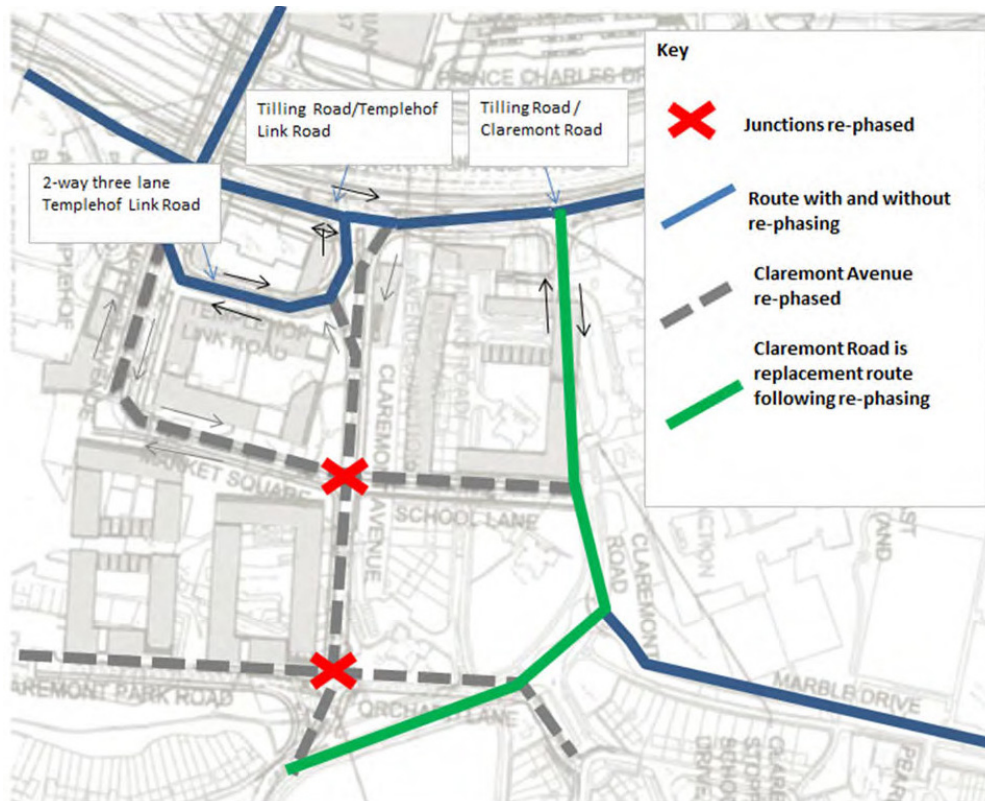
The Council's highways officers have undertaken a review of the alternative layout of Tempelhof Bridge and the minor amendments to the road junctions and link road including the comprehensive modelling of traffic flows to determine the acceptability of these changes. This review follows below.

Highways Assessment

The traffic and transportation issues associated with the re-phasing have been analysed and assessed in the Phase 1A (North) Reserved Matters Transport Report: Highways, in accordance with scopes previously agreed with the London Borough of Barnet and Transport for London (TfL).

Alterations are proposed to the approved design of the Tempelhof Link Road to allow two way flows to accommodate the re-phasing of High Street South (East Works) and Claremont Avenue. Alterations are also proposed to the Claremont Road/Tilling Road junction as part of the creation of a signalised junction. The diagram below illustrates the proposed changes to the highways

infrastructure.



Strategic Traffic Modelling

The BXC S73 Consolidated Transport Assessment Main Report (BXC05) sets out the baseline traffic information upon which the development's impacts have been assessed using the BXC Transport Model, which dates from 2006.

To provide more up to date information to support the continued development of the design, a series of traffic surveys were undertaken in 2013. The surveys provided additional information to help build an updated traffic model of the area which the development partners and the transport authorities agreed would be used as part of the detailed highway approval processes. The model, known as the BXC Detailed Design Model uses Transport for London's latest sub regional transport model as a basis, but has a greater level of detail in the Brent Cross area.

The Detailed Design Model has been developed for detailed design purposes with an increased level of detail of both existing and forecast traffic movements on the local roads within the study. The model has been calibrated and validated in line with Transport for London. There has been a good level of agreement in the detailed design assessed by the Detail Design Model and the previous preliminary assessments of the BXC Transport Model.

The impact of the proposed highway changes due to the re-phasing have been assessed via the approved Detailed Design Model.

Across the highway network of the Brent Cross area the impact is, overall, minimal. The most significant changes in traffic flow due to the proposed re-phrasing is on Tilling Road between the proposed traffic signal junctions with Tempelhof Bridge and Claremont Road:

2021 Traffic Flows (pcus) on Tilling Road

	With Bus Lane			No Bus Lane			Absolute and (% difference)		
	AM	PM	Sat	AM	PM	Sat	AM	PM	Sat
E/B	267	362	248	584	482	515	317 (119%)	120 (33%)	267 (108%)
W/B	373	771	772	513	918	1085	140 (38%)	147 (19%)	313 (41%)

Due to these increases in traffic flow, the operation and capacity of the proposed traffic signal junctions has been assessed.

Junction Modelling

Detailed Linisg models have been utilised to rigorously test the new and amended junctions. Future year scenarios for phase 1 (2021) have been developed for weekday AM (08:00-09:00 hours), PM (17:00-18:00 hours) and Saturday (13:00-14:00 hours).

The junction designs and traffic signal timings have been developed in collaboration with Transport for London and the London Borough of Barnet. The designs and associated traffic signal timings will be refined to improve performance through the detailed design process.

Modelling of the proposed Tilling Road /Tempelhof Link Road and Tilling Road / Claremont Road traffic signal junctions indicates that all arms will operate within the critical 90 degree of saturation throughout all peak periods. The longest queue (22 passenger car units) is forecast during the Saturday peak hours on the eastern arm of Tilling Road. This queue can be accommodated within the available road space. Based on the analysis undertaken, the proposed junction arrangement is acceptable.

TfL, who are responsible for the operation and maintenance of traffic signals, supported in principle the proposal to install traffic signals at the Tilling Road / Claremont Road and Tilling Road / Tempelhof Bridge junctions.

The new signals will bring the benefit of positive and safer control of the junction, improving bus reliability and improved facilities for pedestrians and cyclists.

Pedestrian / Cyclists

The 2m segregated cycle lane and 2m footway on the westside of Tempelhof Bridge will extend to Tilling Road, via the proposed two way Tempelhof Link Road. Controlled pedestrian crossings are provided on the south side of Tilling Road at both Tilling Road /Tempelhof Link Road and Tilling Road / Claremont Road traffic signal junctions, connecting the bridge to the shared

pedestrian/cycle facilities to the south of the North Circular Road.

Advanced cycle stop lines will be provided at the Tilling Road /Tempelhof Link Road junction.

These arrangements provide positive provision for pedestrians and cyclists and are deemed sufficient by both London Borough of Barnet Highway Officers and TfL.

Road Safety Audit

A Stage 1 Road Safety Audit for the proposals been undertaken and reviewed by the London Borough of Barnet and TfL. Issues highlighted will be assessed and progressed as part of the detailed design process.

Conclusion

The proposed traffic signal junctions at Tilling Road/ Claremont Road and Tilling Road / Tempelhof Bridge have been modelled and are shown to operate satisfactorily during all time periods, with satisfactory degrees of saturation.

London Borough of Barnet Highway Officers and TfL view the proposed changes to the highway network associated with the re-phasing as acceptable.

6.4 Assessment against Requirements of Condition 4.2: Compliance with the Approved ES and Comprehensive development

Environmental Statement

This conditions application is supported by the submission of an Environmental Statement Addendum (“ES”) for the Phase 1A (North) further information Report.

The ES analyses whether the proposed delivery phase changes of the highway and open space infrastructure items are likely to result in any significant adverse environmental effects not previously identified, or changes to the likely significance of the previously reported effects. The implications of the amended Tempelhof RMA and the other facilitating applications are also considered.

The ES considers that the proposed amendments would not result in any new or different likely significant impacts from those previously reported in the existing EIA Documentation. It reaches this conclusion as in terms of the wider Regeneration scheme the delivery of the Open spaces would take place within the *same relative timescales* as currently proposed.

The residual impact of the total loss of Clarefield Park, which would now occur

in conjunction with the provision of the temporary replacement open space as part of Phase 1B (South), would remain as previously assessed, i.e. a negative impact of local significance - due to the loss of a non-statutory designated site.

The ES does identify a single exception relating to ecology and nature conservation, where a temporary neutral effect is reported in respect of the deferred loss of the majority of Clarefield Park.

There would also be a slight change to the timescales previously reported in respect of the beneficial townscape and visual impacts associated with the delivery of the two open space enhancements – Claremont Park and Clitterhouse Playing Fields - which would move from short term to medium term. However, neither of these changes are considered to be significant in the context of the assessments previously undertaken and presented in the EIA Documentation.

The ES Addendum therefore concludes that the impacts identified and the mitigation measures reported in the EIA Documentation remain valid for the purpose of determining these applications.

In respect of transport, the Reserved Matters Transport Report (RMTR) demonstrates that the transport network provided by Phase 1A (North) operates well under the proposals to transfer the four items of highway infrastructure. The introduction of two-way flows on the new Tempelhof Link Road ensure that Tempelhof Avenue is connected into the existing highway network and the strategic modelling demonstrates that these proposals have a minimal effect on the operation of the highway network when compared to the approved Phase 1A (North) proposals.

Overall the RMTR concludes that the transfer of Claremont Avenue, High Street South (East Works), Claremont Road Junction North and Orchard Lane with the associated introduction of two-way flows on Tempelhof Link Road and improved junctions has a negligible impact on the highway network and allows the transferred items to be brought forward as part of Phase 1B (South).

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

Regulation 8 of the Regulations requires local planning authorities to consider whether or not the environmental information already before them (i.e. the ES submitted with the 2013 hybrid application F/04687/13 and any additional environmental information) is adequate to assess the environmental effects of the development:

To demonstrate the continued acceptability of the ES associated with F/04687/13 in the context of the detailed reserved matters applications for

Phase 1A (North) an Environmental Statement Further Information Report (the 'ES FIR') was submitted and has been subject to amendments where appropriate.

The information assessed within the ES FIR is based upon the proposals within the eight Phase 1A (North) reserved matters submissions made to the Council as well as any amendments secured through condition submissions, including rephrasing, as well as non-material and minor material amendments secured through their appropriate mechanisms.

The amendments to phasing sought through this condition 4.2 submission do not have any new or different significant effects so as to warrant changes to the relevant parts of the ES FIR.

The existing Environmental Statement associated with the s73 Permission supplemented by the ES FIR with amendments and the other additional environmental information previously submitted satisfactorily assess and address the impacts of the development for the purposes of determining the Plots 53 and 54 Reserved Matters application.

Comprehensive Development

A number of infrastructure improvements in the northern development, and specifically Phase 1A (North), will assist the delivery of the southern development. The infrastructure provided within Phase 1A (North) and Phase 1B (North) has a benefit to the BXC regeneration area as a whole and will support the southern development coming forward. For example, the Living Bridge will provide significantly enhanced pedestrian connectivity across the A406 (a significant current barrier to movement), linking the southern development into the new mixed use commercial development to the north. In addition, the new Brent Cross Bus Station will improve public transport accessibility and provide a facility that can be more easily accessed by occupants of the southern development. Furthermore, the significant highway improvements provide capacity enhancements that cater for the development as a whole and therefore assist the delivery of the southern development. To this extent the re-phasing application, and residual infrastructure left in the northern development, assist the delivery of the comprehensive development.

In comparison to the extent of 'priming' infrastructure remaining in Phase 1A (North) which will encourage the regeneration of land south of the A406, the infrastructure items subject to phase changing under this application are relatively minor. Further the associated changes in delivery of the temporary open space as well as commitments to early staged delivery of Claremont Park and Clitterhouse Playing Fields (Part 1) combined with the minor amendments to the phase 1A (North) road infrastructure present a rational and achievable development process to Phase 1B (South).

The transfer of responsibility for delivering these infrastructure works (which lie south of the A406) to Phase 1B (South) has significant logistical and practical benefits due to the close proximity and relationship between the

infrastructure works and plot delivery within the southern development.

The appointment of Argent Related as LBB's delivery partner for the southern development of BXC is a significant step toward the realisation of development south of the A406 and combined with the securing of Reserved Matters Approval Ref No: 15/06518/RMA for Phase 1A (South), and on-going pre-application discussions relating to Phase 1B (South) provides assurance that comprehensive development to the south of the A406 will be forthcoming.

In light of the above, the rephrasing of the Phase 1A (North) infrastructure items identified to Phase 1B (South) will not undermine comprehensive redevelopment but instead allow specific elements of infrastructure to be delivered in a more logical manner alongside the development plots that they support. This will assist the longer term comprehensive development of BXC in accordance with saved Policy C1 of the UDP and other policies in the development plan.

8. EQUALITY AND DIVERSITY ISSUES

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

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

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to approve the phasing application under Condition 4.3 will comply with the Council's statutory duty under this important legislation.

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

9. CONCLUSION

A thorough review has been undertaken to determine the impacts that would result from the rephrasing of Highways and Open Space Infrastructure from Phase 1A (North) to Phase 1B (South).

The rephrasing of the open spaces would ensure the continued delivery of an appropriate extent of replacement open space to account for the loss of Clarefield Park within Phase 1 existing Open Space lost

The s73 Permission allows for mitigation of loss of the open spaces by way of provision of temporary open space. The loss of Clarefield Park is proposed to be mitigated, in the short term, by the provision of well maintained temporary amenity space in an appropriate and accessible location, in the short to mid-term by significant enhancements to the existing open spaces and in the longer term, by an overall uplift in the quality of open space across the BXC regeneration area.

LIST OF APPENDICES

- 1. APPENDIX 1: SITE PLAN**
- 2. APPENDIX 2: INFORMATIVES**
- 3. APPENDIX 3: OBJECTIONS AND OFFICER RESPONSE**
- 4. APPENDIX 4: SECTION 96A CONDITION CHANGES**

APPENDIX 1

SITE PLAN



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APPENDIX 2

INFORMATIVES

- 1) The plans accompanying this application are:
 - Explanatory Report – Phase 1A (North)/Phase 1B (South) Re-Phasing, Brent Cross Cricklewood. November 2016
 - Environmental Statement Addendum – Phase 1A (North) Re-Phasing Works and Templehof Bridge Amendments. November 2016
 - Reserved Matters transport Report
 - Early Phases Open Space Strategy
 - Illustrative Reconciliation Plan – Phase 1A (North)
 - Early Phases Open Space Strategy. 24 November 2016
 - Reserved Matters Transport Report - Phase 1A North: Infrastructure, Re-Phasing (BXCRCR-ACM-ZZ-ZZ-RP-TN-00004) Rev 3

- 2) In accordance with Reg 3 (4) and Reg 8 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, it is considered that:

this submission of conditions reveals, with regard to the subject matter of the application, that there are no additional or different likely significant environmental effects than is considered in the environmental information already before the Council (the Environmental Statement (ES) (BXC02) submitted with the Section 73 application (F/04687/13) and any further and/or other information previously submitted; and

the environmental information already before the Council (the Environmental Statement (ES) (BXC02) submitted with the Section 73 application (F/04687/13), and any further and/or other information previously submitted) remains adequate to assess the environmental effects of the development.

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APPENDIX 1 CONSULTATION RESPONSES

RESIDENTS' OBJECTIONS

Residents' Objections	Officer Comments
<p>The detailed phasing as set out previously was meant to protect the residents & their environment and ensure that 'sufficient' green space remained open.</p> <p>Before the development of open space such as the Brent Terrace Triangles, the Park Improvements were supposed to have been developed prior to the Triangles being built on. The changes to phasing would be to the detriment of the residents as condition 9 of RMA application 15/00720/RMA would be amended from:</p> <p><i>Current:</i> <i>No material operation relating to the construction of the residential units on Plots 53 and 54 shall commence until arrangements have been made to the written satisfaction of the Local Planning Authority for the provision of the Claremont Park Improvements and the Clitterhouse Playing Fields</i></p> <p><i>No residential units on the Brent Terrace triangles shall be occupied prior to the practical completion and provision of the Claremont Park Improvements and the Clitterhouse Playing</i></p>	<p>There is now an alignment between the loss of Clarefield Park and the delivery of the Clarefield Park Temporary Replacement Open Space which would ensure that the existing facilities of Clarefield Park are not lost until such a time as the Temporary Open Space and replacement play facilities are delivered. This will ensure that either the existing park and its facilities or the Temporary Open Space with replacement play facilities in its vicinity will continue to be available to residents including those of Brent Terrace.</p> <p>The amended condition reflects the earlier trigger for delivery that would result from the section 96a change to condition 20.26. Previously this required provision of the Claremont Park Improvements prior to occupation of more than 750 units whereas this will be reduced to 'prior to occupation of more than 200 Units'. This reflects BXS LP's intent to deliver early improvements even though mitigation for the loss of Clarefield Park is now secured and would result in the delivery of significant park improvements over an area of 1.95ha immediately adjacent to the northern end of Brent Terrace.</p> <p>Staged delivery of the Park Improvements would be secured with the approval of this phase changing application. This represents a change from the intended delivery approach in the ICP which would result in at least a year of simultaneous closure of both Claremont Park and Clitterhouse Playing Fields (Part 1). Such staged approval will result in early delivery of open space improvements immediately adjacent to Brent Terrace whilst ensuring that the existing open space at Clitterhouse Playing Fields are still available for use. Further</p>

<p><i>Fields Improvements (Part 1) in accordance with the relevant Necessary Consents unless otherwise agreed in writing by the Local Planning Authority.</i></p> <p><i>Proposed: Not to Occupy any residential floorspace on Plots 53 and 54 until a construction contract is in place for the Claremont Park Improvements.</i></p>	<p>commitments are also made to ensure existing pedestrian access routes from Brent Terrace to park facilities are retained throughout the development process.</p> <p>The current wording of Condition 9 of 15/00720/RMA would have allowed the loss of the Brent terrace triangles prior to the delivery of the Park Improvements. The phase changing proposal and associated change of this condition 9 would ensure that open space facilities remain available and accessible to residents of Brent Terrace throughout the development process of both the Triangles and the Park Improvements. The changes would still see the early delivery of significant park improvements in the immediate vicinity of Brent Terrace and would continue to link the development of the triangles to the delivery of Claremont Park.</p> <p>The change to the condition linking delivery on the ‘Brent terrace Triangles’ to delivery of open spaces is considered to be acceptable given the staged approach proposed to open space delivery, the commitment to maintain continued pedestrian access routes to available open space and the early delivery of Claremont Park Open Space.</p>
<p>In order to protect the residents as the original planning approval stipulated regarding the timescale for the development of the parks and buildings, alignment of timescales between Hammerson & Argent would be required – there is no evidence of such an alignment in this application.</p>	<p>The amended wording of condition 9 of planning application 15/00720/RMA does still require alignment between the Northern and Southern Developer as occupation of the residential units on plots 53 and 54 (a northern requirement) is not possible until such time as the southern developer has entered into a contract for the delivery of Claremont Park.</p>
<p>Hammerson have reduced the replacement green space for Clarefield Park in this application.</p>	<p>Whilst the Area of the Clarefield Park Temporary Replacement Open Space has been subject to a reduction from 1.2ha to 0.8ha this is supplemented by a new requirement to include the provision of</p>

	replacement play facilities in the vicinity of the open space. Such qualitative improvements in close proximity to the temporary open space (expected to be located in the northern end of Clitterhouse Playing Fields) are considered to satisfactorily overcome the reduction in area of the temporary Open Space.
The reduction in replacement green space again highlights the discrepancies in the green space count. This count should be investigated by a 3 rd party to look at quality, exact figures and exactly what is being considered to be green space (e.g. parks, concrete spaces with a few trees, bridges, percentage of green space along busy, noisy, polluted roads, etc)	While the application seeks a change to the phasing of the delivery of the Park Improvements there is no amendment to the detail of the open space provision within this planning application. Such provision has been subject to detailed planning approval.
Hammerson is able to change much of what they want to the further detriment of the residents, but changes that would now be possible that would benefit the residents have never been considered. For example, due to changes made by developers & Barnet Council (regarding the new Station phasing) & previous misrepresentations regarding the space available between Brent Terrace & the new Station, it is now possible to move the development build to areas other than Brent Terrace. This would prevent the affected residents in the street from being subjected to road disruptions, closures and general misery for 2 years.	The suggested alternative development approach is not currently under consideration. Details for the development of the Brent Terrace Triangles have been approved under Reserved matters application 15/00720/RMA and will be subject to construction management controls.
The 'Living' Bridge will be built during this phase but it will be a bridge to nowhere, since the buildings that will be attached to it will not be built until later.	The living Bridge will provide a key pedestrian and cycle link between the southern area of the Brent Cross Regeneration Area and The Northern Shopping Centre and Bus Station. Delivery at an early stage in the Regeneration process will assist in priming development to the south

<p>Officers should note that changes are of a material nature, and that Transport for London will be forced to carry out a fresh Integrated Assurance Review for Stage 1 and that may modify the views of the Independent Investment Programme Advisory Group and the TfL Programme Management Office. This review needs to be made public before officers can fairly, under English common law, determine 16/7489/CON.</p>	<p>of the A406.</p> <p>Condition 4.2 of the s.73 Permission provides a mechanism by which amendments can be made to the phasing of the existing Indicative Phasing Plan. It was attached to the s.73 Permission to provide a degree of flexibility to this longterm strategic project.</p> <p>Subject to Phase changes being demonstrated to have no significant additional Environmental Impacts, and to them not being detrimental to the comprehensive delivery of the Brent Cross Regeneration scheme these changes can be approved through this condition process.</p> <p>The report above considers the phase change in detail with particular consideration for the requirements of condition 4.2 and finds the changes acceptable.</p> <p>All applications and approvals relating to Brent Cross have been considered in accordance with the law and have not been subject to any legal challenge.</p>
<p>Do officers consider that Section 106 payments from Hammerson that were due to be paid should not change, even if Hammerson were to relinquish responsibility for items as mentioned in 16/7489/CON?</p> <p>If not, I do not consider any negotiated changes from the previous agreement would be fair under English common law.</p> <p>Will the authority ensure that Hammerson still pays for the items as previously? If not, why not, please?</p>	<p>The phase changes are accompanied by appropriate changes to the s106 submission to accommodate the shift in phasing proposed.</p> <p>The Phase change suits both Northern and Southern developers due to the logistical and Practical benefits that would result during delivery.</p> <p>Development proposals are not subject to change as a result of the change proposed and as addressed in the body of the report the extent, degree and timing of mitigation remains acceptable with the phase changes proposed.</p> <p>All applications and approvals relating to Brent Cross have been considered in accordance with the law and have not been subject to any</p>

	legal challenge.
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STATUTORY CONSULTEE AND INTEREST GROUP RESPONSES

CONSULTEE	RESPONSE
Transport for London	TfL does not object to the rephrasing proposed under condition 4.2.

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APPENDIX 2

S.96A Decoupling application condition changes

1) Changes to s.73 Permission F/04687/13

Condition 13.1 Pre-Phase1 Commencement Submissions and Approvals

“13.1. (Save where otherwise specifically provided in Paragraph 2.1.10 - 2.1.12 of Schedule 2 to the S106 Agreement) no development shall begin within Phase 1 or any Sub-Phase unless and until a) The Phase 1 Details for the Critical Infrastructure (Pre-Phase) to be delivered or provided in accordance with the Primary Development Delivery Programme as part of the whole (or any approved Sub-Phase) of Phase 1 as listed below have been submitted to and approved in writing by the LPA in accordance with the relevant parameters and principles contained in the DSF and the Design and Access Statement (including the Design Guidelines); and b) All Necessary Consents have been agreed, obtained permitted or otherwise authorised to enable the Critical Infrastructure (Pre-Phase) for the whole of (or any approved Sub-Phase of) Phase 1 to be begun and completed in accordance with the LPA’s approval of the Phase 1 Details as listed below (subject to any amendments to the Indicative Phasing Plan or any defined Sub-Phases which may be approved in accordance with Condition 4.2 and Clauses 13 and 14 of the S106 Agreement):.....

(vii) Claremont Avenue (Phase ~~4AN 1BS~~);

(viii) Claremont Road Junction North (Phase ~~4AN 1BS~~);....

(xvi) High Street South (East Works) (Phase ~~4AN 1BS~~);....

(xxxv) Clitterhouse Playing Fields Improvements (Part 1) (Phase ~~4AN 1BS~~);....

(xxxiii) Claremont Park Improvements (Phase ~~4AN 1BS~~);”

Condition 14.1 Pre-Phase 2 Commencement Submissions

“No development shall take place within Phase 2 (South) or any Sub- Phase of Phase 2 (South) unless and until a) The Phase 2 Details for the Critical Infrastructure (Pre-Phase) to be delivered or provided in accordance with the Detailed Delivery (Non PDP) Programme as part of the whole (or any approved Sub-Phase of Phase 2) as listed below have been submitted to and approved in writing by the LPA (in accordance with the relevant parameters and principles contained in the DSF and the Design and Access Statement (including the Design Guidelines); and b) All Necessary Consents have been agreed, obtained, permitted or otherwise authorised to enable the Critical Infrastructure (Pre-Phase) for the whole of (or any approved Sub-Phase of) Phase 2 to be begun and completed in accordance with the LPA’s approval of the Phase 2 Details as listed below (subject to any amendments to the

Indicative Phasing Plan or any defined Sub-Phases which may be approved in accordance with Condition 4.2 and Clauses 13 and 14 of the S106 Agreement):
Strategic Access Points

- (i) A41 Whitefield Avenue Junction Primary and secondary roads, Cycle and pedestrian routes, and associated junctions, as shown on Parameter Plan 003;
- (ii) Claremont Park Road Part 2
- (iii) High Street South (except the High Street South (East Works) which are part of Phase ~~1A (North)-1B (South)~~)”

Condition 20.20 attached to the 2014 Permission:

“Not to close to the public or to redevelop any part of Clarefield Park (~~save for that part of the northern area of the park adjacent to the Tempelhof Link Road as required to construct and deliver Tempelhof Link Road~~) unless and until the practical completion to a standard capable of public use of ~~Claremont Park and Clitterhouse Playing Fields Part 1 (excluding Clitterhouse Stream Nature Park) in accordance with all relevant Necessary Consents and the parameters and principles set out in paragraph 2.68 of the DSF and the Phase 1 Details relating to it.~~ of Clarefield Park Temporary Replacement Open Space, and such space is to remain open to the public until the practical completion of Claremont Park Improvements and Clitterhouse Playing Fields Improvements (Part 1) (unless agreed otherwise with the Local Planning Authority).

It is proposed to make the following non-material amendment to Condition 20.26:

Not to Occupy more than ~~750~~ 200 residential units in the Market Quarter Zone prior to the practical completion and provision of the Claremont Park Improvements in accordance with the relevant Necessary Consents.

It is proposed to add a new Condition 20.24 to the 2014 Permission as follows:

No improvement works to commence in Clitterhouse Playing Fields Improvements (Part 1) until Claremont Park Improvements are completed and open to the public (unless otherwise agreed in writing with the LPA).

Clitterhouse Playing Fields Improvements (Part 1) shall be undertaken in phases (of no more than three broadly equivalent phases (by area)) and such phases are to be agreed in writing with the LPA prior to commencing Clitterhouse Playing Fields Improvements (Part 1). Any such phase must be substantially complete and open to the public prior to the beginning of the subsequent phase (unless otherwise agreed with the LPA).

Not to Occupy more than 750 residential units south of the A406 prior to the practical completion of the first phase of Clitterhouse Playing Fields Improvements (Part 1)

Not to Occupy more than 1,400 residential units south of the A406 prior to the practical completion and provision of the Clitterhouse Playing Fields Improvements (Part 1).

2) Changes to Reserved Matters Approval Ref: 15/03312/RMA

“The development (save for Claremont Avenue, Claremont Road Junction North, Orchard Lane and High Street South (East Works)) hereby permitted shall be carried out in accordance with the following approved plans unless minor variations are agreed in writing after the date of this reserved matters consent with the Local Planning Authority:...

It is proposed to delete the following plans from Condition 1 as they are to be superseded by the drawings submitted under the amended RMA 15/06571/RMA:

- Tempelhof Bridge (B1) - Tempelhof Avenue Level General Arrangement - BXCRURS- B1-HS-AP-SE-00001 P05
- Tempelhof Bridge (B1) - North Abutment Details BXCR-URS-B1-HS-AP-SE-00002 P04
- Tempelhof Bridge (B1) - Pier 1 Details - BXCR-URS-B1-HS-AP-SE-00003 P04
- Tempelhof Bridge (B1) - Pier 2 Details - BXCR-URS-B1-HS-AP-SE-00004 P04
- Tempelhof Bridge (B1) - Pier 3 Details - BXCR-URS-B1-HS-AP-SE-00005 P04
- Tempelhof Bridge (B1) - South Abutment Details - BXCR-URS-B1-HS-AP-SE-00006 P04
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 1 of 3) BXCR-URS-B1-HS-AP-SE-01001P03
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 2 of 3) BXCR-URS-B1-HS-AP-SE-01002P03
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 3 of 3) BXCR-URS-B1-HS-AP-SE-01003P03
- Tempelhof Bridge - General Arrangement - North Approach Embankment - BXCRURS- B1-HS-AP-SE-02001 P04

It is also proposed to add the following Condition (Condition 1A)

“The development of Claremont Avenue, Claremont Road Junction North, Orchard Lane and High Street South (East Works) hereby permitted shall be carried out in accordance with the following approved plans unless minor variations (including any integration works required to connect the infrastructure delivered under Condition 1) are agreed in writing after the date of this reserved matters consent with the Local Planning Authority.

Highways Alignment - General Arrangement Phase 1A North - Sheet 15 BXCURS-AH-RM-DR-CE-00015 P08;
Brent Cross Phase 1A North Site Location Plan Re-Phased Alignment Sheet 8 BXC-URS-AH-RM-SK-CE-00018 P02; and
Brent Cross Phase 1A North Site Location Plan Re-Phased Alignment Sheet 14 BXC-URS-AH-RM-SK-CE-00019 P02.

3) Changes to Reserved Matters Approval 15/00720/RMA

Amendment to Condition 9 as follows:

~~No material operation relating to the construction of the residential units on Plots 53 and 54 shall commence until arrangements have been made to the written satisfaction of the Local Planning Authority for the provision of the Claremont Park Improvements and the Clitterhouse Playing Fields Improvements (Part 1) and submission against this condition must include a clear commitment to a timetable of delivery.~~

~~No residential units on the Brent Terrace triangles shall be occupied prior to the practical completion and provision of the Claremont Park Improvements and the Clitterhouse Playing Fields Improvements (Part 1) in accordance with the relevant Necessary Consents unless otherwise agreed in writing by the Local Planning Authority.~~

Not to Occupy any residential floorspace on Plots 53 and 54 until a construction contract is in place for the Claremont Park Improvements.

Reason: To ensure the loss of open space on Plots 53 and 54 triangles is mitigated in an appropriate timescale by proportionate improvements to open **space**

LOCATION: Bridge Structure B1 (Replacement A406 Tempelhof Bridge), Brent Cross Cricklewood Regeneration Area, London NW2

REFERENCE: 15/06571/RMA **Received:** 27 October 2015

Accepted: 27 October 2015

WARD: Childs Hill, Golders **Expiry:** 26 January 2016
Green, West Hendon

APPLICANT: Brent Cross Development Partners

PROPOSAL: Submission of Reserved Matters Application within Phase 1A (North) of the Brent Cross Cricklewood Regeneration Area; relating to Layout, Scale, Appearance, Access and Landscaping for Bridge Structure B1 (Replacement A406 Tempelhof Bridge). Submission is pursuant to conditions 1.2.1A, and 2.1 and for the part discharge of condition 13.1 of planning permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area.

RECOMMENDATION

This application is recommended for **APPROVAL** subject to conditions and informative(s) attached in **Appendix 1**.

1. APPLICATION SUMMARY

This is a Reserved Matters Application submitted by the Brent Cross (BXC) Development Partners relating to Phase 1A (North) of the Brent Cross Cricklewood regeneration. The application seeks approval for an alternative design for Bridge Structure B1 (Replacement A406 Tempelhof Bridge) in relation to the reserved matters of scale, layout, access and appearance pursuant to Conditions 1.2.1.A, 2.1 and also seeks the part discharge of Condition 13.1 of the 2014 Section 73 planning consent for the redevelopment of the Brent Cross Cricklewood regeneration area (Planning reference F/04687/13) (the 's73 Permission').

Reserved Matters for Phase 1A (North) were approved in 2015 which included infrastructure items (junction improvements, roads, bridges and the diversion of the River Brent); the central stretch of the new Central Brent Riverside Park; open space improvements to Clitterhouse Playing Fields and Claremont Park and the residential development of Plots 53 and 54 (the Brent Terrace Triangles).

Following the approval of the Phase 1A (North) Reserved Matters, the BXC Development Partners investigated alternative designs for a number of specific highway infrastructure items and as a result a further four Reserved Matters Applications (RMAs) were submitted to the London Borough of Barnet (LBB) in October 2015. Three of these RMAs were approved in 2016 and are listed below:

1. Tilling Road West Realignment and Diversion (Part 1) RMA – alternative design to the Tilling Road / Brent Terrace North junction which reduces the need for temporary tie in works to align the junction with existing Brent Terrace North (Approved: 29/02/2015; Ref: 15/06572/RMA)
2. River Bridge 1 and Central and Western River Brent Alteration & Diversion Works RMA – an alternative design for River Bridge 1 (the western element of the Western Roundabout) which lengthens the structure to improve buildability of the bridge abutments. This results in an alternative design to a small element of the Central and Western River Brent Alterations and Diversion works where it passes through the Western Roundabout (Approved: 29/02/2015; Ref: 15/06573/RMA) and
3. Central Brent Riverside Park – as a result of the above proposed alterations to River Bridge 1, alternative designs are proposed for a small section of the River Park including to Nature Park NP5 (Approved: 29/02/2015; Ref: 15/06574/RMA).

The remaining RMA relates to Bridge Structure B1 (Replacement A406 Tempelhof Bridge) and is the subject of this report.

1.1 Bridge Structure B1 (Replacement A406 Templehof Bridge)

In January 2016, Reserved Matters Ref: 15/03312/RMA approved Phase 1A (North) highway infrastructure items, including Bridge Structure B1 which is a replacement for the existing Templehof Bridge over the A406 North Circular. The approved design consisted of two northbound and two southbound vehicular lanes (including a dedicated bus lane either direction), pedestrian footways both sides and a segregated two way cycle lane on the western side of the bridge.

Since the approval of the Phase 1A (North) RMA, the BXC Development Partners investigated an alternative design for Templehof Bridge and Reserved Matters were submitted to London Borough of Barnet (LBB) in October 2015. This alternative design reduced the overall width of the bridge by removing the dedicated bus lanes, leaving one vehicular lane for all traffic in each direction. Pedestrian and cyclist facilities remained unaltered. Following consultation on the application there were concerns from TfL regarding the impact on bus services from the removal of both bus lanes. The application remained undetermined and discussions continued between the BXC Development Partners and relevant highway authorities. Following detailed traffic modelling a revised design has been proposed. The proposed bridge configuration now comprises three lanes of traffic including a northbound bus lane, a footway and segregated two way cycle lane on the western side. No footway is proposed on the eastern side. To incorporate the necessary changes amended plans were submitted to the LPA on 24th November 2016 and a further round of consultation undertaken.

The width of the bridge has reduced compared to the previously approved structure by the removal of one of the dedicated bus lanes and the footway on the eastern side. The length has reduced due to moving the northern abutment south and the southern abutment north. In comparison to the approved design, the alternative bridge would approximately measure 164m in length and between 17.6m and 21.8m in width.

The BXC Development Partners have advised that the alternative Templehof Bridge structure can now be substantially constructed prior to the existing bridge needing to be demolished. This would enable the existing bridge to remain in operation while the new one is constructed before diverting traffic onto the new bridge. This offers potential improvements to the construction programme with a shorter period of construction taking place over the A406 North Circular and would be a deliverability benefit for the overall project.

The bridge deck level of the proposed alternative design is within the defined limit of deviation across the realigned River Brent, Prince Charles Drive and the A406 North Circular Road as identified on Parameter Plan 006 of the s73 Permission. However, the proposal is marginally (0.4m) beneath the minimum width parameters. In this respect, an application under Condition 2.4 and 2.5 has therefore been submitted to provide minor amendments to the approved parameters and controls contained within the Revised Design Specification

Framework (RDSF), Design and Access Statement (RDAS) and Revised Design Guideline (RDG) to reflect the revised bridge design.

As a consequence of this design, it will also be necessary to amend the definition 'Bridge Structure (Replacement A406 Tempelhof Bridge)' contained in the Glossary to conditions attached to the s73 Permission. This will be achieved through condition 1.30 which allows minor revisions to the Glossary agreed in writing with the Local Planning Authority (LPA).

The proposed alternative design for the bridge structure is substantially in accordance with the identified parameters and principles of the s73 Permission subject to the minor variations required under Conditions 2.4 and 2.5.

The Reserved Matters Application was submitted on 27 October 2015 to comply with the conditions and deadlines within the Section 73 planning permission and the provisions of the Section 92 of the Town & County Planning Act 1990 (as amended). Amended plans, clarifications and updates to the Reserved Matters Transport Report Addendum and EIA Addendum Further Information Report were submitted to London Borough of Barnet on 24th November 2016.

2. RELEVANT PLANNING HISTORY

2.1 Outline Consent

The principle of development at Brent Cross Cricklewood was first established by way of a site-specific Development Framework produced in April 2004 as Supplementary Planning Guidance (SPG) in accordance with the London Plan. The SPG established a vision to *'to create a new gateway for London and a vibrant urban area for Barnet'*.

The comprehensive redevelopment of the wider Brent Cross Cricklewood regeneration area was subsequently granted planning permission in outline in 2010 under planning permission C/17559/08 (the '2010 permission'). This permission was subsequently revised under a Section 73 planning application (F/04687/13) which was approved on 23 July 2014 (the 's73 Permission') as described below:

Section 73 Planning application to develop land without complying with the conditions attached to Planning Permission Ref C/17559/08, granted on 28 October 2010 ('the 2010 Permission'), for development as described below: Comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 - A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology,

petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development (Outline Application).

Both the 2010 and s73 Permissions were subject to Environmental Impact Assessment. Details of the permissions are provided in **Appendix 2** (Relevant Planning History).

2.2 Phasing of the BXC Regeneration Scheme

The s73 permission is a multi-phase scheme. The permission proposes the phased delivery of the comprehensive development for the whole site in accordance with the planning policy.

Phase 1 is proposed to be delivered in sub phases which are divided between north and south. The land to the north of the North Circular will continue to be delivered by Hammerson and Standard Life. The land to the south of the North Circular will be delivered by a joint venture known as Brent Cross South Limited Partnership (“BXS LP”) between the Council and Argent Related (which is itself a joint venture partnership between Argent and Related Companies).

The sub phases for Phase 1 are as follows:

- Phase 1A (North) – this includes all the highways infrastructure to support the northern development including the key highways infrastructure to support the Phase 1 South, such as the improvements to the southern junctions of the A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements. In addition the River Brent re-routeing and Bridge works will be delivered as part of Phase 1A (North), the Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and the Claremont Park Improvements, and the residential development of Plots 53 and 54 to enable the decant of the Whitefield Estate Existing Units (Part 1). The Living Bridge is included in Phase 1A (North). Under the Revised Section 106 Agreement, its delivery will be triggered by the commencement of Phase 1B (North) and its delivery will be programmed to commence

and be completed no later than before the occupation of Phase 1B North plots.

- Phase 1A (South) – A number of highway improvements needed to support Phase 1 of the Southern Development will be provided including the Waste Handling Facility (Diverted Geron Way/A5 junction; Claremont Park Road (Part 1); and School Lane Works.
- Phase 1B (North) – This includes all of the plot development on the north side with the exception of the residential development within the Brent Cross West Zone. The sub phase also includes the new bus station, reconfigured shopping centre, Brent Cross Main Square, High Street North and other northern pedestrian routes, as well as the Riverside Park, Sturgess Park Improvements and around 300 housing units. Commencement of this Sub-Phase will trigger the BXP's obligations to deliver the Living Bridge which will link into the buildings and public realm to be provided on the Plots forming part of this Sub-Phase.
- Phase 1B (South) – This includes the Market Square, the Clarefield Park Temporary Replacement Open Space, the replacement food store, the Waste Handling facility, the CHP and the new and expanded Claremont School, in addition to more than 1000 residential units.
- Phase 1C – This will include the remaining plot development on the south side

2.3 Reserved Matters Applications

Previously Approved RMAs

Reserved Matters have been approved for all of the components of Phase 1A (North). Details are set out in **Appendix 2** (Relevant Planning History) of this report. The reserved matters for Phase 1A (South) were approved in February 2016. The RMA for this sub-phase comprises two stretches of new road: Claremont Park Road and School Lane. This sub-phase connects to road infrastructure approved under Phase 1A (North) RMAs. Details are also set out in Appendix 2.

Phase 1A North Current RMA

A review of the design of aspects of the approved Phase 1A (North) resulted in the Brent Cross Development Partners submitting four further reserved matters applications in October 2015 for alternative designs for specific items of infrastructure within Phase 1A (North). Three of these reserved matters applications have now been approved on 29/02/2016, and the remaining Phase 1A (North) reserved matters application is subject to this planning committee.

Phase Changing Applications

An application under condition 4.2 of the s73 Permission was submitted in November 2016 (reference 16/7489/CON) to allow a phase change of six items of critical infrastructure from Phase 1A (North) to Phase 1B (South) thereby transferring responsibility for delivery of these infrastructure items from the Northern development partner to the Southern development partner.

These infrastructure Items include:

- Claremont Avenue (up to the junction with Tempelhof Link Road and Tiling road);
- Claremont Road Junction North;
- High Street South (East Works);
- Orchard Lane;
- Claremont Park Improvements; and
- Clitterhouse Playing Fields Improvements (Part 1).

The following associated applications were also submitted at the same time:

- An application under Section 96A to make non material alterations to: Condition 13.1 attached to the s73 Permission to identify the six infrastructure items as part of Phase 1B (South), rather than Phase 1A (North); Condition 14.1 attached to the s73 Permission to identify High Street South (East) being within Phase 1B (South); Condition 9 of Reserved Matters Approval Ref No: 15/00720/RMA relating to the revised delivery of Clitterhouse Playing Fields (Part 1) and Claremont Park; Conditions 20.20 and 20.26 of the s73 Permission relating to existing Clarefield Park, and inserting a new condition (Condition 20.24) relating to re-phasing of Clitterhouse Playing Fields (Part 1); and Condition 1 of Reserved Matters Approval Ref No: 15/03312/RMA and inserting new Condition 1A relating to the approved drawings associated with the re-phased items of highway infrastructure (Reference 16/7574/NMA).
- A submission under Condition 2.4 and 2.5 of the s73 Permission to make consequential changes to the approved control documents to reflect the amended design of Bridge Structure B1 and revised phasing, and amendments to definitions under Condition 1.30 attached to the s73 Permission (Reference 16/7490/CON).
- A submission under Condition 1 of the Reserved Matters approval (Ref: 15/03312/RMA) to update plans contained in Volume 4 of the submission. Amendments include alternations to the approved design to allow two way traffic flows on the Tempelhof Link Road, to accommodate the re-phasing of High Street South (East Works) and Claremont Avenue, and alterations to the Claremont Road/ Tiling Road Junction to create a signalised junction.

2.5 Pre-Reserved Matters Conditions

The s73 permission includes a number of Pre-Reserved Matters conditions intended to establish key principles of the forthcoming development. The majority of these require submission of reports and strategies prior to applications for reserved matters being submitted to the LPA.

Reserved Matters applications are required to accord with commitments and strategies approved under these conditions where relevant. The relevant Pre-RMA Conditions related to Phase 1A (North) of the development have previously been approved prior to the approval of the RMAs in 2015. These are set out in **Appendix 2** (Relevant Planning History). It should be noted that a revised scope for the Reserved Matters Transport Report Addendum was submitted under Condition 37.1 (Ref: 15/06452/CON) and approved on 23 October 2015 to agree the methodology for specific traffic modelling to support the Reserved Matters Application.

Updates to Pre-RMA Conditions

A number of the Pre-RMA Conditions are structured such that they require subsequent RMAs to be in accordance with the documents approved under the condition. As a result of the current RMA, a review of the relevant approved Pre-RMA Conditions has been undertaken by the Development Partners planning consultants. This review has identified areas within the strategies and documents previously approved under the Pre-RMA conditions that need to be updated to ensure that they align with the alternative infrastructure designs now being proposed under these latest RMAs. A list of the current Pre-RMA conditions is also provided in **Appendix 2** (Relevant Planning History)

3. DESCRIPTION OF THE SITE AND PROPOSAL

3.1 Site Description and Surroundings

The planning consent for the Brent Cross Cricklewood development relates to a 151 hectare site which is defined to the west by the Edgware Road (A5) and the Midland mainline railway line and to the east by the A41, and is bisected east to west by the A406 North Circular Road. It is adjacent to Junction 1 of the M1 (Staples Corner) and includes the existing Brent Cross Shopping Centre and Bus Station to the north of the North Circular as well as the existing Sturgess Park.

To the south of the North Circular Road the area contains the Brent South Shopping Park, existing Tesco store and Toys 'R' Us store, the Whitefield estate (approximately 220 units), Whitefield Secondary School, Mapledown Special School and Claremont Primary School; Hendon Leisure Centre, Brent

Cross London Underground Station to the east; Clarefield and Claremont Parks and Clitterhouse Playing Fields (Metropolitan Open Land); the Hendon Waste Transfer Station, Claremont Way Industrial Estate and Cricklewood Railway Station to the far south. The application site includes parts of Cricklewood Lane, including the open space in front of the B & Q store.

The Templehof Bridge and the A41 flyover provide the only existing direct north-south link across the North Circular Road within the site. A section of the River Brent, contained within a concrete channel, flows east to west through the site to the south of the shopping centre.

The London Borough of Brent is located to the immediate west of the application site, on the opposite side of the A5 Edgware Road. The London Borough of Camden adjoins the site to the south at Cricklewood Town Centre. The site is dominated and constrained by the existing road network and rail infrastructure. It contains industrial land, former railway land, retail 'sheds' and large areas of surface car parking. In these parts of the site comprehensive redevelopment is required to enable the provision of a sustainable mixed use town centre and to create an acceptable residential environment.

To the north, east and south, the site is surrounded by traditional low rise suburban development, predominantly two storey semi-detached houses. These areas of existing housing - with the exception of the Whitefield Estate - are not directly subject to the proposals as they are not contained within the planning application boundary.

The application site currently has a public transport accessibility level (PTAL) varying between 1 and 5, where 1 is low and 6 is high. It includes key parts of the Transport for London Road Network (TLRN) at Hendon Way (A41) and the North Circular Road (A406).

The site is also bounded by the A5 Edgware Road, part of the Strategic Road Network (SRN). The area also includes sections of the Midland Mainline railway between London St. Pancras and the north of England, including the existing Cricklewood Station. The Edgware branch of the Northern line also runs close to the site and Brent Cross Underground Station is within the Eastern boundary of the regeneration area. Brent Cross Bus Station provides access to 18 bus routes (including Green Line). The majority of these services provide access from and through the site via the TLRN or SRN.

3.2 Site for Bridge Structure B1 (Replacement A406 Tempelhof Bridge)

The proposed replacement A406 Tempelhof Bridge will be located immediately to the east of the existing structure. It will span over the A406 North Circular, Tilling Road and the diverted River Brent. The northern end of the proposed bridge will connect to Prince Charles Drive via the western roundabout, and the southern end will connect to Tempelhof Link Road, connecting to Tilling Road (subject to the approval of the Section 96a

Application Ref: 16/7574/NMA), to accommodate two-way traffic flows and into future southern development proposals.

The land on the north side of the A406 North Circular comprises the car parks associated with Brent Cross Shopping Centre and Etheridge Road, which provides access to the existing Prince Charles Drive. The Holiday Inn hotel is located immediately to the east of the southern end of the bridge and the bridge will pass over the car park associated with the hotel.

3.3 Description of the proposal for the Alternative Bridge Structure B1

Bridge Structure B1 approved under Application Ref: 15/03312/RMA

Reserved matters have previously been approved for Phase 1A (North) Infrastructure (15/03312/RMA), which included Bridge Structure B1 (Replacement A406 Tempelhof Bridge), and associated works for Tempelhof Avenue. The application drawings that formed the basis of the approved application illustrated the bridge consisting of two northbound and two southbound vehicular lanes (one of which is a dedicated bus lane in each direction). The key dimensions of the bridge approved were 28m in width and 171m in length (including ramps).

Under this RMA, Bridge Structure B1 was approved to form a key north / south link across the A406 between the Prince Charles Drive western roundabout to the north and Claremont Road to the south. A segregated footway/ two way cycle lane will be provided alongside the northbound carriageway (west side of the bridge), linking with a segregated facility and toucan crossing at Claremont Avenue.

To the north of the A406, the segregated footway and two way cycle lane will adjoin with a shared footway / cycleway facility, connecting with the shopping centre car park access road and the shopping centre cycle parking provision. A toucan crossing will be provided across Tempelhof Avenue, in order to provide access to cycle parking located at the Brent Cross Shopping Centre Tempelhof Circus entrance. A pedestrian only footway will be provided alongside the southbound carriageway (east side of the bridge) between the toucan crossing across Tempelhof Avenue and High Street south (East Works).

For a full description of the overall infrastructure within Phase 1A (North) and wider context of improvements being delivered in this phase of the development please refer to committee report for application Ref: 15/03312/RMA reported to the 10th September 2015 Planning Committee.

Alternative proposal for Bridge Structure B1

Since the approval of the Infrastructure Reserved Matters for Phase 1A (North), the Brent Cross Development Partners have investigated an alternative option for the design of the replacement Tempelhof Bridge and

Reserves Matters were submitted to the LPA in October 2015, to comply with the conditions and deadlines within the s73 permission.

This alternative bridge design proposed to provide two lanes for all traffic, following the removal of the dedicated bus lanes. These two lanes were to be utilised by both public transport and private vehicles. As with the design approved under RMA (Ref 15/03312/RMA) a segregated footway and cycleway would be provided on the western side of the bridge and a footway provided on the eastern side. However following this submission, the Reserves Matters remained undetermined and discussions continued amongst the BXC development partners and relevant highway authorities in relation to the traffic modelling and assessment of bus services. On the basis of relevant discussions, the development partners have submitted amended plans which form part of this application.

As identified on Drawing Ref: BXCR-URS-B1-HS-AP-SE-00001_P15, the proposed alternative structure measures approximately 164m in length and between 17.6m and 21.8m in width, and will have a minimum clearance of 5.3m above public highways beneath. The amended plans submitted comprise three traffic lanes incorporating a northbound bus lane, a segregated pedestrian footway and two way cycle lanes on the eastern side. No pedestrian footway is now proposed on the eastern side of the bridge. The northern end of the proposed bridge will connect to Prince Charles Drive via the western roundabout, and the southern end will connect to Tempelhof Link Road connecting to Tilling Road (subject to the approval of the Section 96a Application Ref: 16/7574/NM) to accommodate two-way traffic flows and into Market Quarter, as the delivery of future southern proposals come forward. As a result of this design, the length and width of Bridge Structure B1 are reduced in comparison to the design approved under ref: 15/03312/RMA.

The width will reduce as a consequence of eliminating the southbound bus lane and eastern footway, and the length will reduce due to moving the northern abutment south and the southern abutment north. Overall a narrower and shorter bridge will be provided.

The application consequently is supported by the following amended /additional documents:

- Application Covering Letter
- Explanatory Report (Volume 2, Phase 1A (North)/ Phase 1B (South) Re-phasing, Brent Cross Cricklewood (November 2016)
- Reserved Matters Transport Report Phase 1A North Addendum, Phase 1A North: Infrastructure Re-Phasing Rev 3 (November 2016)
- Brent Cross Cricklewood: Environmental Statement (Phase 1A North Re-Phasing Works and Tempelhof Bridge Amendments (November 2016)
- Application Drawings (Please refer to Appendix 1 for further details)

4. MATERIAL CONSIDERATIONS

4.1 Key Relevant Planning Policy

In this case, the Development Plan comprises the London Plan (Consolidated with Further Alterations since 2011) (March 2016) at the strategic level and, at the local level, Barnet's Local Plan (Core Strategy (2012)) and the Saved UDP Policies GCRICK and C1-C11, which apply to the application site and are supplemented by the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework (2005).

The Council's Development Management Policies DPD (2012) states at paragraph 1.4.3 that it will not apply to planning applications for comprehensive development in the Brent Cross unless and until the Core Strategy is reviewed in accordance with Policy CS2 and Section 20:13 of the Core Strategy.

Detailed consideration of the application against key London Plan and London Borough of Barnet policies can be found in **Appendix 3** (Policy Compliance). In summary, the application is considered to be in accordance with relevant planning policies.

The application is for matters reserved following the grant of the outline planning permission and the Section 73 permission, and as such the policy considerations and principles have previously been considered and have been found to have been met.

National Planning Policy Framework

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

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

4.2 Public Consultations and Views Expressed

Public Consultation

759 local residents were consulted by letter dated 28 October 2015 allowing a five week consultation period expiring on 25th November 2015. The application was advertised in the Local Press Newspaper notice dated 28 October 2015 and 6 site notices were erected proximity to the development site on the same date. The public consultation letters allowed a 5 week period

to respond and 1 letter of objection was received in response to this initial consultation.

Statutory consultees and other interest groups were also consulted with regards to this planning application, and a small number of third party representations have been made.

Second re-consultation period:

Following the receipt of amendments and clarifications to the updated Reserved Matters Transport Report Addendum and EIA Addendum Further Information Report, 759 local residents were re-consulted by letter dated 1 February 2016 allowing a two week re-consultation period expiring on 15 February 2016. Statutory Consultees and other interest groups were also re-consulted and no letters of objection were received.

Third re- Consultation period:

Following the receipt of amended plans, amendments to the Reserved Matters Transport Report Addendum and EIA Addendum Further Information Report, 759 local residents were re-consulted 9th December 2016. The letters allowed a two week period for the re-consultation period expiring on 23rd December 2016 and 2 letters of objection were received in response to this third consultation process.

As a result of an administrative error, statutory consultees and other interest groups were later consulted on 4th January 2017 with regards to this planning application, allowing a two week consultation re-consultation period expiring on 18th January 2017.

A summary of the comments received and officer comments in response to the first and third consultation period can be found under **Appendix 4** (Objections and Officer Responses) of this report. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

The Section 73 Permission includes a requirement under Condition 1.23 for submission of a Public Consultation Strategy This was submitted to the Council and considered under planning reference 14/07891/CON. It was approved on 31 March 2015. Details of the developer's own consultation process are set out in the Statement of Community Involvement submitted with the previous Phase 1A (North) Reserved Matters submissions and accorded with the requirements of the approved strategy.

Consultation Responses from Statutory Consultees and Other Bodies

The application has been subject to statutory consultation and a small number of third party representations have been made. No significant issues have been raised that have not been addressed or which would move officers to recommend refusal. A summary of the comments received from statutory

consultees and other bodies and officer comments in response can be found under **Appendix 4** (Objections and Officer Responses) of this report.

Internal Consultation responses

Traffic and Development:

The comprehensive redevelopment of the Brent Cross site integrates the development with the surrounding residential streets and facilitates improved public transport, pedestrian and cycle connections throughout the local area.

The proposed alterations to the Tempelhof Bridge and the highway network to the south of the bridge have been subject to review and assessment by officers who raise no objections to the development.

The Phase 1A (North) Reserved Matters Transport Report has been based on extensive analysis, undertaken to examine the existing situation and to use suitable data to build acceptable models of the area. All assessment work is in accordance with national guidance and best practice on schemes of this nature and size, taking into Transport for London and London Borough of Barnet planning policies.

The resultant changes to vehicle trips will be satisfactorily accommodated within the transport network, provided that the proposed package of transport works is implemented, with no detrimental impact on public transport provision.

The detailed assessment of the proposals is reviewed in section 6.4 of this report.

Officers consider that the impacts of the development on the transport network have been robustly assessed, and that all appropriate mitigation measures and control mechanisms are provided for, should permission be granted. The planning conditions and obligations recommended in this report are considered to provide an effective framework of control and officers therefore recommend the scheme for approval on matters relating to highways and transport.

Environmental Health:

EH officers have reviewed the details submitted for this Reserved Matters Application and have no objections.

5. PLANNING AND TRANSPORT ASSESSMENT

6.1 Section 73 Parameters and Controls

The Section 73 Planning Application for Brent Cross Cricklewood regeneration is an ‘hybrid’ permission; in that planning permission has been granted in outline for the majority of the proposed development. Whilst detailed permission has been granted in relation to the key gateway access junctions, this application is for matters reserved.

The s73 permission defines Bridge Structure B1 (Replacement A406 Tempelhof Bridge) as follows:

“Bridge Structure B1 (Replacement A406 Templehof Bridge)” means the creation of a replacement road bridge to provide a link over the A406 to link Market Quarter and Brent Cross East and West Zones to include insofar as reasonably practicable provision for bus lanes, step free access and cycle access (without dismounting) in accordance with the parameters and principles as set out in paragraphs 4.5 and 4.6 of the DSF and the following plans:

- ***Parameter Plan 002;***
- ***47067355-A406-12-SK-014 Rev C;***
- ***47067355-A406-12-SK-015 Rev B;***
- ***47067355-A406-12-SK-016 Rev A;***
- ***47067355-A406-12-SK-020A; and***
- ***47067355-A406-12-SK-021A.”***

A series of Parameter Plans and control documents were approved under the s73 Permission to provide the framework to control and assess reserved matters. The principle controls are the Revised Development Specification and Framework (RDSF), revised Design Guidelines (RDG), revised Public Realm and Open Stage Strategy (PROSS) and a revised Design and Access Statement (RDAS). Condition 1.16 requires all Reserved Matters to be in accordance with the parameters and principles contained in the following documents:

1. The RDSF provides a detailed specification of the key components of the development (the primary structural elements of the application with regard to access, movement, scale, use, and urban structure and hierarchy) together with a framework to guide its implementation. It also specifies the parameters, principles, constraints and restrictions within which the ‘flexible’ elements of the scheme are contained. The principal aim of the document is to guide the physical aspects of the development in order to create a high quality scheme which is within the scope of what has been assessed through the Environmental Impact Assessment process;

2. The RDAS describes how the primary structural elements combine to establish the character and identity of the development and the way in which development zones come together to form an integrated, diverse, new town centre. It provides a general understanding of the intended character and identity of the development. Many of the aspects of the RDAS are noted to be for illustrative purposes only; and
3. The RDG are a working tool that can be used to inform the design process; shaping the way in which BXC evolves over time. It provides a thorough inventory of the key ordering elements that will combine to form the character and identity outlined in the DAS. The RDG identifies Illustrative Street Typologies which provide an illustrative guide to help the way in which streets defined in Parameter Plan 003 could be developed. These typologies are intended to provide a general guide not a detailed or fixed definition of the final condition as built and it is the over-arching character of the streetscape that is under consideration.

Principles approved under the Revised Design and Specification Framework:

The relevant Parameter Plans and supporting text approved in the RDSF in relation to Bridge Structure B1 (replacement Tempelhof Bridge) are as follows:

Paragraph 4.4 of the RDSF states that bridges are to be constructed in accordance with the principles and parameters set out in the RDSF and in general conformity with the relevant Approval in Principle (AiP) plans. The parameters in the RDSF typically relate to the length, width and height of the structure, along with other key criteria e.g. piers, lifts and ramps etc. The AiP plans show the application of these parameters alongside an indicative design and other technical information. Therefore, the detailed design of the bridge must be in accordance with the parameters of the RDSF as shown on the AiP plans. The AiP plans do not control the detailed design, in this respect Bridge Structure B1 is subject to the approval of this Reserved Matters Application.

The relevant Approval in Principle plans are: 47067355-A406-12-SK-014 Rev C, 47067355-A406-12-SK-015 Rev B, 47067355-A406-12-SK-016 Rev A, 47067355-A406-12-SK-020A and 47067355- A406-12-SK-021A, which demonstrate the proposed engineering solutions for the bridge based on the parameters set out in the RDSF

Paragraph 4.5 states that the alternative Tempelhof Bridge will have four lanes, two of which will have a public transport priority, as well as pedestrian and cyclist facilities. Though the general location of the bridge has been identified on Parameter Plan 002, the initial construction management principles are set of in Section 5.5 of the Construction Impact Assessment (BXC 21). In principle, the implementation of these works will be governed by a detailed phase delivery programme, which is subject to approval prior to

commencement of the relevant phase. (For further details regarding the delivery refer to Appendix 7 of the RDSF which sets out the infrastructure triggers).

Paragraph 4.6 sets parameters for the detailed design; this includes the overall length between abutments (160-200m) and width (18-34m) of the structure. Paragraph 4.6 requires that the bridge should have a minimum headroom clearance above the A406 of 5.3m and a maximum of 7m and intermediate piers as shown on the AIP plans shall be provided, none of which shall be located between individual lanes of the A406.

Parameter Plan 002 (Transport Infrastructure)

Parameter Plan 002 identifies various infrastructure elements proposed as part of the comprehensive development. This includes defining the location of existing and proposed junctions and highways, primary routes and the approximate location of secondary and tertiary routes. Building and development zone access points, vehicle and pedestrian bridges, transport interchange points and highways circulation are also identified.

With regards to Bridge Structure B1, Paragraph 12 supporting Parameter Plan 002 grants the bridge a limit of horizontal deviation of +/-15m. The main movement typology for this bridge will be vehicles, pedestrians, cyclists and public transport priority.

Parameter Plan 003 (Public Realm & Urban Structure)

The plan identifies the network of new and existing public spaces and routes between them for pedestrians and cyclists including primary circulation corridors for pedestrians and cyclists and secondary and tertiary routes.

Bridge Structure B1 is a replacement for the Tempelhof road bridge to provide a link over the A406 North Circular to connect Market Quarter and Brent Cross East and West Zones. The general location of the bridge is identified on Parameter Plans 002 and 003.

Parameter Plan 006 (Finished Site Levels)

In addition to the above parameter plans and principles, Parameter Plan 006 requires a bridge deck Level of 49.90m over the A406 North Circular Road and grants a +/-2m limit of vertical deviation to this.

Principles approved under the Revised Design and Access Statement:

Section 2.2.1 of the RDAS states that the new replaced and improved A406 Tempelhof bridge will form the primary connection between the north and south components of the scheme and is limited in its geography by the existing Holiday Inn Hotel and the need to allow head room for vehicles on the A406 below.

Section A3.1 of the RDAS states that the Tempelhof Bridge provides an improved vehicular and cycle connection across the A406 North Circular.

Section A3.9 of the RDAS states that Tempelhof Bridge will continue High Street South onto Tempelhof Avenue and provide a principal route for buses, cars, and cycles and pedestrians entering Brent Cross East from Cricklewood. The bridge will offer a multi modal link between north and south, comprising dedicated bus lanes, cycle routes, and pedestrian walkway.

Section A5.1 of the RDAS contains accessibility standards.

Principles approved under the Revised Design Guidelines:

Section B2.2.1 of the RDG provides an illustrative street typology for the route and identifies the A406 Bridge as being a strategic route for vehicular and public transport as well as pedestrians and cyclists.

Section B4.3.2 of the RDG contains a component schedule which provides a specification relating to types of planting, surfacing material, street furniture, public art and water features, threshold treatments, edge treatments and facilities to inform the design of routes including surface materials for bus lanes. However the component schedule does not prescribe that dedicated bus lanes must be provided but rather if they are provided it identifies the type of materials and the conditions that should be considered.

6.2 Bridge Structure B1 (Replacement A406 Tempelhof Bridge) Compliance with Parameter and Controls:

As identified on Drawing Ref: BXCR-URS-B1-HS-AP-SE-00001_P15, which illustrates the general arrangement of Bridge Structure B1, the alternative structure will accommodate three lanes of vehicular traffic. The design incorporates two northbound lanes, one designed as a dedicated public transport route (bus lane) and one southbound lane which will be utilised by all traffic. A segregated footway and two way cycle lane will be provided on the western side of the bridge (the footways on the eastern end of the bridge will not be provided).

The route over the replacement Tempelhof Bridge is classified as a Primary Route (Main Road). Paragraph 5, supporting text for Parameter Plan 002 (which has been modified through Condition 2.4/2.5 application ref: 15/05040/CON) sets out the requirements for all Primary Routes. Tempelhof Avenue should be designed to have a maximum width of 34m and minimum 13m, of which pedestrian footways should be a minimum of 2.5m (apart from Tempelhof Link Road which is to have a minimum pedestrian width of 2m). Drawings Ref: BXC-URS-AH-RM-DR-CE-00007_P14, BXC-URSAH-RM-DR-CE-00008_P13 and BXC-URS-AH-RM-DR-CE-00014_P12, illustrate a 4m segregated footway and two way cycle lane which provides 2m for pedestrians and 2m for cyclists (1m cycle lane for each direction). The segregated pedestrian footway has been reduced by 0.5m in comparison to

the principles approved, and LBB Highway Officers consider this reduction acceptable.

In principle, the alternative structure designed generally complies with requirements approved under Parameter Plan 002; subject to minor variations through Conditions 2.4 and Condition 2.5. The proposed route complies with the maximum and minimum road width requirements, the main movement typology is for vehicles, pedestrians, cyclists and public transport priority and the road has been designed within the limit of deviation between +/- 35.

The length and width of the alternative Tempelhof Bridge will be reduced. The width is to be reduced as a consequence of eliminating the southbound bus lane and footway, whilst the length is reduced by moving the northern abutment south and the southern abutment north. As identified on drawing ref: BXCR-URS-B1-HS-AP-SE-00001_P15, the proposed structure measures approximately 164m in length and between 17.6m and 21.8m in width, and will have a minimum clearance of 5.3m above public highways beneath. Whilst the minimum clearance, location of the abutments and length of the bridge complies with paragraph 4.6 and principles approved; the width is marginally (0.4m) beneath the minimum width parameters.

It should be noted that the proposed alternative Tempelhof Bridge has a maximum longitudinal gradient of 1:20, which is generally recognised by most standards as acceptable for most users, and does not deviate from the design approved under (Ref: 15/03312/RMA). Although many wheelchair users would be unable to proceed at gradients of more than 1 in 40, it is accepted that the proposals are a significant improvement in comparison to the existing situation; where a stepped ramp is the only off carriageway connection between the north and the south of the A406 in this location. Whilst this is accepted as a significant improvement, some design guidance suggests flatter gradients to accommodate all manual wheelchair users would be more appropriate. Due to the constraints of the site including the need for adequate headroom over the A406 provision of gradients below 1 in 20 would be unviable.

At its minimum level, the bridge deck level is 50.05m over River Brent and over the A406 North Circular Road the level is 51.05m. It is considered the bridge deck level is within the defined limit of deviation specified and on Parameter Plan 006 and therefore complies with the provisions outlined in the RDSF.

Surface materials for the alternative structure will be subject to technical approval in consultation with LBB Highway Officers and Transport of London to comply with the relevant Highway Standards.

In principle, it is considered that the alternative Tempelhof Bridge will continue to form a primary connection between the northern and southern components of the development. The route will cross the A406 North Circular between the Prince Charles Drive western roundabout and Claremont Road as part of the wider masterplan. With the delivery of Phase 1A (North), Tempelhof

Bridge will connect with Tempelhof Link Road providing a connection with the A406. Further details regarding the local transport networks and highway designs are considered separately under Section 6.4 of this report below.

The physical size of the alternative structure would be narrower than the parameters, but the design is broadly in accordance with the identified parameters and principles of the s73 Permission; subject to the minor changes required under Conditions 2.4 and 2.5.

It should be noted that there are a range of other conditions attached to the s73 Permission which require the submission and approval of further detailed information prior to the commencement of any work starting on site. These include, but are not limited to, delivery programme, drainage, construction environmental management plan, construction transport management, site waste management plan, noise and vibration monitoring, dust monitoring and control, air quality monitoring, archaeological investigation, detailed design of bridges etc.

6.3 Application under Conditions 2.4 and 2.5 for the variation to the RDSF, RDAS and RDG

Conditions 2.4 and 2.5 of the 2014 permission allow for amendments to be made to the RDSF, RDAS and RDG; to reflect or necessitate such amendments brought about through Reserved Matters Approvals, Other Matters Approvals or best practice guidance.

A separate application (Ref: 16/7490/CON) has been submitted under Conditions 2.4 and 2.5 in parallel with this reserved matters application, in order for minor updates to be made to the s73 Permission approved control documents as a consequence of the alternative design. In relation to the alternative Tempelhof Bridge RMA the application proposes the following changes:

- Reducing the number of vehicular traffic lanes to provide three lanes and one public transport priority route;
- Reducing the minimum bridge width parameters;
- Eliminating the southbound public transport priority route and footways;
- Reducing the minimum pedestrian footway width requirements.

In principle, the nature of the changes proposed are all considered acceptable by officers. Full details of the amendments proposed are provided in a separate report (Ref 16/7490/CON) also before Members at this planning committee. Approval of the application will ensure that the Reserved Matters Application is consistent with the section 73 approved and supporting documentation.

6.4 Highways Design and Transport Assessment

Tempelhof Avenue is a single carriageway with a speed limit of 30mph. The alternative design has been modified from four traffic lanes to three vehicular traffic lanes (one designed as a dedicated public transport route). As envisaged under the s73 permission and wider masterplan principles, Tempelhof Avenue will continue to provide a vital connection across the A406, forming a primary connection for private vehicles, public transport, pedestrians and cyclists traveling from the north and south between development zones Market Quarter and Brent Cross East.

With the delivery of Phase 1A (North), Tempelhof Bridge will provide a route connecting Tempelhof Link Road to the Prince Charles Drive western roundabout. A segregated footway and two way cycle lanes will be provided alongside the northbound carriageway, with a segregated facility and toucan crossing at the Tilling Road and Tempelhof Link Road junction. To the north of the A406 North Circular Road, the proposed segregated footway and cycleway will connect with a shared footway and cycleway facility, which will connect with the shopping centre car park access road. A toucan crossing will be provided across Tempelhof Avenue, in order to provide access to cycle parking provisions located at the Brent Cross Shopping Centre Tempelhof Circus entrance. A pedestrian only footway will be also provided along the southbound carriage of Tempelhof Link Road.

At such time when Phase 1B (South) comes forward and when the necessary rephrased items of critical infrastructure are delivered, the southern arm of Tempelhof Avenue will be delivered. A route will be developed to allow northbound vehicles to exit Tempelhof Avenue and follow onto Tempelhof Link Road, to either access the existing Tilling Road or continue towards High Street South (East Works). It should be noted that details of any future integration proposals will be addressed at a later stage. An application under Section 96a (ref: 16/7574/NMA – under consideration) has been submitted to the LPA, to insert a new Condition 1A to ensure details of any future highway, or junction integrations are carried out in accordance with the relevant approved plans under RMA 15/03312/RMA, unless minor variations are agreed in writing with the London Planning Authority.

To construct the alternative structure, some parking from the Holiday Inn hotel is proposed under the bridge on the southern side. To protect the bridge and highway above, the use of any space under the bridge will be controlled by, and subject to a lease from the relevant Highway Authority. These details have previously been highlighted and approved under Reserved Matters Application Ref: 15/03312/RMA.

Tempelhof Avenue and Tempelhof Link Road

Tempelhof Link Road will now provide two ways traffic flows, connecting Tempelhof Bridge to Tilling Road. Amendments have submitted under Condition 1 of the approved RMA (Ref: 15/03312/RMA) to update necessary plans contained under the submission. This includes alternations to approved

design to form a signalised junction with Tiling Road. With the delivery of future southern critical items of infrastructure, Tempelhof Link Road will provide connections to Claremont Avenue and High Street South (East Works). However, the development of this highway integration is subject to future discussions and is required to be agreed in writing with the LPA.

The detailed design of the highways will continue through the separate technical approval process under section 278 and 38 agreements with the relevant highway authorities. At this stage the feasibility design and junction analysis work completed to date is considered acceptable in planning terms to allow the RMA to be approved.

6.5 Phase 1A (North) Reserved Matters Transport Report

The Section 106 legal agreement (S106) that is attached to the s73 Permission along with conditions 37.5 and 37.6 requires the submission of a Reserved Matters Transport Report (RMTR), to be provided for each phase or sub-phase of the development. The report examines the detailed transport issues relating to the specific phase, whilst supporting the wider Brent Cross Cricklewood Regeneration.

The S106 agreement attached to the s73 Permission includes 29 schedules, several of which are directly transport related. Schedule 17 relates to the Matrix and Transport Reports schedule, Annex 5 of which includes the draft scope for Reserved Matter Transport Reports. The RMTR scope is also controlled through Condition 37.1 and a modified and expanded RMTR scope has been approved under this condition.

A Reserved Matters Transport Report for Sub-Phase 1A North (RMTR: SP1AN document reference No. 47065005-TPRPT-055 Rev 06, dated 15th July 2015) was approved on 10 September 2015 through the discharge of Condition 37.2 of the 2014 Section 73 permission.

To support the current RMAs for the alternative designs for the infrastructure items within Phase 1A (North), an addendum to the Phase 1A North RMTR has been submitted with the applications. The scope for the RMTR addendum was agreed with the Highways officers via an application (Ref. No. 15/06452/CON) under Condition 37.1 of the 2014 s73 permission and approved on 23 October 2015, to agree the methodology for specific traffic modelling to support the alternative Reserves Matters.

To support the alternative Tempelhof Bridge design, an updated Reserved Matters Transport Report: Infrastructure Re-phasing (Phase 1A (North) RMTR, November 2016) has been produced, which reviews the potential transport effects of the proposed amendments, including outline mitigation measures where necessary. The addendum report specifies where the alternative proposals would result in an amendment to the approved RMTR for Phase 1A (North) should those alternative proposals be implemented.

The traffic and transportation issues associated with an amended Tempelhof Bridge (Bridge Structure B1) design have been analysed and assessed in accordance with scopes previously agreed with the London Borough of Barnet and Transport for London (TfL).

The existing Tempelhof Bridge, which crosses the A406 North Circular Road, is part of the Transport for London Road Network (TLRN) and is used by ten bus routes that serve the existing shopping centre and bus station:

Existing peak hour bus frequencies for routes crossing Tempelhof Bridge

Bus Route	Peak Hour Frequency		Bus Route	Peak Hour Frequency	
	Northbound	Southbound		Northbound	Southbound
210	8	8	232	-	3
324	3	3	266	-	8
112	-	4	102	8	8
142	-	5	189	8	8
182	-	8	C11	8	8

In total, there are 35 and 63 buses per hour northbound and southbound respectively. Buses form 7-10% of traffic crossing the bridge in the peak hours.

This bridge will form a key north / south link across the A406 between the Prince Charles Drive western roundabout and ultimately Claremont Road. A segregated footway / cycleway will be provided alongside the northbound carriageway, which to the north of the A406, will link with a shared footway / cycleway facility connecting with the shopping centre car park access road and the shopping centre cycle parking facility.

Existing planning permission is for a four lane bridge, with a bus lane and all vehicular lane in both directions. Pedestrian facilities are provided on both sides of the bridge and a segregated cycle lane provided on the westside.

The current proposal is for the removal of the southbound bus lane and eastside pedestrian footway. The pedestrian/cycle crossing on the northern side of the bridge will be staggered, to optimise performance. The resulting layout will consist of:

- Two traffic lanes (each 3.5m)
- A northbound bus lane (3.2m)
- A segregated cycle lane on the westside (2.0m)
- A pedestrian footway on the westside (2.0m)
- A eastside hard strip / verge (0.6m)
- A westside hard strip / verge (0.5m)

The proposed replacement bridge will form part of Barnet Council's adopted highway.

Bus Flow – Tempelhof Bridge

With the regeneration of the Brent Cross area, there is calculated to be a significant increase in bus passenger demand across the bridge which will be associated with enhanced bus route provision. In the northbound direction, currently only five bus routes use Tempelhof Bridge, whilst in the future it is envisaged that provision will increase to nine routes by 2021 and 13 routes by 2031. Southbound, the existing ten routes will drop to 9 in 2021 before rising to 13 in 2031.

In 2021, at the end of Phase 1, nine bus routes will cross Tempelhof Bridge and the two way frequency of buses in the peak hour will increase to from 98 to 120 buses.

2021 Peak hour bus frequencies for routes crossing Tempelhof Bridge

Bus Route	Peak Hour Frequency		Bus Route	Peak Hour Frequency	
	Northbound	Southbound		Northbound	Southbound
210	8	8	232	4	4
			266	8	8
112	4	4	102	8	8
142	5	5	189	7	7
182	8	8	C11	8	8

In 2031, at end state, 13 bus routes will cross Tempelhof Bridge and the two way frequency of buses in the peak hour will increase to 160 buses.

2031 Peak hour bus frequencies for routes crossing Tempelhof Bridge

Bus Route	Peak Hour Frequency		Bus Route	Peak Hour Frequency	
	Northbound	Southbound		Northbound	Southbound
210	8	8	232	4	4
			266	8	8
112	4	4	102	8	8
142	5	5	189	7	7
182	8	8	C11	8	8
CD1	3	3	16	9	9
W1	3	3	326	5	5

Weekday bus patronage will rise significantly between 2021 and 2031, with greater demand northbound in the AM peak and southbound in the PM peak:

Predicted bus patronage on Tempelhof Bridge

	Northbound			Southbound		
	AM	PM	Sat	AM	PM	Sat
2021	934	868	360	751	1275	378
2031	1612	1662	543	1409	1978	505

Strategic Traffic Modelling

The BXC S73 Consolidated Transport Assessment Main Report (BXC05) sets out the baseline traffic information upon which the development's impacts have been assessed using the BXC Transport Model, which dates from 2006.

To provide more up to date information to support the continued development of the design, a series of traffic surveys were undertaken in 2013. The surveys provided additional information to help build an updated traffic model of the area which the development partners and the transport authorities agreed would be used as part of the detailed highway approval processes. The model, known as the BXC Detailed Design Model uses Transport for London's latest sub regional transport model as a basis, but has a greater level of detail in the Brent Cross area.

The Detailed Design Model has been developed for detailed design purposes with an increased level of detail of both existing and forecast traffic movements on the local roads within the study. The model has been calibrated and validated in line with Transport for London. There has been a good level of agreement in the detailed design assessed by the Detail Design Model and the previous preliminary assessments of the BXC Transport Model.

The impact of the proposed highway changes on Tempelhof Bridge have been assessed via the approved Detailed Design Model.

Traffic Flow – Tempelhof Bridge

Southbound traffic flows calculated by the Detailed Design Model 'with' and 'without' the bus lane vary by a maximum of 66 and 28 passenger car units (pcus) in 2021 and 2031 respectively:

Southbound Traffic Flows (pcus) on Tempelhof Bridge

	With Bus Lane			No Bus Lane			Absolute and (% difference)		
	AM	PM	Sat	AM	PM	Sat	AM	PM	Sat
2021	289	475	377	355	420	362	66(23%)	-55(-12%)	-15(-4%)
2031	358	664	460	330	642	436	-28 (-8%)	-22 (-3%)	-24 (-5%)

Therefore, the removal of the bus lane has minimal impact on traffic flows on the bridge.

The rerouting of traffic on the bridge due to the combination of re-phasing and loss of the southbound bus lane is most noticeable northbound on Claremont Road in the weekday PM and Saturday peak hours where there is a reduction in traffic flow, with a corresponding increase on the A41. This is due to the A41 route up to the A406 and along Tilling Road being more attractive (in terms of time/cost) than Claremont Road. However, optimising signal timings at the Claremont Road/Tilling Road has the potential to offset this difference.

Bus Journey Times / Speeds – Tempelhof Bridge

Bus journey times and speeds for 2031 have been assessed for each of the bus routes utilising as the bridge, as they travel across the bridge and through the adjacent junctions. The overall averages from the Linsig models are summarised in the following table:

2031 Southbound Average Speeds/Journey Times (without bus lane – with bus lane)

	Journey Time Difference	Speed Difference
AM Peak	-0.5 secs	0.0
PM Peak	-0.5 secs	0.0
Saturday Peak	-0.7 secs	0.0

The results show there will be no change in bus speeds with the loss of the bus lane. Due to the staggering of the pedestrian crossing at the northern end of the bridge, combined with less distance for pedestrians to cross, journey times will actually reduce slightly. Therefore, no delay to buses is envisaged due to the removal of the bus lane.

Microsimulation (VISSIM) modelling in 2021 also indicates that a single all vehicle southbound lane on Tempelhof Bridge is free flowing and therefore provision of a bus lane will not decrease bus journey times.

Modelling of the junctions to the immediate south of the bridge has been undertaken to assess the potential impact of any queuing back to the bridge. Mean maximum queues of southbound vehicles having travelled over the bridge are 11 and 5 passenger car units in 2021 and 2031 respectively. In both modelled years, these queues would not extend back to the bus lane.

Therefore, modelling analysis of traffic flows southbound on Tempelhof Bridge indicate no journey time savings for buses due to the bus lane as there is minimal queuing and delay. As a result, there is little benefit for buses from the bus lane. Furthermore, the construction of a three lane rather than four lane bridge will result in less disruption.

TfL, who are responsible for the operation of bus services, have reviewed the modelling work undertaken and are confident that removal of the southbound bus lane will not impact on the development of a reliable bus network. TfL consider the loss of the southbound bus lane on Tempelhof Bridge is a reasonable, taking account of viability, the practical need to deliver a new bridge whilst minimising disruption to current users and the commitment to provide bus priority south of the A406.

Bus priority will continue to be provided within the development area. The London Borough of Barnet and TfL will seek to ensure that appropriate bus priority and infrastructure is incorporated in subsequent phases of development, and will seek to encourage increased walking, cycling and public transport use for the regeneration area.

The aim is to provide a highway network for the long term regeneration of the area. The proposals submitted are agreed by TfL to match their requirements for providing a reliable bus network to serve the area that support increased use of buses over time and encourage a progressive mode shift.

Pedestrians

Whilst the Tempelhof Bridge will no longer provide a footway on the eastern side of the bridge, on the western side there will be segregated cycle and pedestrian facilities which are sufficient. Positive crossing provision will be provided both to the north and south of the bridge access these facilities safely. Furthermore, the adjacent pedestrian/cyclist only 'Living Bridge' (crossing the A406 only 100m approx. to the east) is envisaged to cater for the majority of pedestrians movements across the North Circular between Brent Cross South and the Shopping Centre to the north. This route will cater for most people wishing to access the shopping centre. The footway on the west side of the bridge will cater for those pedestrians walking from the new Thameslink Train Station to the shopping centre. On balance the proposed bridge design is considered to provide acceptable pedestrian and cycle facilities.

Access to the adjacent pedestrian/cyclist Living Bridge from the area to the south of the A406 will be via the approved infrastructure proposed to be re-phased to Phase 1B (South). The planning process will ensure access is provided once constructed. Details of 1B (South) will be accompanied with a further update to the Pedestrian and Cycling Strategy required under condition 2.8 of the Section 73 Permission.

Conclusion

Modelling undertaken identifies minimal congestion on Tempelhof Bridge. Therefore, the removal of the southbound bus lane is shown not to impact on bus journey times. TfL, who are responsible for the operation of bus services, consider the loss of the southbound bus lane on Tempelhof Bridge to be reasonable and have not objected to the application.

The London Borough of Barnet' Highways Officers and TfL view that the proposed changes are acceptable and will continue to ensure public transport improvements and an integrated pedestrian and cycle network are progressed as each phase of development is delivered, in accord with s106 obligations.

7. ENVIRONMENTAL IMPACT ASSESSMENT

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

The 2014 Permission was subject to an Environmental Impact Assessment (EIA) process undertaken in line with the Regulations and was reported in the Environmental Statement (ES) dated October 2013 (BXC02).

Regulation 8 of the Regulations requires local planning authorities to consider whether or not the environmental information already before them (i.e. BXC02 submitted with hybrid application F/04687/13 and any additional environmental information) is adequate to assess the environmental effects of the development.

To demonstrate the continued acceptability of the ES associated with application F/04687/13 in the context of the detailed reserved matters applications for Phase 1A (North) an Environmental Statement Further Information Report (the 'ES FIR') was submitted with the previous RMAs. The ES FIR considered the impact of all relevant aspects of Phase 1A (North) including all of the Reserved Matters submissions and their individual and cumulative effects.

An ES Addendum report was submitted to accompany the current Reserved Matters Applications (RMAs) for the alternative infrastructure designs within Phase 1A (North) (hereafter referred to as 'the October 2015 ES Addendum').

The October 2015 ES Addendum to the Revised ES Further Information Report (Volume 3) provides, where necessary, further environmental review and assessment pursuant to the October 2013 ES and Revised ES Further Information Report June 2015, as considered necessary to inform the assessment of the alternative RMAs as submitted.

Following submission of the Reserved Matters Transport Report Phase 1A North Addendum in January 2016 the developers also submitted a Clarification Letter (dated 21 January 2016) to the October 2015 ES Addendum report which provided clarification on the EIA implications of the updated transport modelling report and the hydraulic modelling outcomes and an associated report in relation to the alternative River Bridge 1 RMA.

Following the submission of the October 2015 ES Addendum, subsequent work was undertaken by transport consultants AECOM to update the Reserved Matters Transport Report (RMTR) submitted with the RMAs to report on the outcomes of transport modelling in relation to the End State year for the Brent Cross Cricklewood development of 2031 but including the Phase 1A (North) Alternative RMAs. This information is presented in the Reserved Matters Transport Report: Sub Phase 1A North: Addendum dated January 2016 (hereafter referred to as 'RMTR Addendum') which replaces the RMTR Addendum submitted in October 2015 in full.

In relation to the alternative Reserved Matters, the October 2015 ES Addendum stated that the topics of air quality and noise and vibration would require review / re-assessment once the 2031 traffic data is made available. The ES Addendum Clarification Letter outlines the outcome of the review of the updated traffic data and content of the RMTR Addendum in relation to the

RMA for Tempelhof Bridge and Brent Terrace North, and the outcome of the hydraulic modelling undertaken in respect of the RMA for the alternative River Bridge 1, and confirm whether the impacts previously reported in the Section 73 ES (October 2013) and Revised ES Further Information Report (June 2015) remain valid or whether any new or different impacts have been identified.

Brent Cross Cricklewood: ES Addendum Phase 1A (North) Re-phasing Works and Tempelhof Bridge Amendments (November 2016), provides information in respect of the proposed re-phasing works, the associated highway infrastructure changes, the amendments to the delivery sequencing of open spaces and the amendments to the alternative Tempelhof Bridge. This report provided further information on any likely significant environmental impacts associated with the above amendments. Elements of the ES Addendum, which relate to the design of the alternative Tempelhof Bridge, supersede those elements of the alternative Reserved Matters ES Addendum, October 2015 referenced above.

7.1 Assessment Relating to Bridge Structure B1 (Alternative Tempelhof Bridge)

For the purposes of this committee report, the assessment in relation to the alternative design for the replacement Tempelhof Bridge is set out below:

Traffic and Transport

AECOM Planning Consultants were commissioned to review the alternative design of Tempelhof Bridge, as a consequence an updated Phase 1A (North) Reserved Matters Transport Report: Infrastructure Re-phasing (Phase 1A (North) RMTR, November 2016) has been produced, which reviews the potential transport effects of the proposed amendments, including outline mitigation measures where necessary.

The DDM strategic traffic model was edited and re-run, to reflect the necessary changes from a two to three lane solution and the changes in traffic assignment and flow differences have been analysed. In general, traffic flow changes on the local network are forecast to be negligible and therefore no significant adverse change is anticipated from what has been previously assessed in relation to the approved development.

Transport for London has undertaken its own local area modelling analysis (using VISSIM), which supports the three lane alternative design and they are satisfied that the effect on journey times is satisfactory. In this respect, public transport routes and frequencies will remain unchanged from the approved development.

Air Quality

AECOM have confirmed that the changes in traffic flows on Bridge Structure B1, as a result of the alternative design are negligible (as illustrated in the

Phase 1A (North) RMTR, November 2016). Therefore, the proposed bridge amendments will not change the previous air quality results. As such, the air quality assessment included in the EIA Documentation remains applicable and valid for this alternative RMA.

In accordance with the conclusions of the October 2015 ES Addendum, it is therefore confirmed that the alternative proposal for Bridge Structure B1 and associated highway would not result in any new or different likely significant air quality impacts from those previously reported in the Revised ES Further Information Report (June 2015).

Noise and vibration

AECOM forecasted that the proposed amendment to Tempelhof Bridge would result in a minimal increase in traffic flow along this highway link.

However, traffic flow changes on the local highway network are forecast to be generally negligible within the updated DDM which includes the alternative design. In acoustic terms, a doubling of traffic flow (all other things being constant) would be required to result in a change, which is only just perceptible if the change is gradual. In this respect, the potential increases to road traffic noise as a result of amendments to Tempelhof Bridge are therefore likely to be negligible. Furthermore, the dominant noise source at this location is from the A406 where traffic flows are more than fourfold than on the Tempelhof Bridge Link. Road. Therefore, any change in noise levels is likely to be masked by road traffic noise emissions from the A406.

Therefore, in accordance with the conclusions of the October 2015 ES Addendum, it is confirmed that the alternative proposal for Bridge Structure B1 would not result in any new or different likely significant noise impacts from those previously reported in the Revised ES Further Information Report (June 2015). The noise impacts identified and mitigation measures reported in the EIA Documentation submitted to date remain valid for the purpose of determining this application.

7.2 EIA Statement of Conformity

In light of the review of the updated transport modelling and content of the RMTR Addendum (November 2016), and having regard to the content of the October 2015 ES Addendum; it is considered that there would be no material change to the environmental assessment (significant impacts and mitigation). As such, the alternative proposal for Tempelhof Bridge RMA is not considered to result in any new or different likely significant environmental impacts from those reported in the Section 73 ES (October 2013) and Revised ES Further Information Report (June 2015).

8. EQUALITY AND DIVERSITY ISSUES

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

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

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

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

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

The site will generally be accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site. Access to the Riverside Park is restricted to no motor based traffic, with the exclusion of Environment Agency maintenance vehicles.

It is considered that the road network has been designed to accommodate disabled users and sufficient width footways, dropped crossing points, and suitable gradients and cross falls will be incorporated in the design, however the design organisation will need to complete a Non-Motorised User Audit as part of the next stages of detail design, which will confirm the designs acceptability for non-motorised users in detail.

It should be noted that the proposed alternative Tempelhof Bridge has a maximum longitudinal gradient of 1:20, which is generally recognised by most standards as acceptable for most users, and does not deviate from the design approved under (Ref: 15/03312/RMA). Although many wheelchair users would be unable to proceed at gradients of more than 1 in 40, it is accepted that the proposals are a significant improvement in comparison to the existing situation; where a stepped ramp is the only off carriageway connection between the north and the south of the A406 in this location. Whilst this is accepted as a significant improvement, some design guidance suggests

flatter gradients to accommodate all manual wheelchair users would be more appropriate. Due to the constraints of the site including the need for adequate headroom over the A406 provision of gradients below 1 in 20 would be unviable.

9. CONCLUSION

Brent Cross Cricklewood is a large and complex regeneration scheme and Phase 1A (North) provides the majority of the key enabling highway infrastructure to allow development to commence both north and south of the A406 North Circular Road.

In January 2016, Reserved Matters Ref: 15/03312/RMA approved Phase1A (North) highway infrastructure items, including Bridge Structure B1 which consisted of two northbound and two southbound vehicular lanes (a dedicated bus lane either direction), pedestrian footways provided on eastern end and segregated pedestrian and cycle facilities provided on the western end of the bridge.

Since the approval of this application, the BXC Development Partners investigated an alternative design and Reserved Matters were submitted to London Borough of Barnet (LBB) in October 2015. This alternative design reduced the overall width of the bridge by removing the dedicated bus lanes, leaving one vehicular lane for all traffic in each direction. Pedestrian and cyclist facilities remained unaltered. However following consultation, the application remained undetermined and discussions continued between the BXC Development Partners, TfL and LBB highways officers. Following this engagement, amended plans have been submitted to provide for three lanes of traffic including a northbound bus lane and a segregated pedestrian and two way cycle lane (the footway on the eastern side have been removed).

The proposed alternative design for the alternative Bridge Structure B1 accords with the conditions and parameters approved in the Section 73 Permission, subject to the minor variations proposed under Conditions 2.4 and 2.5.

The detailed design of the highways will continue through the separate technical approval process under section 278 and 38 agreements with the relevant highway authorities. At this stage the feasibility design and junction analysis work completed to date is considered acceptable in planning terms to allow the RMA to be approved.

The application has been subject to statutory consultation and a small number of third party representations have been made. No significant issues have been raised that have not been addressed or which would move officers to recommend refusal.

Overall, officers find the proposals acceptable and recommend that the application is approved subject to conditions as outlined in Appendix 1 (Conditions).

LIST OF APPENDICES

APPENDIX 1 – CONDITIONS

APPENDIX 2 – RELEVANT PLANNING HISTORY

APPENDIX 3 – POLICY COMPLIANCE

APPENDIX 4 – OBJECTIONS AND OFFICER RESPONSES

APPENDIX 1 - CONDITIONS

1	Approved plans		
	<p>The term “development” in this condition and the conditions below means the development for which details of reserved matters are hereby permitted.</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans unless minor variations are agreed in writing after the date of this reserved matters consent with the Local Planning Authority:</p>		
	Title	Reference	Revision
	HIGHWAY ALIGNMENT GENERAL ARRANGEMENT PHASE 1A NORTH SHEET 7	BXCR-URS-AH-RM-DR-CE-00007	P14
	HIGHWAY ALIGNMENT GENERAL ARRANGEMENT PHASE 1A NORTH SHEET 8	BXCR-URS-AH-RM-DR-CE-00008	P13
	HIGHWAY ALIGNMENT GENERAL ARRANGEMENT PHASE 1A NORTH SHEET 14	BXCR-URS-AH-RM-DR-CE-00014	P12
	BRENT CROSS PHASE 1A NORTH ASSOCIATED HIGHWAY RMA BRIDGE STRUCTURE B1 AND SITE LOCATION PLAN	BXCR-URS-AH-RM-SK-CE-00010	P03
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT PLAN	BXCR-URS-B1-HS-AP-SE-00001	P15
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT NORTH ABUTMENT DETAILS	BXCR-URS-B1-HS-AP-SE-00002	P09
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT PIER 1 DETAILS	BXCR-URS-B1-HS-AP-SE-00003	P11
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT PIER 2 DETAILS	BXCR-URS-B1-HS-AP-SE-00004	P09
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT PIER 3 DETAILS	BXCR-URS-B1-HS-AP-SE-00005	P09
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT SOUTH ABUTMENT DETAILS	BXCR-URS-B1-HS-AP-SE-00006	P09
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT NORTH APPROACH EMBANKMENT	BXCR-URS-B1-HS-AP-SE-02001	P12
	TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 1 OF 4	BXCR-URS-B1-HS-SK-SE-01001	P04
	TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 2 OF 4	BXCR-URS-B1-HS-SK-SE-01002	P04
	TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 3 OF 4	BXCR-URS-B1-HS-SK-SE-01003	P03
	TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 4 OF 4	BXCR-URS-B1-HS-SK-SE-01004	P04

	<p>Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, of the Barnet Local Plan and policy 1.1 of the London Plan.</p>
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Informative(s):

1	<p>The following drawings are supporting documents and should be referred to for information:</p>		
	Title	Reference	Revision
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VISIBILITY SPLAYS SHEET 7	BXCR-URS-AH-01-DR-CE-02007	P15
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VISIBILITY SPLAYS SHEET 8	<i>BXCR-URS-AH-01-DR-CE-02008</i>	<i>P11</i>
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VISIBILITY SPLAYS SHEET 14	BXCR-URS-AH-01-DR-CE-02014	P11
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VEHICLE TRACKING SHEET 7	BXCR-URS-AH-01-DR-CE-03007	P13
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VEHICLE TRACKING SHEET 8	BXCR-URS-AH-01-DR-CE-03008	P11
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VEHICLE TRACKING SHEET 14	BXCR-URS-AH-01-DR-CE-03014	P11
	BRENT CROSS GENERAL ARRANGEMENT PHASE 1A NORTH KEY PLAN	BXCR-URS-AH-RM-SK-CE-00001	P09
2	<p>The applicant is advised that the costs of any works including reinstatement works to existing public highway associated with the approved development, or new roads proposed for adoption as public highway, will be borne by the applicants and may require entering into a Section 278 Agreement or Section 38 Agreement under the Highways Act 1980. Detailed design and construction of the associated highways works will have to be approved by the Traffic & Development Team prior to entering into the necessary Highway Agreements. For further information contact Traffic and Development Section, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.</p>		

3	<p>In accordance with Reg 3 (4) and Reg 8 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, it is considered that:</p> <ul style="list-style-type: none"> i. this submission of reserved matters reveals, with regard to the subject matter of the application, that there are no additional or different likely significant environmental effects than is considered in the environmental information already before the Council (the Environmental Statement (ES) (BXC02) submitted with the Section 73 application (F/04687/13) and any further and/or other information previously submitted; and ii. the environmental information already before the Council (the Environmental Statement (ES) (BXC02) submitted with the Section 73 application (F/04687/13), and any further and/or other information previously submitted) remains adequate to assess the environmental effects of the development.
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APPENDIX 2

RELEVANT PLANNING HISTORY

Outline Planning Permission

<p>Reference: C/17559/08 (granted 28 October 2010)</p> <p>Location: Cricklewood Regeneration Area, North West London.</p> <p>Description: Comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1, A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development (Outline Application). The application is accompanied by an Environmental Statement.</p>

Reference:

F/04687/13 (granted 23 July 2014)

Location:

Brent Cross Cricklewood Regeneration Area, North West, London, NW2

Description:

Section 73 Planning application to develop land without complying with the conditions attached to Planning Permission Ref C/17559/08, granted on 28 October 2010 ('the 2010 Permission'), for development as described below: Comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 - A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development (Outline Application).

The application is accompanied by an Environmental Statement.

Phase 1A (North) Reserved Matters (Approved)

Reference:

15/00720/RMA (granted 09/06/2015)

Location:

Land off Brent Terrace, London, NW2 (The Brent Terrace Triangles)

Description:

Reserved Matters application within Phase 1a (North) of the Brent Cross Cricklewood Regeneration Scheme relating to Layout, Scale, Appearance, Access and Landscaping, for the residential development of Plots 53 and 54 comprising 47 Residential Units Submission is pursuant to conditions 1.2.1.A, 2.1 and for the part discharge of condition 13.1 of Planning Permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood regeneration area. Application is accompanied by an Environmental Statement Further Information Report.

Reference:

15/00769/RMA (granted 25/06/2015)

Location:

Clitterhouse Playing Fields And Claremont Open Space, Off Claremont Road
London NW2

Description:

Reserved Matters application within Phase 1A (North) of the Brent Cross Cricklewood Regeneration area, submitted pursuant to conditions 1.2.1.A, 2.1 and for the part discharge of condition 13.1 of Planning Permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of Brent Cross Cricklewood, relating to Layout, Scale, Appearance, Access and Landscaping for the Open Spaces of Clitterhouse Playing Fields and Claremont Park, including the provision of a sports pavilion, maintenance store and associated car parking. Application is accompanied by an Environmental Statement Further Information Report.

<p>Reference: 15/03312/RMA (Resolution to grant approved at Planning Committee 10/09/2015)</p> <p>Location: Brent Cross Cricklewood Regeneration Area, North West London, NW2</p> <p>Description: Reserved Matters application within Phase 1a (North) of the Brent Cross Cricklewood Regeneration scheme relating to Layout, Scale, Appearance, Access and Landscaping for infrastructure including roads, bridges and River Brent diversion works; Submission is pursuant to conditions 1.2.1.A, 2.1 and for the part discharge of condition 13.1 of planning permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood regeneration area. Application is accompanied by an Environmental Statement Further Information Report.</p>
<p>Reference: 15/03315/RMA (Resolution to grant approved at Planning Committee 10/09/2015)</p> <p>Location: Central Brent Riverside Park, Brent Cross Cricklewood, London, NW2</p> <p>Description: Reserved Matters application within Phase 1A (North) of the Brent Cross Cricklewood Regeneration area, submitted pursuant to conditions 1.2.1A, and 2.1 and for the part discharge of condition 13.1 of Planning Permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of Brent Cross Cricklewood, relating to Layout, Scale, Appearance, Access and Landscaping for the Open Space of the Central Brent Riverside Park. Application is accompanied by an Environmental Statement Further Information Report.</p>
<p>Reference: 15/05040/CON (Resolution to grant approved at Planning Committee 10/09/2015)</p> <p>Location: Brent Cross Cricklewood Regeneration Area, North West London, NW2</p> <p>Description: Submission under conditions 2.4 and 2.5 for revision of the Development Specification and Framework and Design and Access Statement attached to Section 73 permission reference F/04687/13 for the Comprehensive mixed-use redevelopment of the BXC Regeneration Area. Changes relate to the provision of Phase 1A (North) Infrastructure and Central Brent Riverside Park (Reach 2) Open Space, Landscaping, Access and Bio-diversity proposals together with minor consequential changes to the section 73 permission.</p>
<p>Reference: 15/06572/RMA (Resolution to grant approved at Planning Committee 24/02/2016)</p> <p>Location: Tilling Road /Brent Terrace North Junction, Brent Cross Cricklewood Regeneration Area, London NW2</p> <p>Description: Submission of Reserved Matters Application within Phase 1A (North) of the Brent Cross Cricklewood Regeneration Area; relating to Layout, Scale, Appearance, Access and Landscaping for Tilling Road West/Brent Terrace North Junction. Submission is pursuant to conditions 1.2.1A and 2.1 and for the part discharge of condition 13.1 of planning permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area.</p>
<p>Reference: 15/06573/RMA (Resolution to grant approved at Planning Committee 24/02/2016)</p> <p>Location: River Brent Bridge 1, Western And Central Part Of River Brent, Brent Cross Cricklewood Regeneration Area, London, NW2</p> <p>Description: Submission of Reserved Matters Application within Phase 1A (North) of the Brent Cross Cricklewood Regeneration Area; relating to Layout, Scale, Appearance, Access and Landscaping for River Brent Bridge 1 and adjacent parts of River Brent Alternation and diversion works. Submission is pursuant to conditions 1.2.1A and 2.1 and for the part discharge of condition 13.1 of planning permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area.</p>

Reference:

15/06574/RMA (Resolution to grant approved at Planning Committee 24/02/2016)

Location:

Central Brent Riverside Park Within The Vicinity Of River Brent Bridge 1, Brent Cross Cricklewood Regeneration Area, London, NW2

Description:

Submission of Reserved Matters Application within Phase 1A (North) of the Brent Cross Cricklewood Regeneration Area; relating to Layout, Scale, Appearance, Access and Landscaping for Central Brent Riverside Park within the vicinity of River Brent Bridge 1. Submission is pursuant to conditions 1.2.1A, and 2.1 and for the part discharge of condition 13.1 of planning permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area.

Phase 1A (South) Reserved Matters

Reference:

15/06518/RMA (Resolution to grant at Planning Committee 27 January 2016)

Location:

Phase 1A (South), Brent Cross Cricklewood Regeneration Area, Land At Claremont Industrial Estate And Whitefield Estate, London NW2

Description:

Submission of Reserved Matters Application within Phase 1A (South) of the Brent Cross Cricklewood Regeneration Area; relating to Layout, Scale, Appearance, Access and Landscaping for Claremont Park Road (Part 1) and School Lane. Submission is pursuant to conditions 1.2.1.B, 2.1 and for the part discharge of condition 13.1 of planning permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area. Application is accompanied by an Environmental Statement Compliance Note.

Pre Reserved Matters Conditions

Pre-Reserved Matters Conditions for Phase 1A North

Planning Reference	Condition Description	Status
14/08105/CON 15/07955/CON	Area Wide Walking and Cycling Study to address condition 1.20 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area.	Approved
14/08112/CON	Framework Servicing and Delivery Strategy to address condition 1.21 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area.	Approved
14/08111/CON	Servicing and Delivery Strategy for Sub-Phase 1A North to address condition 1.22 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area.	Approved

14/08110/CON 15/07954/CON	Pedestrian and Cycle Strategy for Phase 1A North to address condition 2.8 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved
15/00667/CON	Estate Management Framework to address condition 7.1 for Phase 1a (North) of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved
14/08109/CON	Car Parking Management Strategy to address condition 11.1 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved
14/08108/CON	Phase Car Parking Standards and the Phase Car Parking Strategy for Sub Phase 1A North to address condition 11.2 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved
14/07897/CON	Existing Landscape Mitigation Measures in relation to Phase 1a North to address condition 27.1 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved
14/07896/CON	Tree Protection Method Statement in relation to Phase 1a North to address condition 27.2 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved
15/00668/CON	Acoustic Design Report to address condition 29.1 for Phase 1a (North) of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved
15/00812/CON 15/07953/CON	Proposed Phase Transport Report for Phase 1 to address condition 37.2 of S73 Planning Application reference F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area.	Approved
14/07402/CON	A5 Corridor Study submission to address condition 2.7 of S73 planning application ref: F/04687/13 dated 23/07/2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood Area.	Approved
15/00660/CON	Illustrative Reconciliation Plan to clear condition 1.17 for Phase 1a (North) of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	Approved

Pre Reserved Matters Conditions Updates

16/7667/CON	Update to the Pedestrian and Cycle Strategy approved under Condition 2.8 (ref: 14/08110/CON; dated 10/09/2015) and updated (under ref: 15/07954/CON; dated 29.03.2016) for Phase 1 A North of the Section 73 Planning Approval Ref: F/04687/13 approved 23/07/2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood regeneration area	Under consideration at the time of writing this committee report.
16/7666/CON	Update to the Phase Transport Report for Phase 1 approved under Condition 37.2 (ref: 15/00812/CON; dated 10.09.2015) and updated (under ref: 15/07953/CON; dated 04.04.2016) of the Section 73 Planning Approval Ref: F/04687/13 approved 23/07/2014 for the comprehensive mixed use redevelopment of the Brent Cross Cricklewood regeneration area	Under consideration at the time of writing this committee report.

APPENDIX 3

POLICY COMPLIANCE

Analysis of compliance with the London Plan (Consolidated with Further Alterations since 2011) (March 2016) Policies

Policy	Content Summary	Extent of compliance and comment
Policy 1.1 (Delivering the strategic vision and objectives for London)	Strategic vision and objectives for London including managing growth and change in order to realise sustainable development and ensuring all Londoners are able to enjoy a good and improving quality of life. Improving environments which are easy, safe and convenient for everyone to access.	Compliant: As a London Plan Opportunity Area, the approved BXC scheme seeks to make the most of brownfield land to meet wider growth requirements in terms of housing, retail and commercial activities in a location accessible by a range of transport modes. The provision of the proposed infrastructure will assist in achieving the wider sustainable aims of the London Plan and provide easy, safe and convenient access for all.
Policy 2.6 (Outer London: vision and strategy)	Work to realise the full potential of outer London and enhance the quality of life for present and future residents. Understand the significant difference in the nature and quality of neighbourhoods; improvement initiatives should address these sensitively and draw upon strategic support where necessary.	Compliant: The proposed development represents one of the most important opportunity areas in outer London. The BXC Opportunity Area represents a significantly underutilised area of accessible brownfield land in need of regeneration.

Policy	Content Summary	Extent of compliance and comment
Policy 2.8 (Outer London: Transport)	Enhance accessibility by improving links to and between town centres and other key locations by different modes and promoting and realising the key improvements. Work to improve public transport access, provide improved traffic management, road improvements and address and manage local congestion	Compliant: The majority of the infrastructure improvements associated with the regeneration will be delivered during Phase 1. The roads delivered under Phase 1A North will also help facilitate southern plot and residential developments and provide a connection into the road network.
Policy 2.13 (Opportunity Areas and Intensification Areas)	Support the strategic policy directions for the opportunity areas, and where relevant, in adopted opportunity area planning frameworks Support wider regeneration, including in particular improvements to environmental quality, and integrate development proposals to the surrounding areas especially for regeneration.	Compliant: With regards to this current Reserved Matters Application, the proposed roads will support the wider regeneration scheme.
Policy 2.14 (Areas for regeneration)	Boroughs should identify spatial areas for regeneration and spatial policies to bring together regeneration.	Compliant: The BXC site is identified as a London Plan Opportunity Area (See Policy 1.1 above) in need of comprehensive regeneration and capable of accommodating significant housing, jobs and community infrastructure. This particular RMA provides will help facilitate the Southern development.
Policy 2.15 (Town Centres)	Development proposal should promote access by public transport walking and cycling. Promote safety and security and contribute towards an enhanced public realm and links to green infrastructure.	Compliant: The development proposal in future phases will provide a connection between the Northern and Southern elements of the regeneration including a new town centre and new Thameslink Train Station.
Policy 6.3 (Assessing effect of development of transport capacity)	Development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level are fully assessed. Transport assessments will be required in accordance with TfL's Transport Assessment Best Practice Guidance for major planning applications.	Part Compliant: The RMA has is supported by the previously approved Phase Transport Report (PTR) for Phase 1 (Condition 37.2) and includes an addendum to the approved Reserved Matters Transport Report for Phase 1A (North). Both of these have been carried out in accordance with the Section 73 Planning Permission and accompanying 2014 Section 106 Agreement.

Policy	Content Summary	Extent of compliance and comment
Policy 6.7 (Better streets and surface transport)	Development proposals should promote bus networks; allocating road space and providing high level priority on existing and proposed routes. Ensuring good access to and within areas served by networks, now and in future; and ensuring direct, secure, accessible and pleasant walking routes to stops.	Compliant: The approved Phase 1A (North) provides a significant amount of new roads to facilitate existing and future bus routes, including providing connections off Prince Charles Drive to the new bus station.
Policy 6.9 (Cycling)	Proposals should identify and implement a network of cycle routes. Contribute positively to an integrated cycling network for London by providing infrastructure that is safe, comfortable, attractive, coherent, direct and adaptable and in line with the guidance set out in the London Cycle Design Standards (or subsequent revisions).	Compliant: The approved Area Wide Walking and Cycling Study (AWWCS - Condition 1.20) and the Phase 1A (North) Pedestrian and Cycle Strategy (Condition 2.8) ensured that a coherent network of cycle routes is provided on a phase by phase basis as part of the overall scheme, including as part of AWWCS appropriate links between the site and adjacent communities. This application includes a shared footway/cycleway alongside the western side of Tempelhof Bridge.
Policy 6.10 (Walking)	Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space by referring to Transport for London's Pedestrian Design Guidance. Promote the 'Legible London' programme to improve pedestrian way finding. Encourage the use of shared space principles, such as simplified streetscape, de-cluttering and access for all.	Compliant: A Pedestrian and Cycle Strategy (Condition 2.8) has previously been approved for Phase 1A (North). Signing throughout the development will be provided in accordance with the guidelines set out in Legible London, and contained in the Wayfinding and Inclusive Access Strategy. A high quality public realm is proposed throughout.
Policy 6.12 (Road network capacity)	Proposals should improve the road network taking into account: where it contributes to sustainable development, regeneration and improved connectivity, the extent of any additional traffic and any effects it may have on the locality, congestion impacts, the net benefit to the environment, how conditions for pedestrians, cyclists, public transport and freight users and local residents, as well as road safety, can be improved.	Compliant: The Phase 1 impacts have been examined in the Phase Transport Report (PTR), and the reports provided a multi – modal assessment of Phase 1. The proposal for Phase 1A (North) in the wider regeneration will improve the road network and improve connectivity between the northern and southern proposals as well as improve existing facilities.

Analysis of the proposals compliance with Barnet's Local Plan Policies
(September 2012)

Core Strategy		
Policy	Content Summary	Extent of Compliance and Comment
CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)	Take a positive approach to proposals which reflect the presumption in favour of sustainable development and approve applications that accord with the Local Plan, unless material considerations indicate otherwise. Where there are no policies relevant to the proposal or the relevant policies are out of date permission should be granted, unless material considerations indicate otherwise.	Compliant: the proposal is considered to constitute sustainable development in accordance with the NPPF and which complies with Local Plan taken as a whole. It is therefore recommended for approval.
CS1 (Barnet's place shaping strategy – the three strands approach)	As part of its 'Three Strands Approach' the council will: <ul style="list-style-type: none"> - Concentrate and consolidate growth in well located areas that provide opportunities for development, creating a high quality environment that will have positive impacts. - Focus major growth in the most suitable locations and ensure that this delivers sustainable development, while continuing to conserve and enhance the distinctiveness of Barnet as a place to live, work and visit. - Ensure that development funds infrastructure through Section 106 Agreements and other funding mechanisms. - Protect and enhance Barnet's high quality suburbs. 	Compliant: As an Opportunity Area in the Mayor's London Plan, the BXC scheme has been developed with the consideration that the site has significant capacity for new housing, commercial and other development linked to existing or potential improvements to public transport accessibility. The proposed development relates to matters reserved following the grant of planning permission in 2014. The majority of the infrastructure improvements associated with the scheme will be delivered during Phase 1. The roads developed under the delivery of Phase 1A (North) are designed to facilitate southern plot and residential development.
CS2 – Brent Cross - Cricklewood	The Council will seek comprehensive redevelopment of Brent Cross – Cricklewood in accordance with the London Plan, the saved UDP policies (Chapter 12) and the adopted Development Framework.	Compliant: The 2014 consent of the S73 application continues to ensure the comprehensive redevelopment of Brent Cross Cricklewood in accordance with this policy and the Saved UDP policies. The infrastructure will be enhanced for visitors to the Brent Cross Shopping Centre and the Southern development. It will be an asset for the public and existing neighbourhoods. The infrastructure proposed under Phase 1A (North) will support the wider Brent Cross regeneration.

<p>CS9 (Providing safe, efficient and effective travel)</p>	<p>Promote the delivery of appropriate transport infrastructure in order to support growth.</p> <p>Ensure new development funds infrastructure to keep existing traffic moving and cope with new demands.</p> <p>Major proposals should incorporate Transport Assessments, Travel Plans, Delivery and Servicing Plans and mitigation measures and ensure that adequate capacity and high quality safe transport facilities are delivered in line with demand.</p> <p>Deliver with partners high quality public transport improvements along the A5, bus service enhancements as part of regeneration schemes, including a high quality bus station at BXC and a Rapid Transit bus service.</p>	<p>Compliant: The approved Phase 1A (North) provides a significant amount of new roads to facilitate existing and future bus routes. The wider development includes the provision of a new bus station and Thameslink Train Station.</p> <p>This RMA has is supported by previously approved Phase Transport Report (PTR) for Phase 1 (Condition 37.2) and includes an addendum to the approved Reserved Matters Transport Report for Phase 1A (North). Both of these have been carried out in accordance with the Section 73 Planning Permission and accompanying 2014 Section 106 Agreement</p>
<p>Adopted UDP (May 2006) Saved Policies (May 2009) as referred to in Core Strategy Policy CS2 – Chapter 12 of the UDP: Cricklewood, Brent Cross and West Hendon Regeneration Area</p>		
<p>GCrick Cricklewood, Brent Cross and West Hendon Regeneration Area</p>	<ul style="list-style-type: none"> - The Council seeks integrated regeneration in the Cricklewood, Brent Cross and West Hendon Regeneration Area. - All development to the highest environmental and design standards - Aim to develop a new town centre over the plan period. 	<p>Compliant: the development is consistent with this strategic aim, falling as it does within the terms of the Section 73 Planning Permission.</p>
<p>C1 Comprehensive Development</p>	<ul style="list-style-type: none"> - The Council seeks the comprehensive development of the regeneration area in accordance with the area framework and delivery strategy. - Development proposals will need to meet policies of the UDP and their more detailed elaboration in the development framework. 	<p>Compliant: The scheme accords with this policy. The Phase 1A (North) proposals accord with the scope of the Section 73 Planning Permission.</p>
<p>C7 Transport Improvements</p>	<p>Transport improvements - the following should be provided through planning conditions and/or Section 106 agreements:</p> <ul style="list-style-type: none"> i. Connections and improvements to the strategic road network. ii. Sufficient transport links to and through the development, to include at least one vehicular link across the North Circular Road (NCR) and one vehicular link crossing the railway to 	<p>Part Compliant: The RMA relates to the Tempelhof Bridge, the wider Phase 1A (North) infrastructure proposals also facilitate the new bus station in Phase 1B (North) by providing the connections off Prince Charles Drive and as explained in the various other policy sections above provides compliant facilities for pedestrians including disabled people, cyclists and bus users. The other facilities set out in policy C7 are planned to be provided as part of future phases, except for the rapid transit system which, whilst still part</p>

	<p>the Edgware Road.</p> <p>iii. A new integrated railway station and new integrated bus station at Cricklewood, linked by a rapid transport system to Brent Cross Bus Station and Hendon Central and/or Brent Cross Underground Stations on the Northern Line.</p> <p>iv. A new bus station at Brent Cross, to north of the North Circular Road, with associated improvements to the local bus infrastructure.</p> <p>v. An upgrade of the rail freight facilities.</p> <p>vi. Provision of an enhanced, rail-linked waste transfer station serving North London.</p> <p>vii. Priority measures for access to disabled persons, pedestrians, buses and cyclists throughout the Regeneration Area.</p>	<p>of the proposals, is currently unfunded.</p>
<p>UDP Site Specific Proposals (2006)</p>	<p>Parts of the BXC development site are subject to site-specific proposals as shown in the Proposals Map (2006) (as saved). The aspirations for these sites are set out below:</p> <ul style="list-style-type: none"> • Brent Cross New Town Centre (Site 31) – new town centre, comprising a mix of appropriate uses, improved public transport and pedestrian access, landscaping and diversion of the River Brent; • Cricklewood Eastern Lands (Site 37) – mixed use including residential, office, leisure, local and neighbourhood shops, education, community uses and open space; • New Railway Station Cricklewood (Site 38) – railway station and public transport interchange; • New Waste Transfer Station (Site 39) – waste handling facility. 	<p>Compliant: the proposal is consistent with the Proposals Map.</p>

Cricklewood, Brent Cross, West Hendon Regeneration Area Development Framework SPD 2005.

The Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework was adopted by the council and the Mayor of London as Supplementary Planning Guidance in 2005. This Development Framework was produced in collaboration with the Mayor and the Greater London Authority, landowners and developers in order to guide and inform the design and delivery of the development with the aim of achieving high quality comprehensive redevelopment of the area around a new sustainable mixed use town centre spanning the North Circular Road.

The London Plan and the UDP saved policies combined with the Development Framework establishes a series of strategic principles for the comprehensive redevelopment of the area to create a new town centre, the overall vision for which is set out in UDP Policy GCrick.

Compliant: Compliance in relation to the proposed RMA: The parameters and principles of the BXC scheme are considered to be in accordance with the principles set out in the guidance contained in the adopted Development Framework (2005) generally and taken as a whole.

The general proposals are consistent with the vision and aims of the Development Framework.

APPENDIX 4 - OBJECTIONS AND OFFICER RESPONSES

First Consultation Period expiring 25th November 2015

Consultation responses from local residents

Consultation Response	Officer Comments
<p><u>Resident 1 Response:</u></p> <p>Reasons for this RMA</p> <p>Why is the bridge being reduced in width? Is this a cost cutting exercise by the developers?</p> <p>Does reducing the construction complexity reduce the potential to the public travelling?</p> <p>Can the crossing be constructed prior to the demolition of the existing bridge?</p>	<p>Reasons for this RMA</p> <p>The reduction in width of the Tempelhof Bridge, with the removal of the southbound bus lane is proposed as the results of detailed traffic modelling of traffic flow patterns in both 2021 and 2031 that indicates the change has minimal impact.</p> <p>A 2m wide footway for pedestrians on the west side of the bridge, with positive, signal controlled crossings for pedestrians to both the north and south of the bridge provides suitable and sufficient provision, resulting in the eastside footway not to be required.</p> <p>In buildability terms, the construction of a three lane bridge will result in less delays and disruption to traffic and travel patterns in the area, when compared to the four lane option.</p>
<p>Concerns raised that if the bus lanes are removed it would reduce the speed of the bus service. Buses are the only form of public transport within this development. The 2009 Outline Permission demonstrated that there would be extra buses and bus lanes.</p>	<p>Traffic modelling analysis indicates that a southbound bus lane results in no significant benefit to buses. With no predicted congestion immediately south of the bridge, there are no queues and therefore buses can flow freely both with and without the lane in place.</p>
<p>If the number of bus lanes are reduced how will buses still have priority?</p> <p>The developers have said that there would be a segregated cycleway over the bridge, is this a shared footpath? Cyclists can use the living bridge, but they can't go north of this bridge.</p>	<p>TfL, who are responsible for the operation of bus services, have reviewed journey time data, both existing and predicted, with and without the bus lane and have raised no objection to the proposals.</p> <p>In addition to the 2.0m footway, a 2.0m wide segregated cycle route will be provided on the west side of the bridge.</p> <p>Alternative proposals for bus priority that have been considered include:</p> <ul style="list-style-type: none"> • Market Square / High Street South / Tempelhof Avenue Junction Improvements – Bus priority enabling buses to get ahead of general traffic on High Street South. • Signalisation of entry into bus station • Bus lane provision on Prince Charles Drive <p>These were reviewed and discounted by both the London Borough of Barnet and TfL.</p>

<p>In the documentation it states 'To accompany the modelling assessment of the alternative proposal for the removal of the bus lanes, the modelling exercise will also include a review of other potential alternative bus priority measures to ensure that the alternative proposals for the overall layout provides for the most efficient movement of buses through the affected network.' Where are these potential alternative bus priority measures? Are they really effective?</p> <p>Concerns raised that the conclusions of the Phase 1 modelling impact journey time at some locations/time compared to the reserved matters application (RMA) that includes sections of bus lanes on Tempelhof Avenue. Whilst the network and the volume of both bus and general traffic will change significantly in the End-State (2031) this initial assessment of the phase 1 (2021) scheme suggests that removing the bus lanes does not have a significant impact on traffic flow volumes. Will this new proposal fulfil TfL's requirements?</p>	<p>The results of the modeling work undertaken for the three lane bridge proposal meets the requirements of, and are accepted by, TfL, Bus journey times are maintained. Improvements for bus users include the provision of a new bus station at Brent Cross</p>
<p>How many people/residents were sent letters about this RMA? 4 applications were consulted on letter at the same time but no explanation or summary. Not all documents could be accessed.</p>	<p>Please see the main report for details of the number of residents consulted and re consulted. Consultation time periods comply with the statutory requirements and the consultation expiry dates are also available on the Councils website. All four RMA applications are part of Phase 1A North and were submitted within the same timeframe; therefore one consultation letter covered all four applications. The planning case officer is available (on the telephone) to discuss and explain the planning application and documentation submitted.</p>

Consultation responses from Statutory Consultees and Other interest groups

Consultation Response	Officer Comments
<p><u>Transport for London</u></p> <p>Initially objected to the alternative Tempelhof Bridge design on the following basis:</p> <p>The modelling submitted assesses the 2021 scenario and not 2031 scenario. TfL would not support the approval without the correct modelling requested. TfL offered to provide assurance to this process through a technical working group.</p> <p>The following technical questions were raised:</p> <p>How the results changed if the entire VISSM</p>	<p>Concerns regarding the modelling work undertaken were identified by both Transport for London and London Borough of Barnet Highways Officers.</p> <p>Further modelling work has been subsequently undertaken. This additional work, combined with retention of the northbound bus lane, which provides additional resilience for buses, has resulted in TfL removing their objection to the application.</p>

<p>model was run?</p> <p>How the Toucan crossing would operate in the approved and proposed scenarios?</p> <p>Operational impact of the bus stop within the traffic lane and ability to provide bus stops along this corridor</p> <p>Freight movements on Prince Charles Drive during peak periods. Can this be limited?</p> <p>Not providing Bus lanes:</p> <p>Results provided demonstrate that in the AM it shows marginal increase in general traffic journey delays (+1.23 seconds per vehicle), with benefits to buses (minus 4.67 seconds). In the PM, general traffic marginal worse (+1.83 seconds), with buses worse than that (+4.0 seconds). On Saturday, not having the bus lanes is worse for general traffic (+6.14 seconds) and for buses (+10.83 seconds). Therefore, not providing bus lanes is worse for TfL and bus users than providing them though these averages include a more complex story based on links and routes.</p> <p>The route by route assessment shows during the AM peak there is a benefit to buses heading southbound; northbound, 5 routes show dis-benefit and 4 benefit. PM peak, benefits to southbound routes, northbound all routes dis-benefit including 33 seconds per bus on the 112. On Saturday, all southbound buses benefit, all northbound buses dis-benefit including 80 seconds on 266, 76 seconds on the 112 and 67 seconds on 182.</p>	
<p><u>London Borough of Brent</u></p> <p>LB Brent initially objected to the application on the following grounds:</p> <p>The proposed narrowing of the originally approved bridge width and omission of bus lanes would have a negative impact on bus journey times for routes serving Brent.</p> <p>The detailed design also amends the outline scheme by reducing the width of the bridge from about 23.5m to about 11m to accommodate only a two-lane single carriageway road, with the previously proposed northbound and southbound bus lanes over the bridge omitted.</p> <p>The VISSIM modelling for the development has been rerun for future year 2021. These do show some relatively minor improvements</p>	<p>With the retention of the northbound bus lane, which provides additional resilience for buses, the London Borough of Brent has removed their objection to the application.</p>

<p>to overall bus journey times at peak hours in a southbound direction, as maximum modelled queue lengths from the future signalised junctions at Market Square and Tilling Road are short enough not to extend over the bridge.</p> <p>The reduction in the width of the pedestrian crossing on the northern side of the bridge would provide less crossing time for pedestrians and less delay to all traffic.</p> <p>Northbound journey times for buses are shown to be much longer in the evening peak period and in the Saturday peak hour, as queues are shown extending over Templehof Bridge, meaning that buses would be caught in the queue with no bus lane provided.</p> <p>The results indicate that whilst the removal of the southbound bus lane may offer little dis-benefit to buses for 2021, the northbound bus lane is of intrinsic value in allowing buses to bypass long predicted queues over the bridge from the stop line at the western roundabout.</p> <p>No assessment has yet been undertaken for the end-state scenario (year 2031), which may show yet further delays.</p>	
<p><u>Brent Cyclists, the local group in Brent of the London Cycling Campaign</u></p> <p>Objection regarding shared lanes between cyclists and pedestrians.</p> <p>Considers the segregated cycle and pedestrian lane a positive aspect; however should provide a continuous route. Suggested Cycle Superhighway 5 across Vauxhall Bridge and through the Vauxhall Cross Gyrotory, which provides a clear and wide cycling path in both directions which is segregated from pedestrians and vehicles.</p>	<p>The planned development provides a continuous segregated route for cyclists from the A41 and potentially Cycle Superhighway 11, though Clitterhouse Playing Fields and across Tempelhof Bridge to Brent Cross Shopping Centre. To the north of the bridge there is, as stated, shared provision for cyclist and pedestrians.</p>
<p><u>Historic England</u></p> <p>No archaeological comments raised with regards to the detailed design</p>	<p>Noted</p>
<p><u>Highways England</u></p> <p>Having considered this Reserved Matters Application, no comments have been raised</p>	<p>Noted</p>
<p><u>Network Rail</u></p> <p>No objection raised</p>	<p>Noted</p>
<p><u>Sport England</u></p> <p>No objection raised</p>	<p>Noted</p>

<u>Thames Water</u>	
No objection raised	Noted

Second Consultation Period expiring 15 February 2016

No objections were received.

Third Consultation Period expiring 23rd December 2015

Consultation responses from local residents

Consultation Response	Officer Comments
<u>Resident 1 Response:</u>	
The alternative Tempelhof Bridge was initially illustrated demonstrating four lanes of vehicular traffic, concerns raised why this design has changed.	Modelling analysis of traffic flows southbound on Tempelhof Bridge indicate minimal queues/delays resulting in little benefit for buses from the bus lane. Furthermore, the introduction of the staggered rather than straight across pedestrian crossing at the northern end of the bridge, combined with less distance for pedestrian to cross with the removal of the lane, reduces delay to all vehicles, including buses. TfL, who are responsible for the operation of bus services also consider the loss of the southbound bus lane on Tempelhof Bridge is reasonable.
Concerns regarding funding for the Brent Cross Cricklewood Infrastructure and whether it will be funded by the developers.	This not relevant with regards to the determination of this Reserved Matters Application.
Concerns raised that developers and the LPA have failed to demonstrate economic laws or inflation for design and materials.	This not relevant with regards to the determination of this Reserved Matters Application.
In the November 2009 planning committee it was stated that Brent Council had no objections to the planning application.	Brent Council did raise objections and these were recorded in the committee report presented at the 18 and 19 November 2009 Planning and Environment Committee
Concerns raised that Brent as a highway authority will be affected by the removal of a lane of traffic on Tempelhof Avenue Bridge, and this lane cannot be added at a later date.	The impact of the proposed highway changes on Tempelhof Bridge have been assessed via a strategic traffic model. The model has identified changes in traffic flow in the 2021 weekday AM and PM peaks and the Saturday peak across the highway network adjacent to Brent Cross. The results indicate minimal changes in traffic flow within Brent in the weekday AM, PM and Saturday peak periods.

	<p>The response from the London Borough of Brent states <i>'There would be no objections on transportation grounds to this amendment to the proposed bridge insofar as it affects Brent'</i></p> <p>John Fletcher (Team Leader – Development Control) Ref D91/5011EP/BXC dated 12th January 2017</p> <p>Furthermore, TfL who are responsible for the operation of bus services and who have reviewed the traffic modelling undertaken, including potential delays to buses in both 2021 and 2031 with removal of the bus lane, have raised no objection to the proposals.</p>
The western footpath on Tempelhof Avenue cannot be used if pedestrian bridges over the M1 and the A406 next to the Midland Main Line Railway are removed.	A 2.0m footway on the western side of Tempelhof Bridge is part of the design proposals.
The removal of a pavement and traffic lane does not correspond to the London Plan.	The review of the proposals submitted by TfL and council officers have taken into account the London Plan and the latest Transport for London planning guidance, including the London Cycling Design Standards. The provision of a 2.0m wide footway, a 2.0m segregated cycle lane and a northbound bus lane provide sufficient provision for pedestrians, cyclists and bus users.
The current status of Brent Cross Cricklewood is unfair under English common Law. Concerns raised that planning application consents and RMA consents have been lawfully processed under statute, over the years in which the authority may have acted unfairly	All applications and approvals have been considered in accordance with the law and have not been subject to any legal challenge.
<u>Resident 2 Response:</u>	
The RMA for 2 lanes remained undetermined could this design be presented at a later date? And if the 3 lane option is approved would there be two designs?	The '2 lane' application was submitted in October 2015 as all reserved matters applications for Phase 1A (North) required submission prior to 28 th October 2015, the amended 3 lane scheme is an update to this same reserved matters application. It is no longer possible to submit an RMA against this sub phase containing Tempelhof Bridge as the submission date has passed.
Public transport should be encouraged in the Brent Cross Cricklewood Regeneration; there should be dedicated bus lanes on all relevant roads, bridges and roundabouts in the development area.	Both London Borough of Barnet Highway Officers and TfL (who are responsible for the operation of bus services) consider the loss of the southbound bus lane on Tempelhof Bridge, based on the modelling work submitted, to be reasonable.

<p>Concerns raised that the BXC Development Partners stated that the bridge does not require a dedicated bus lanes.</p>	<p>Bus lanes are proposed across the regeneration area, including in both directions on the Midland Mainline Bridge connecting the southern development to the A5 and through the southern development itself.</p>
<p>Concerns raised that if the developers are seeking to cost save, the Living Bridge could be delivered at a later stage, as this bridge only provides pedestrian and cycle access to the Shopping Centre. Tempelhof bridge should be built to the highest standard.</p>	<p>The Living Bridge is a pedestrian/cycle only bridge, encouraging these sustainable modes of travel. Modelling of the removal of the southbound bus lane on Tempelhof Bridge indicates minimal difference to bus journey times.</p>
<p>Amended plans submitted show the number of lanes varying across the bridge.</p>	<p>The proposal is for the removal of the southbound bus lane and eastside pedestrian footway. The pedestrian/cycle crossing on the northern side of the bridge will be staggered, to optimise performance. The resulting layout will consist of:</p> <ul style="list-style-type: none"> • Two traffic lanes (each 3.5m) • A northbound bus lane (3.2m) • A segregated cycle lane on the west side (2.0m) • A pedestrian footway on the west side (2.0m) • An eastside verge (0.6m)
<p>Question raised whether cyclists and pedestrians would share the footpath space on the western side of Tempelhof bridge It would be difficult to share this space safely.</p>	<p>A 2.5 segregated cycle lane and a 2.0m pedestrian footway will be provided on the west side of the bridge. Therefore, cyclists and pedestrians will not share the same space.</p>
<p>The development partners have not conducted any end state modelling work. If there are more traffic jams there is likely to be more air pollution.</p>	<p>End state (2031) modelling has been undertaken and reviewed by both TfL and London Borough of Barnet officers. The results indicate no significant increase in congestion as a result of removal of the bus lane.</p>
<p>The is no comparison with 3 lane bridge design and the 4 lane bridge design</p>	<p>Modelling comparisons between the 4 lane and 3 lane options have been undertaken, assessed and agreed by TfL and London Borough of Barnet officers. Modelling analysis of traffic flows southbound on Tempelhof Bridge indicate minimal queues/delays resulting in little benefit for buses from the bus lane. Furthermore, the introduction of the staggered rather than straight across pedestrian crossing at the northern end of the bridge, combined with less distance for pedestrian to cross with the removal of the lane, reduces delay to all vehicles, including buses</p>
<p>Concerns raised that the reduction of Tempelhof Bridge have been lead because the following reasons:</p> <ul style="list-style-type: none"> - To reduce costs - Dedicated bus lanes are not on all bus 	<p>The Brent Cross design includes provision of bus lanes from the A5, across the Midland Mainline Bridge, through the southern development and to Tempelhof Bridge, providing a connection to Brent Cross Shopping Centre. TfL, who are responsible</p>

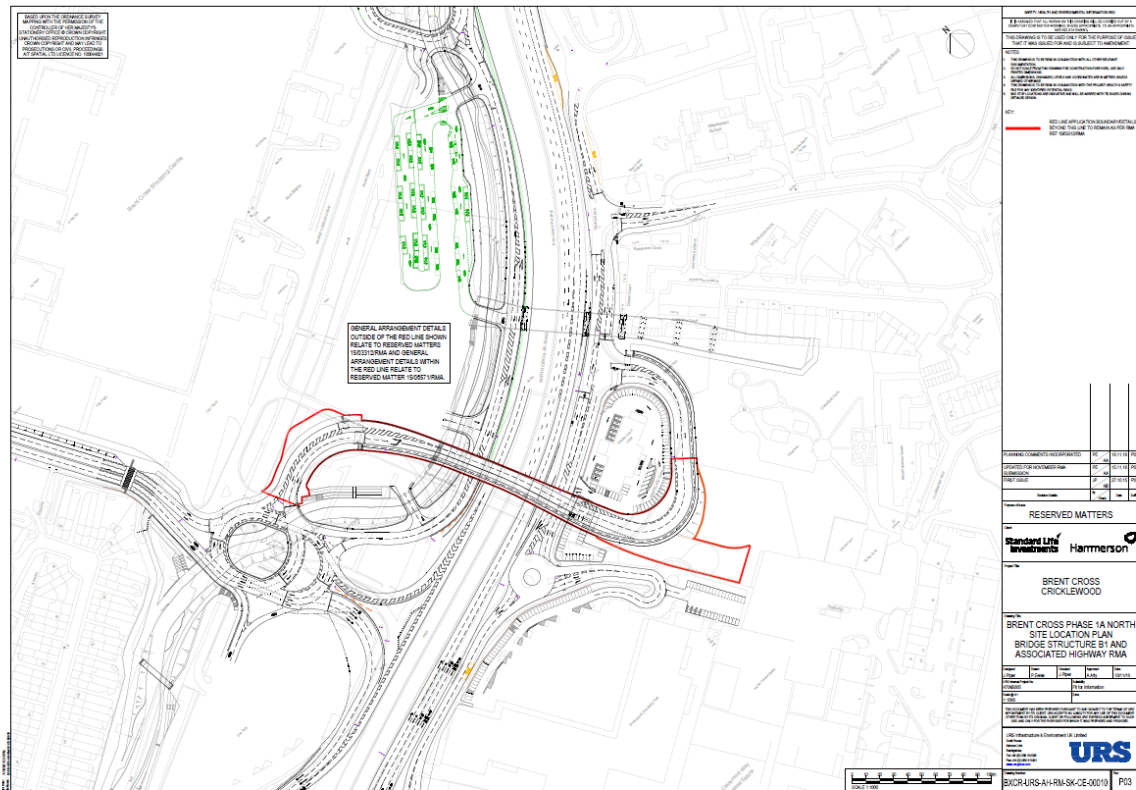
<p>routes.</p> <ul style="list-style-type: none"> - Accurate measurements were not taken prior to the 2010 Masterplan 	<p>for the operation of bus services, consider the loss of the southbound bus lane on Tempelhof Bridge is reasonable, taking account of the practicable need to deliver a new bridge and minimising disruption to current users of the bridge over the A406, and developer's commitment to provide bus priority south of the A406.</p>
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Consultation responses from Statutory Consultees and Other interest groups

Consultation Response	Officer Comments
<p><u>Transport for London</u></p> <p>TfL do not object to this Reserved Matters Application.</p>	<p>It is noted that Transport for London do not object to Barnet Council approving this application and London Borough of Barnet Highway Officers will continue to work with TfL to encourage increased walking, cycling and public transport use for the regeneration area.</p>
<p><u>London Borough of Brent</u></p> <p>LB Brent have no objections on transportation grounds to this amendment to the proposed bridge insofar as it affects Brent; nevertheless recommended that further bus priority measures be investigated for the area.</p>	<p>It is noted that the London Borough of Brent do not object to the planning application. London Borough of Barnet Highway Officers will continue to work with TfL to investigate bus priority measures in the area.</p>
<p><u>Natural England</u></p> <p>No objections raised</p>	<p>Noted</p>
<p><u>London Borough of Haringey</u></p> <p>No objections raised</p>	<p>Noted</p>

SITE LOCATION PLAN: Bridge Structure B1 (Replacement A406 Tempelhof Bridge), Brent Cross Cricklewood Regeneration Area, London NW2

REFERENCE: 15/06571/RMA



	AGENDA ITEM 11 Planning Committee 22 February 2017
	<p>Title Referral from the Finchley and Golders Green Area Planning Committee: 12-18 High Road – 16/2341/FUL</p> <p>Report of Head of Governance</p> <p>Wards East Finchley</p> <p>Status Public</p> <p>Enclosures Appendix A – Cover Sheet Appendix B - Referral from F&GGAPC , 12 to18 High Road</p> <p>Officer Contact Details Abigail Lewis, Governance Officer Abigail.Lewis@barnet.gov.uk 020 8359 4369</p>

<h3>Summary</h3>
<p>Agenda Item 8 (12-18 HIGH ROAD - 16/2351/FUL) of the Finchley and Golders Green Area Planning Committee on 19th January 2017 was referred up to Planning Committee, following the vote, by the requisite number of Members (2), in accordance with the Constitution. The Planning Committee is therefore requested to consider the recommendations and take a decision on them.</p>

<h3>Recommendations</h3>
<p>1. That the Planning Committee consider and determine the application as set out in the report previously considered by the Finchley and Golders Green Area Planning Committee on 19th January 2017.</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The Constitution allows a requisite number of Members, in this case 2, of an Area Planning Committee to refer any item that it considers with a recommendation to the relevant committee within whose terms of reference it falls, by indicating immediately after the decision is taken that they require the decision to be referred up.
- 1.2 The attached report was considered by the Finchley and Golders Green Area Planning Committee on 19th January 2017. The Committee resolved to approve the application, with the Chairman using her casting votes, as per the Officer's recommendations.

2. REASON FOR REFFERAL

- 2.1 Immediately following the decision, 2 members of the committee referred the decision to the Planning Committee in accordance with the council's Constitution. The reasons for referral were as follows:
- Loss of heritage to the area,
 - Issues regarding overlooking,
 - Overdevelopment of the site,
 - Loss of light
 - and insufficient parking.

3. REASONS FOR RECOMMENDATIONS

- 3.1 As set out in the substantive report.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 As set out in the substantive report.

5. POST DECISION IMPLEMENTATION

- 5.1 As set out in the substantive report.

6. IMPLICATIONS OF DECISION

- 6.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 6.2 As set out in the substantive report.

6.3 Legal and Constitutional References

- 6.3.1 Responsibility for Functions, paragraph 6.4, of the council's Constitution states that two members of an Area Planning Committee are required to refer up an application to the Planning Committee.

6.4 **Risk Management**

6.5 As set out in the substantive report.

6.6 **Equalities and Diversity**

6.7 As set out in the substantive report.

6.8 **Consultation and Engagement**

6.9 As set out in the substantive report.

7. **BACKGROUND PAPERS**

7.1 None.

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- The £870,000 figure mentioned in the report is a commuted sum towards off-site affordable housing. The '23%' figure within the report identifies what percentage of the 21 units would be affordable if they were to be provided on site.
- It is recommended that condition 1 in the report is amended to read:

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

HR-AGE01

HR-G-AG01 E

HR-G-AG02 D

HR-G-AG03 D

HR-G-AG04 E

HR-G-AG05 D

HR-G-AGP01 **G**

HR-G-AGP02 E

HR-G-AGP03 D

HR-G-AGP04 E

HR-G-AGP05 E

HR-G-AE01 D

HR-G-AE02 B

HR-G-AE03 **C**

HR-G-AE04 B

HR-G-AE05 C

HR-G-AE06 D

HR-G-AE07 C

HR-G-AE08 B

HR-G-AE09 A

HR-G-AE10 B

HR-G-AE11 B

Design and Access Statement

12-18 High Road - East Finchley Site Analysis

Daylight and Sunlight Report

Construction Management Plan

Transport Assessment

Revised Environmental Assessment

Planning Statement

Air Quality Assessment

Travel Plan

4061/500 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 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).

Location 12 - 18 High Road London N2 9PJ

Reference: 16/2351/FUL

Received: 11th April 2016

Accepted: 26th April 2016

Ward: East Finchley

Expiry 26th July 2016

Applicant: Safeland PLC

Proposal: Demolition of existing buildings and construction of 2 no. 4 storey buildings providing 21 no. self-contained flats and 265sqm of B1 office space at ground level to block A with associated refuse and recycling storage, cycle store, 2no off street parking spaces and amenity space (AMENDED PLANS - MINOR CHANGES)

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;
3. 3. Highways Improvements - an agreement to provide junction improvements at the High Road Access on the public highway that are approved by the Highway Authority.
4. A financial contribution of £2,000 towards the amendment of Traffic Management Order to ensure to revoke the right to purchase a residential parking permit for the development site.
5. Car Club associated with the development
6. Commuted sum towards Affordable Housing - £850,000
7. Monitoring of the Agreement - £100

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:

HR-AGE01

HR-G-AG01 E

HR-G-AG02 D

HR-G-AG03 D

HR-G-AG04 E

HR-G-AG05 D

HR-G-AGP01 F

HR-G-AGP02 E

HR-G-AGP03 D

HR-G-AGP04 E

HR-G-AGP05 E

HR-G-AE01 D

HR-G-AE02 B

HR-G-AE03 A

HR-G-AE04 B

HR-G-AE05 C

HR-G-AE06 D

HR-G-AE07 C

HR-G-AE08 B

HR-G-AE09 A

HR-G-AE10 B

HR-G-AE11 B

Design and Access Statement

12-18 High Road - East Finchley Site Analysis

Daylight and Sunlight Report

Construction Management Plan

Transport Assessment

Revised Environmental Assessment

Planning Statement

Air Quality Assessment

Travel Plan

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies 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) No development other than demolition work shall take place until details of the location within the development and specification of the 2 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

b) The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2015.

6 The development shall be implemented in accordance with the measures detailed within the approved construction management plan.

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 (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, 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).

8 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).

9 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason: To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM06 of the Local Plan Development Management Policies DPD (adopted September 2012).

10 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.

11 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. 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) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

c) 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, and Policy 5.3 of the London Plan 2015.

12 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 ground floor office 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.

13 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 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 Policy 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 2015.

14 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning

Authority. The equipment shall be installed using anti-vibration mounts. 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 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 a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

15 The level of noise emitted from the (_specify machinery_) plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

16 a) A scheme for air pollution mitigation measures based on the findings of the air quality report shall be submitted to and approved by the Local Planning Authority prior to development.

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, and Policy 5.3 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 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.

18 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.

19 a) 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.

20 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2015.

21 Before the development hereby permitted is first occupied or the use first commences the parking spaces, and cycle parking shown on Drawing No.HR-G-AG01D shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

22 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 Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

23 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).

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

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

25 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 March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

26 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), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

27 The ground floor of block A shall be used for an office and for no other purpose (including any other purpose in Class B1 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.

RECOMMENDATION III:

0 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 07/03/2017 unless otherwise agreed in writing, the Head of Development Management REFUSE the application under delegated powers for the following reason(s):

The proposals would make inadequate provision for off street parking and as a result would generate significant parking pressures on surrounding roads which would result in harmful impact on highway and pedestrian safety. The proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The proposals make no provision for necessary highways works which would result in harmful impact on highway and pedestrian safety. The proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The application does not provide any on site affordable housing or a contribution towards affordable housing in the local area. It has not been demonstrated to the satisfaction of the Local Planning Authority that it would not be viable to provide affordable housing on the site or a contribution towards this. The application is therefore unacceptable and contrary to policies DM10, CS NPPF, CS4 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.12 and 3.13 of the London Plan (adopted July 2011 and October 2013), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Documents and the Mayoral Housing (adopted November 2012) Supplementary Planning 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. Your planning application has been assessed at this time as liable for a £58,180.50 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 £224,410.50 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 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 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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

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

- 1) BS 7445(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).

- 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 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.

- 6 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 7 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.

- 8 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.

Officer's Assessment

1. Site Description

The site is a plot of land on the east side of High Road within East Finchley Town Centre. The site is a rectangular plot of approximately 0.12 hectares.

The site is currently used by Greater London Hire (GLH) who operate the site as minicab and courier service.

The site contains a two storey building with pitched roof running alongside the southern boundary. To the rear of the site is a fenced off parking area with two storey demountable buildings. To the rear of the building it reduces to single storey.

To the immediate south of the site is Park House, a T-shaped two storey building containing a nursery. To the north is a parade of shops within a two storey building with rooms in roofspace.

Opposite the site is East Finchley Underground Station.

2. Site History

C07443 - Change of use of ground floor from Hostel to use as Municipal Offices and provision of additional car parking - Approved - 13/5/81

C07443A - Change of use of first floor from hostel accommodation to Local Government Municipal offices, provision of a footway and car parking - Approved 17/3/82

C00050N - Continued use as offices - Approved - 30/3/77

C00050R - Erection of a four-storey office building and 28 car parking spaces (outline) - Refused - 30/4/86

C00050S - Erection of a three-storey block of 12 flats and 14 car parking spaces - (outline) Refused - 1/10/86

C00050V - Use of land and buildings for a car hire business - Lawful - 27/6/91

C00050W/03 - Change of use from Local Government Municipal Offices (Class B1) to Educational Facility (Class D1) for a temporary period expiring 31 December 2005 - Approved - 20-07-2004

C00050W/03 - Change of use from Local Government Municipal Offices (Class B1) to Educational Facility (Class D1) for a temporary period expiring 31 December 2005. - Approved following legal agreement - 11.02.2004

C00050X/04 - Change of use from offices (Class B1) to mixed use, part offices, part control and despatch for private hire vehicles (Class B1/sui generis). - Approved - 30.11.2004

C00050Z/05 - Continued change of use from Local Government Municipal Offices (Class B1) to Educational Facility (Class D1). New application pursuant to C00050W/03 (which is due to expire 31.12.05). - Approved - 06.12.2005 - Split Decision at Appeal in relation to condition 7 (Allowed) and 8 (Dismissed) - 06.12.2005

3. Proposal

The proposals are for the demolition of existing buildings on site and the construction of residential development.

The development would take the form of two blocks.

Block A would be sited to the frontage of the site and would have a ground floor office (B1 Class) with residential units above.

Block B would be sited to the rear of the site and would be residential in use.

Both blocks would be four storeys in height. The upper two storeys would be recessed from the edges of the buildings.

The development would be for 21no. residential units in total.

Block A

Block A is sited to the frontage and would be

Ground Floor- 265sq m Office space

First Floor - 3x1 bed, 1 x2 bed

Second Floor - 2x2beds, 1 x 1bed

Third Floor - 1x2bed

Block B

Ground Floor = 2x2 bed, 1x3 bed

First Floor = 2x1bed, 2x2bed

Second Floor = 2x1bed, 2x2bed

Third Floor = 2x2beds

Further to initial consultation, the plans have been amended to reduce the size of the building and reduce the development to 21 units from 22.

Further amendments have been made in order to take into account the requirement for a lift and to make minor elevational alternations.

4. Public Consultation

Consultation letters were sent to 193 neighbouring properties.

32 responses have been received, comprising 31 letters of objection, 1 letters of comment.

The objections received can be summarised as follows:

Principle of Development

Doesn't make provision for larger units

Loss of jobs from existing facility

Density Excessive

Existing building (Formerly known as Valona House) is one of the oldest buildings in East Finchley and is of historic interest.

Design Issues

Overdevelopment

Proposals don't pay sufficient regard to Victorian houses on neighbouring roads

Poor Quality Design

Overpowers Park House and buildings on High Road

The materials, roofline, roof pitch, lack of eaves, gables, chimney stacks, dormer are not typical of development in the area.

Amenity Issues

Loss of light

Loss of privacy

Noise pollution

Neighbouring properties have not been represented correctly (Note no.9 Ingram avenue is 18.7m from development)

Daylight and Sunlight Report has not looked at internal layout of neighbouring properties and does not have full diagrams (Truncated). Development would be contrary to BRE guidelines as would go beyond 25 degree limit.

Houses on Ingram road are not North facing as stated within Daylight/Sunlight report – they are west facing

Noise assessment states that development will result in harmful noise, so needs to be fixed shut, which precludes ventilation

No consideration to noise from underground or increase to underground use has been considered.

Ceiling height of development is below 2.5m

Air Source Heat pumps will cause noise

Highways Issues

Proposals don't make provision for parking

Access issues for vehicles for commercial development, deliveries, fire access

Waste Management Issues

Access road will cause disruption in Town Centre

Other Issues

Schools in the area are over subscribed

Noise and disturbance during construction

Ecological impact

Impact of construction

The Finchley Society has objected on the following grounds:

'This application hardly differs from the previous application and therefore our previous comments still apply.

The development is too dense for this site. It is poorly designed and sits badly within its context. GLH House, formerly Valona House and then The Shrubbery that currently sits on the site dates from 1841 is one the few remaining historic houses of East Finchley and some consideration should be given to its Historic value to the area. This is a key site at the beginning of East Finchley High road, opposite the station and deserves a better design.

The plans of the flats are poorly considered with insufficient storage space and living space. There are a number of instances where living rooms are stacked over bed rooms. The space standards do not meet Lifetime Home standards thus contravening Barnet policy

No affordable housing is evident in the development

Amenity space is inadequate for 24 homes, some for families. There is no provision for refuse storage and removal. There is insufficient external space for the homes.

With no car parking provision there should be alternative provision for safe and secure parking of bicycles, but there is none. The turning space for the 2 cars shown is inadequate and will force a dangerous exist across the pavement onto the busy main road Response to the street scape is extremely poorly considered and indeed is insensitive to the adjoining properties. The height of the block does not take into account that the road is falling towards the railway - height has been taken from the top of a pitched roof further up the street near Baronsmere Road and continued straight having no consideration for the falling ground or the properties adjacent and to the impact on houses to the rear.

The applicant is simply trying to cram too much onto the site with no acceptable consideration for the quality of the housing nor the subsequent townscape and design within the High Road location.'

The representations received can be summarised as follows:

The GLH Building has greater significance than it is being given credit for. Building is one of the few surviving buildings from the earliest days of East Finchley.

Additional consultation was undertaken on the basis of amended plans and an additional 40 objections were received, the majority from residents who had already objected initially. These comments mention issues raised above, including parking and design matters.

A site notice was put up on 27/04/16

The development was advertised in the local press on 05/05/16

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 2016

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, CS3, CS4, CS5, CS9, CS11, CS12, CS13, CS14, CS15

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM10, DM11, DM13, DM14, DM16, 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

Policy 2.15 Town centres

Policy 3.3 Increasing Housing Supply

Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and Design of Housing Developments

Policy 3.8 Housing Choice

Policy 3.9 Mixed and Balanced Communities

Policy 3.10 Definition of Affordable Housing

Policy 3.11 Affordable Housing targets

Policy 3.12 Negotiating Affordable Housing

Policy 3.13 Affordable Housing Threshold

Policy 4.2 Offices

Policy 4.3 Mixed Use Development and Offices

Policy 4.7 Retail and Town Centre development

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 7.1 Building London's Neighbourhoods and Communities

Policy 7.2 An Inclusive Environment

Policy 7.3 Designing Out Crime

Policy 7.4 Local Character

Policy 7.5 Public Realm

Policy 7.6 Architecture

Policy 7.14 Improving air quality

Policy 7.15 Reducing Noise

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodland

Policy 8.1 Implementation

Policy 8.2 Planning Obligations

Policy 8.3 Community Infrastructure Levy

Residential Design guidance Development Plan Document 2013

Sustainable Design and Construction Development Plan Document 2013

Supplementary Planning Document: Affordable Housing

Supplementary Planning Document: Planning Obligations

Supplementary Planning Document: Enterprise and Training

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of the development including loss of the existing uses on site and provision of retail unit
- Highways Issues
- Impact on the character and appearance of the streetscene and general locality
- Whether harm would be caused to the living conditions of neighbouring and future residents.
- Noise and Air Quality Issues
- Affordable Housing
- Sustainability/Environmental Issues
- Section 106 Issues

5.3 Assessment of proposals

1. Principle of the development including loss of the existing uses on site and provision of retail unit

1.1 Land Use

The site is currently a minicab and courier business and associated car parking. This is considered to be a Sui Generis use.

Whilst such uses are not protected per se, the existing minicab hire and courier business and associated offices do generate jobs. 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.’*

In the opinion of officers of the Local Planning Authority, compliance with policy DM14 needs to be demonstrated in order to address this issue. It should be noted that the proposals seek to provide 265 sq metres of office space within the town centre. The existing building accommodates approximately 250 square metres of space.

In this way, the re-provision of office space would address any concerns relating to policy DM14.

1.2 Loss of the existing building

A number of consultation responses have referred to existing building on site and its historic significance within East Finchley. The building appears to be of Victorian era and notable features include its attractive brick façade, sash windows and detailing.

However it must also be noted that the existing building has been altered substantially in the past.

As such, it is recognised that the building is of some historic significance. It is accordingly considered as a non-designated heritage asset. Therefore the loss of the existing building must be considered against paragraph 135 of the National Planning Policy Framework.

This states that: *‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’*

The loss of the building therefore needs to be weighed up against the benefits of the scheme, i.e. provision of housing units and office space and redevelopment of a town centre site. It must be noted that the building has been substantially altered in the past, especially the rear of the building. It is considered that whilst there is some harm resulting from the building being demolished, the significance of the building is moderate. Retention of the building would also be likely to be prejudicial to the redevelopment of the site given its low site coverage and siting.

It is therefore considered that the loss of the building could be acceptable if it could be considered that this outweighed but wider benefits of the scheme.

1.3 Density

The site has an area of 0.13ha. It is located in an area of PTAL rating 5 close to East Finchley Underground Station.

The London Plan advises that development should be at 45-260 units/hectare. The proposals appear to be at approximately 161 units/hectare.

The London Plan advises that development should be at 200-700 habitable rooms per hectare. The proposals appear to be at approximately 369 habitable rooms/hectare.

It is recognised that the development is a mixed use development and as such the density of the development is not entirely representative of the amount of development proposed. Nevertheless the density is well within the tolerances within Table 3.2 of the London Plan and as specified in the London Plan. Furthermore, town centres are considered an appropriate location for intensification. The Mayor's Supplementary Planning Guidance on Town Centres states that *'projected growth in London's population presents a significant opportunity for London's town centres to become high quality, liveable places, generating local footfall, supporting vibrant and viable town centres with greater levels of housing and sustainable modes of travel..... Boroughs and town centre partners are encouraged to: draw on London Plan policy to support the intensification of town centres, particularly for mixed use development including higher density housing together with supporting infrastructure (including transport, social and digital connectivity)'*

In this way, the density of the development is considered appropriate.

1.4 Unit Mix

The development consists of:

- 7no. 1 bedroom units
- 13no. 2 bedroom units
- 1no. 3 bedroom unit.

Policy DM08 states that *'dwelling size priorities are:*

- i. For social rented housing – homes with 3 bedrooms are the highest priority*
- ii. For intermediate affordable housing – homes with 3/4 bedrooms are the highest priority*
- iii. For market housing – homes with 4 bedrooms are the highest priority, homes with 3 bedrooms are a medium priority.'*

However this is not say that other mix of dwellings on site may is inappropriate.

The development mix is considered acceptable in accordance with policy DM08, especially considering the town centre location which makes provision of smaller sized units more appropriate.

2. Whether the development will have an acceptable impact on Highway and pedestrian safety

Site and Existing Highway Description

The existing property is occupied by a minicab company which has their head office on the site and is also used as a parking area for the company's vehicles.

The site is located on the eastern side of the A1000 High Road, within close proximity of the East Finchley Underground Station, in the Borough of Barnet. The site is located at numbers 12-18 High Road, and it is directly accessed off the High Road. The predominant surrounding land use is residential but includes a mix of uses consisting of retail and commercial.

The site is within a Controlled Parking Zone (CPZ), in close proximity to a East Finchley Underground Station, several bus routes and town centre amenities. Site visits indicate that there is intense parking pressure in the roads in the vicinity of the site.

Accessibility by Foot

In terms of existing facilities for pedestrians, the site is very convenient for walking. There are wide high quality footways on either side of the A1000 High Road, linking into the wider footway network, which extends into Finchley and beyond. To the south, the A1000 High Road offers convenient pedestrian access to Highgate. A staggered signalised pedestrian crossing is located just to the south of the site access, which features dropped kerbs and tactile paving to facilitate the movement of the physically and visually impaired, providing a safe access to the underground station. A second pedestrian crossing is also located to the north of the site access, just after the junction of High Road with Baronsmere Road. This is an informal staggered crossing point with dropped kerbs and tactile paving.

Side road and site access crossings along High Road are also generally fitted with dropped kerbs. A number of footpaths are within the vicinity.

Accessibility by Cycling

The development site is located in a convenient location for cycling trips including both daily commuting and leisure usage. High Road has no dedicated cycle ways, however it is part of the London Cycle Network Link 5, which has, in parts, marked cycle ways and, in other parts, cycle routes shared with bus lanes. In addition, just to the south of the site there is a toucan crossing that allows crossing for cyclists along with pedestrians.

Accessibility by Public Transport

Public Transport Accessibility Level (PTAL) is a form of measuring public transport accessibility in London. PTALs range from 1 to 6 where 6 represents a high level of accessibility and 1 a low level of accessibility.

Transport for London (TfL) gives this site a PTAL Rating of 4 which within the medium accessibility level.

The closest bus stops to the site are located along the A1000 High Road just to the south of the site. A total of seven bus services are accessible from three different bus stops located within 100m from the development site. The bus stops served by routes 102, 143, 234, 263, 603, 653, H3 and N20. These routes provide access to destinations such as Barnet, Brent Cross, East Finchley and Golders Green.

The nearest underground station to the site is East Finchley which is approximately 100m to the south west of the site accessed from the pedestrian crossing over the High Road. The nearest rail station is New Barnet which is approximately 2.5km.

Development Proposal:

The proposal is for demolition of existing buildings and construction of new buildings to provide 22 dwellings comprising of 8 x 1-bedroom, 13 x 2-bedroom and 1 x 3 bedroom in addition to 265 sqm of office space.

A total of 2 parking spaces are proposed for the development accessed via existing vehicle access from the High Road. One would be allocated to the 3 bedroom dwelling and the second for a car club bay.

Vehicle Access

The development will use the current access on the High Road that is 4.5m wide at the entrance. The entrance to the proposed development will be managed by secure gates which will be installed to allow access for pedestrians and vehicles separately.

The development will be accessed from the existing access on the High Road, the Transport Statement that will be 4.5 metres including footway. No details were submitted showing any modifications to the existing access but this will require improvement including any remedial work to facilitate the main office entrance, tactile paving to assist the mobility impaired at the crossing point, there may also be level changes to the access. These works are to be agreed under a S278 Agreement.

The Transport Assessment Appendix B showed that a vehicle parked in the car parking spaces within the site would mount the proposed footway to turn and exit in forward gear. This is poorly designed and based on the lower level of vehicle movements it is recommended that this is a shared surface so that a vehicle can manoeuvre easily. Modifications are therefore required and will be conditioned to be provided.

Car parking provision

The adopted Barnet's Local Plan (Development Management Policies) Policy DM17 indicates the maximum parking standards for residential development, as:

- i. 2 to 1.5 spaces per unit for 4 or more bedrooms)
- ii. 1.5 to 1 spaces per unit for 2 to 3 bedrooms;
- iii. 1 to less than 1 space per unit for 1 bedroom

This equates to a parking provision of up to 14 to 29 parking spaces for the residential development to meet the parking standards as set out in the Barnet Local Plan Development Management Policy DM17 approved in September 2012.

For a site in a PTAL5 area, a provision of 17 parking spaces would be required.

The proposal includes 2 parking spaces, 1 for the 3 bedroom dwelling and 1 for a car club bay and therefore is not in accordance with the parking standards.

Taking into consideration several factors including:

- The PTAL rating in this area is at a good accessibility range.
- According to the Census 2011 data the parking ratio for households in the Census Output Area where the site is located is higher than 1 per household.
- This residential development sits within an all-day (Mon-Sat 10am-6.30pm) Controlled Parking Zone (CPZ). A parking survey was carried out on 3rd -4th February 2016 and showed there was space available on-street to accommodate any potential overspill for overnight residents.
- The number of on-street parking permits issued is above 90% of the available space and is therefore under parking stress.

The developer has offered to enter into an agreement to remove the right of purchase of residential parking permits and provide a car club.

Cycle parking provision

A cycle store is provided and details are required to be submitted to show that the development will meet the London Plan minimum requirements for cycle parking.

Travel Plan

A Travel Plan Framework has been included in the submission to encourage sustainable modes of transport. A car club bay will be provided on the site. As the development falls below the threshold in the SPD for a Travel Plan this is voluntary but encouraging. Barnet will work with the developer in developing the plan.

Construction Management

A Construction Management Plan has been included with the submission and details on-site accommodation and how deliveries are made, routed on the highway network and managed. This is adequate for the development.

Refuse and Servicing

A Refuse storage area is provided on the access road within the building. A refuse and servicing strategy is required so that any impact to the highway network is reduced.

Section 106 Obligations

The following contributions and commitments are sought under a Section 106 Agreement :

- (a) Highways Works

The following proposed highway works shall be carried out under S278 of the Highways Act 1980 and to be concluded in S106 Agreement.

- Junction improvements at the High Road Access on the public highway that are approved by the Highway Authority.

- (b) Traffic Management Order Contribution

A financial contribution of £2,000 towards the amendment of Traffic Management Order to ensure to revoke the right to purchase a residential parking permit for the development site.

Overall highways officers consider that on balance the proposals would have an acceptable impact on highway and pedestrian safety and the free flow of traffic.

3. Whether the proposals will harmfully impact on the character and appearance of the streetscene and general locality

3.1 Layout

The proposed development is comprised of two blocks running north to south across the site.

The existing site is mostly hard landscaping and parking areas, with building running along the southern boundary of the site. The proposals would provide an opportunity to build a front age block which would relate to the existing parade of shops to the north. In this way the existing development is already out of character within the area.

The proposed layout would not be out of character with the pattern of development within the area and is considered acceptable.

3.2 Scale and Massing

The site is located on a slope, which decreases from north to south. The site is located within East Finchley Town Centre, with a mixture of building heights. To the north are shopping parades which are two storey with rooms in roof space. Opposite the site is East Finchley Underground Station which is Grade II listed. There is also a four storey office building opposite and three storey residential blocks with pitched roofs.

The massing of the building has been reduced at second and third floors so that it sits more comfortably against the parade of shops to the north. Furthermore, the recess would prevent the building appear jarring against Park House to the south.

The buildings vary between two and four stories in height. This is considered an appropriate scale for the site given the height of neighbouring buildings and the location within the town centre. It is considered important that the detailing of any building relates appropriately to the shopping parade with traditional form to the north. To the south, Park House is an unremarkable two storey flat roof building, however it is still important that any building does not appear jarring when viewed against this.

Overall, it is considered that the scale of the development is appropriate for the site.

3.3 External Appearance and Design

The proposed building would be flat roofed with recessed upper storeys. In this way the building above second floor would not be as dominating as viewed against the pitched roof of 20-22 High Road.

The proposed design of the scheme has been amended in order to separate the ground and upper floor levels of Block A and make them more distinctive given their differing uses.

Materials proposed include:

- Red stock brick
- Sandstone coloured render to projecting bays
- Zinc Cladding for roof
- Wood Laminate to rear projections
- Crittal Windows

It is considered that the design of the proposed building would be acceptable in terms of its impact on the character and appearance of the area.

3.4 Landscaping

The site is currently covered by buildings and hard landscaping with only very limited soft landscaping informally around the edges of the site.

The proposals would represent an opportunity to provide increased soft landscaping to the site, particularly in terms of proposed communal garden areas.

It is suggested that a detailed landscaping scheme is secured by condition.

The impact on the setting of East Finchley Underground Station as a listed building

The underground station is a notable listed building within East Finchley Town Centre, which is located opposite the site. Whilst the replacement building forming part of the development is of some presence, it is not considered that it would be overpowering or prejudicial to the setting of this listed building.

4. Affordable Housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual private residential and mixed use schemes. It suggests that negotiations on sites should take account of their individual circumstances including development viability. This approach is reflected in Policy CS4 of the Core Strategy and policy DM10 of the Development Management Policies DPD. The Policy sets a target of 40% affordable housing on sites of 10 units of more or covering 0.4 hectares or more.

The applicant has submitted a Financial Viability Report in support of the scheme. This has been independently reviewed by Colliers International on behalf of the Council. Further to this, it has been agreed that a contribution of £ 870,000 can be made towards affordable housing within the Borough. This represents a contribution of 23% and is considered to be the maximum amount the scheme can provide.

Whilst commuted sums are only acceptable in exceptional circumstances it is suggested that where a scheme either can only provide a small number of units on-site and there isn't an obvious self-contained block, a commuted sum could be justified. This is because 'pepper potted' affordable units or less than 10 units tend to be unattractive to RSLs as they are difficult to manage.

In this way, the proposals would comply with policy DM10 of the Development Management Policies 2012.

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

5.1 Impact on neighbouring occupiers

5.1.1 Daylight/Sunlight

A daylight and sunlight report accompanies the planning application. This assessed Vertical Sky Component (VSC), and Annual Probable Sunlight Hours (APSH).

The report shows that whilst there may be a small increase in overshadowing of gardens of houses on Ingram Road, this would not be materially harmful to the living conditions of occupiers of these properties. There would be no significant impact to houses on Baronsmere Road.

In terms of sunlight, the impact on 20-22 High Road would generally accord with Building Research Establishment (BRE) Guidance, with one window receiving less Winter Sun than normally advised. The BRE guidance is a useful tool for assessing such impacts but does not cover every eventuality.

Comments from residents have been received in respect of the Daylight and Sunlight Report. These states that the report has not looked at internal layout of neighbouring properties and does not have full diagrams as they are truncated. In the view of the resident development would be contrary to BRE guidelines as would go beyond 25 degree limit. It should be noted that the BRE Guidance states that *'If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*

-receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable

sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year greater than 4% of annual probable sunlight hours"

None of the above conditions are met.

Residents have also pointed out that houses on Ingram road are not North facing as stated within Daylight/Sunlight report, they are west facing. This is acknowledged. However, the report assesses the impact on these windows in any event.

Overall, it is considered that whilst there may be some impact in terms of overshadowing to residents on Ingram Road, this is relatively minor and not significant enough to warrant refusal of the planning application.

5.1.2 Privacy

Block B is sited to the rear of the site and is closest to neighbouring residential properties.

It should be noted that the plans do not show the extensions to properties on Ingram Road to the east. No.9 appears to have been extended in the form of a single storey rear extension. No.7 appears to have been extended at roof level. The houses on Ingram Road are L shaped and have rear two storey outriggers.

It is estimated that there is a distance of approximately 9.3m from the rear wall of the nearest property to the rear and boundary with the site (No.11 Ingram Road) measured from the rear of it's outrigger. The distance from the main rear wall would be approximately 15.3m. In the case of no.9, the ground floor rear wall is approximately 7m from the rear boundary where it has been extended.

Impact on no.11 Ingram Road

At ground and first floors, the proposed building would be approximately 28.5m from the main rear wall of no.11 and 21.3m from the rear outrigger.

At second and third floor the proposed building would be approximately 30.8m from the main rear wall of no.11 and 23.9m from the rear outrigger.

All balconies at second and third floor level have been removed beyond the main rear wall of block B.

The building would comply with the overlooking standards within the Supplement Planning Document: Residential Design Guidance document. The upper floors would be stepped even further to prevent possible overlooking.

Impact on no.9 Ingram Road

It is noted that no.9 has the benefit of a single storey rear extension and therefore the distances at ground floor between buildings is approximately 18.7m measured from the rear outrigger.

This only applies to the ground floor. It must be viewed in the context that the SPD contains guidance, and this is not to say that development should be refused if it exceeds these, especially in town centres.

Otherwise, the distances between the buildings is marginally more than in the case of no.11.

It is noted that there is a small balcony proposed facing this property at first floor level of approximately 1.5m depth. This would be sited away from the part of the building directly facing the outrigger. On balance it is not considered that harmful overlooking would result if this element is screened adequately and a condition is suggested to ensure this.

Impact on other residential properties

The other property directly facing the site is sited further away from the site though any impact would be similar to no.9 and no.11 Ingram Road. Though this property has a roof level, it is not considered that any impact would be materially harmful to the living conditions of the occupiers of this property.

The proposed Block A is sited to the front of the site. Overlooking from this block is unlikely given that residential properties are some distance to the north and east of the site.

Furthermore, the scheme has been designed to prevent any possible overlooking to the nursery at Park House to the south. It should however be noted that there is no policy seeking to prevent overlooking to schools and there would be no grounds to refuse an application on these grounds.

5.1.3 Visual Impact/Outlook

The houses to the rear of the site on Ingram Road are closest to the development. These are sited at a height similar to that of the site. They have rear outriggers which step back from the main rear wall of the buildings by approximately 7m.

The existing building is located some 9m from the boundary with no.11 and 20m at first floor level between windows. At ground floor the building is sited some 1m from the boundary.

Whilst the proposed building would be larger than that which exists on site, the second and third floors would be stepped back further to reduce their perceived visual impact.

The proposed block B would be sited approximately 16m from the rear boundary with houses on Baronsmere Road and 26m from the rear walls of these houses. Furthermore, any view would be of the side of the block which is shallow in depth.

It is not considered that the proposed building would appear overbearing or cause harmful loss of outlook as viewed from neighbouring residential properties to Ingram Road, Baronsmere Road or above commercial premises on High Road.

5.1.4 Noise and Disturbance

The site is located within East Finchley Town Centre and is within appropriate density ranges.

The commercial parts of the building would be sited to the front of the site away from residential properties to the rear.

Given the nature of the use it is not considered that the proposals would cause harmful noise and disturbance to neighbouring residential properties.

5.1.5 Light Pollution

Given the nature of the proposed use, and the siting and distance between windows, it is not considered that harmful light pollution would result from the development.

5.2 Impact on amenities of future occupiers

5.2.1 Internal Amenity

Block A

First Floor Unit 1 (1 Bed) – 54 square metres

First Floor Unit 2 (1 Bed) – 54 square metres

First Floor Unit 3 (1 Bed) – 54 square metres

First Floor Unit 4 (2 Bed) – 90 square metres

Second Floor Unit 1 (2 Bed) – 68.6 square metres

Second Floor Unit 2 (2 Bed) – 75.2 square metres

Second Floor Unit 3 (2 Bed) - 92.7 square metres

Third Floor (2 Bed) – 93 square metres

Block B

Ground Floor Unit 1 (2 Bed) - 67.7 square metres

Ground Floor Unit 2 (3 Bed) - 90.8 square metres

Ground Floor Unit 3 (2 Bed) – 67.7 square metres

First Floor Unit Unit 1 (2 Bed) – 67.6 square metres

First Floor Unit Unit 2 (1 Bed) – 56 square metres

First Floor Unit Unit 3 (1 Bed) – 56 square metres

First Floor Unit Unit 4 (2 Bed) – 67.6 square metres

Second Floor Unit Unit 1(2 Bed) – 67.6 square metres

Second Floor Unit Unit 2 (1 Bed) – 51 square metres

Second Floor Unit Unit 3 (1 Bed) – 51 square metres

Second Floor Unit Unit 4 (2 Bed) – 67.6 square metres

Third Floor Unit 1 (2 Bed) – 71 square metres

Third Floor Unit 2 (2 Bed) – 71 square metres

The development would comply with the internal space standards within Mayor's London Plan.

It is noted that some of the proposed residential units would be single aspect. However, none of the units would be north facing. In this way the scheme would provide good outlook for future residents.

5.2.2 External Amenity Space

The following amenity areas would be provided in association with the development:

- Communal Area of 103 square metres to rear of Block A
- Communal Area of 168 square metres to rear of Block B
- Ground floor private patios of 19, 27 and 31 square metres
- Communal Roof terrace (Third Floor) 57 square metres
- Third Floor Balconies of 19 square metres (x2)

240 square metres of external amenity space would be required in accordance with the Supplementary Planning Document on Sustainable Design and Construction. The development makes provision for 328 square metres.

6. Noise and Air Quality Issues

The Noise Consultants, Sharps Redmore, consider it is likely that the western and southern facades, which are closest to the High Road, will require a sealed acoustic glazing system and the northern and eastern facades will require thermal double glazing.

To enable the windows to remain closed acoustic air bricks or an individual or whole building mechanical ventilation system may be required. This would be acceptable to Environmental Health Officers.

The information is satisfactory and shows that the operational air quality impact of the proposal not to be significant. Environmental Health Officer would also like to note that the proposed noise mitigation options (such as acoustic air bricks or an individual or whole building mechanical ventilation) would also have act as an air quality mitigation measure. If mechanical ventilation is used they would recommend that air is drawn in from the rear of the building as this would be the cleanest side of the building)
The applicant has submitted a Construction Management Plan in support of the proposals. Environmental Health Officers consider that this is acceptable.

7. Sustainability/Environmental Issues

7.1 Accessibility

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2) and M4(3). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.
Policy 3.8 of the London Plan requires 10% of new dwellings to be wheelchair adaptable or accessible. The development would comply with this requirement.

7.2 Carbon Dioxide Emissions

The applicant has submitted an Environmental Sustainability Statement. This states that photovoltaic panels will be used as part of the development on the roof.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 35% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition [is attached/would be attached in the event planning permission is granted] to ensure compliance with the Policy

7.3 Water usage

In terms of water consumption, a condition [is attached/would be attached in the event planning permission is granted] to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

7.4 Drainage

The site is located within if Flood Zone 1. The site has a low risk of surface water flooding.

The applicant has submitted a drainage strategy. The Lead Local Flood Authority has been consulted and they are of the view that a more detailed Drainage Strategy should be submitted before the development commences. This could be secured by condition. It is recommended that the feasibility of implementing infiltrating Sustainable urban Drainage Systems (SuDS) be provided as well as giving more consideration to the SuDS hierarchy.

7.5 Biodiversity

Policy DM16 states that when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity.

The existing site contains buildings and hardstanding, with some vegetation around the residential boundaries with neighbouring properties. It is considered to be of low ecological value and as such, there is no requirement for surveys of protected species. A condition is attached requiring biodiversity improvements in accordance with policy DM16.

7.6 Waste and Recycling

The applicant has amended the plans to provide 6 x 1,100 litres bins. This is considered appropriate provision and is considered acceptable by the Waste and Recycling Team.

8. Impact on security

The proposed would maintain commercial use to the front of the site. The rear facing windows would provide surveillance to the rear garden of the site and it is not considered that the risk of antisocial behaviour would increase as a result of the development.

No objection has been received from the Metropolitan Police Designing Out Crime officer.

9. Section 106 Issues

The following planning obligations are required in association with the development:

Contribution of commuted sum towards affordable housing

Amendment to Traffic Order to prevent residents of the development obtaining parking permits.

Furthermore, a contribution would be required towards Mayoral and Barnet Community Infrastructure Levy.

5.4 Response to Public Consultation

Principle of Development

Doesn't make provision for larger units - *Addressed in main report*

Loss of jobs from existing facility - *Addressed in main report*

Density Excessive - *Addressed in main report*

Existing building (Formerly known as Valona House) is one of the oldest buildings in East Finchley and is of historic interest. - *Addressed in main report*

Design Issues

Overdevelopment - *Addressed in main report*

Proposals don't pay sufficient regard to Victorian houses on neighbouring roads - *Addressed in main report*

Poor Quality Design - *Addressed in main report*

Overpowers Park House and buildings on High Road - *Addressed in main report*

The materials, roofline, roof pitch, lack of eaves, gables, chimney stacks, dormer are not typical of development in the area. - *Addressed in main report*

Amenity Issues

Loss of light - *Addressed in main report*

Loss of privacy - *Addressed in main report*

Noise pollution - *Addressed in main report*

Neighbouring properties have not been represented correctly (Note no.9 Ingram avenue is 18.7m from development) - *Noted however the impact of the development is considered acceptable*

Daylight and Sunlight Report has not looked at internal layout of neighbouring properties and does not have full diagrams (Truncated). Development would be contrary to BRE guidelines as would go beyond 25 degree limit. - *Addressed in main report*

Houses on Ingram road are not North facing as stated within Daylight/Sunlight report – they are west facing - *Addressed in main report*

Noise assessment states that development will result in harmful noise, so needs to be fixed shut, which precludes ventilation - *Addressed in main report. Environmental Health Officers are satisfied with details*

No consideration to noise from underground or increase to underground use has been considered. - - *Noise issues are addressed in main report*

Ceiling height of development is below 2.5m - - *Addressed in main report*

Air Source Heat pumps will cause noise - *Air pumps are not proposed*

Highways Issues

Proposals don't make provision for parking - *Addressed in main report*

Access issues for vehicles for commercial development, deliveries, fire access - *Addressed in main report*

Waste Management Issues - *Addressed in main report*

Access road will cause disruption in Town Centre - *Addressed in main report*

Other Issues

Schools in the area are over subscribed – *The proposals make provision towards Community Infrastructure Levy which would contribute to this*

Noise and disturbance during construction – *This is covered by Environmental Health Legislation. In any event, a construction management plan has been provided and is considered acceptable*

Ecological impact *Addressed in main report*

6. Equality and Diversity Issues

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

"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

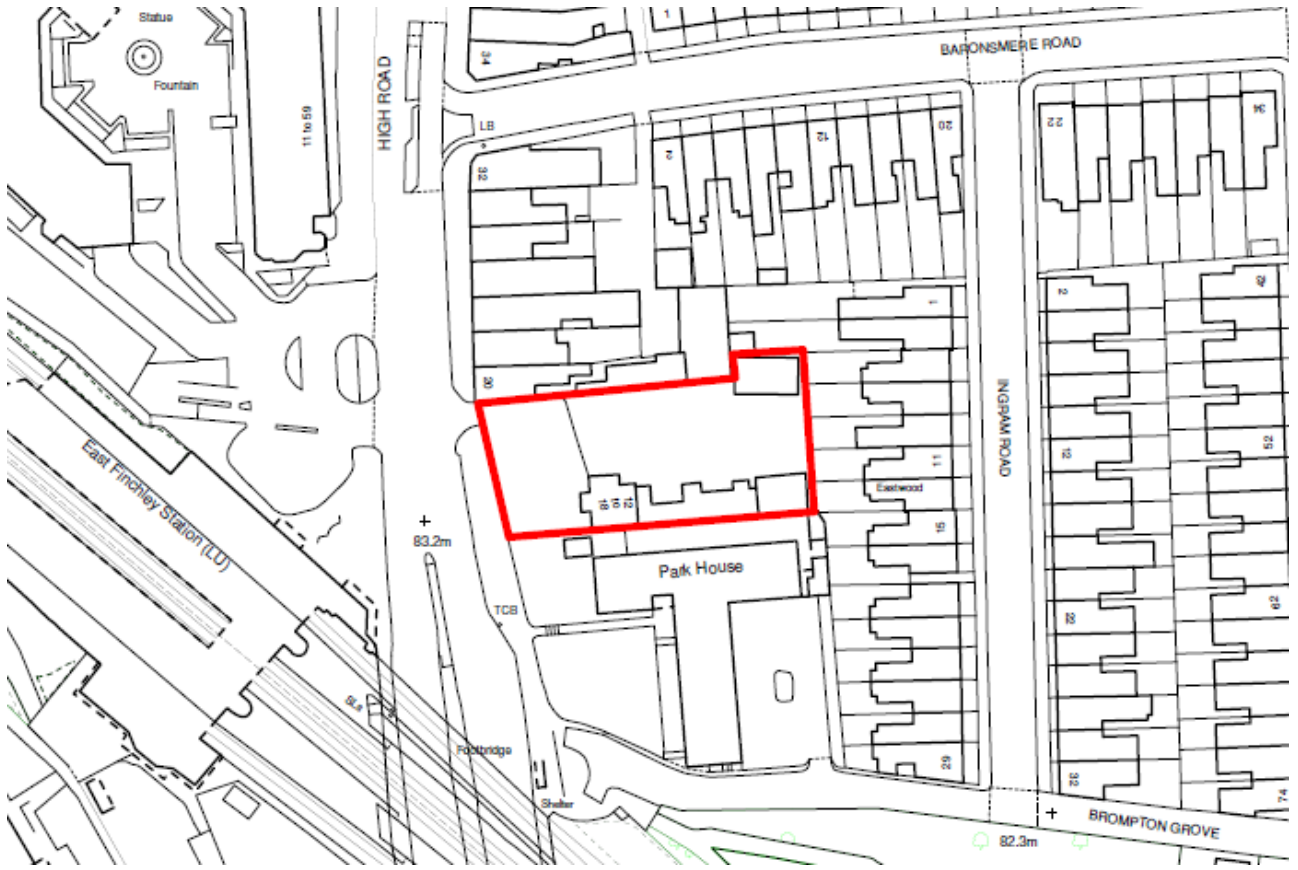
- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

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 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

The proposals would involve the redevelopment of a town centre site and provide contribution to office stock within the borough as well as additional residential units. The development would make a significant contribution to affordable housing within the borough. The development would not have a harmful impact on highway safety subject to legal agreement and not materially harm neighbouring living conditions. Whilst there is some harm arising from the loss of the non-designated heritage asset, this is considered to be moderate and outweighed by the benefits of the scheme. The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



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