

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 29TH MARCH, 2017

AT 6.30PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Melvin Cohen LLB
Vice Chairman: Councillor Wendy Prentice

Councillors

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

Substitute Members

Anne Hutton	Dr Devra Kay	Sury Khatri
Reema Patel	Gabriel Rozenberg	Hugh Rayner

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

Andrew Charlwood – Head of Governance

Governance Services contact: J. Natynczyk 020 8359 5129 jan.natynczyk@barnet.gov.uk
and Sheri Odoffin 020 8359 3104 sheri.odoffin@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 10
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Members Item - A review Conservation Areas Councillor Sowerby	11 - 14
7.	Clarification Report on Approved Planning Application 12-18 High Road, London N2 (East Finchley Ward)	15 - 16
8.	Solar House, 915 High Road London N12 (Woodhouse Ward)	17 - 70
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10.	Old Fold Manor Golf Club Old Fold Lane Barnet EN5 (High Barnet Ward)	105 - 134
11.	Ashmole Academy Summit Way Southgate London N14 (Brunswick Park Road)	135 - 166
12.	12 Larkspur Grove Edgware HA8 9GB (Hale Ward)	167 - 174
13.	Broadfields Primary School Roseberry Drive Edgware HA8 (Edgware Ward)	175 - 182
14.	Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 (Colindale Ward)	183 - 240
15.	Colindale Station, Colindale Avenue, NW9 - Site to the rear of Colindale Station Plaza (Colindale Ward)	241 - 270
16.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

22 February 2017

Members Present:-

AGENDA ITEM 1

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

Councillor Maureen Braun
Councillor Claire Farrier
Councillor Eva Greenspan
Councillor Agnes Slocombe
Councillor Devra
Kay (sub for Councillor Tim
Roberts)

Councillor Stephen Sowerby
Councillor Mark Shooter
Councillor Laurie Williams
Councillor Jim Tierney

Apologies for Absence

Councillor Tim Roberts

CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting, explained the arrangements for speaking, pointed out that the meeting was being filmed and changed the running order, as reflected in these minutes.

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 25 January 2017, be agreed as a correct record.

2. ABSENCE OF MEMBERS

Councillor Tim Roberts, with Councillor Devra Kay as substitute.

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

Councillor	Item	Interest
Melvin Cohen	Hasmonean	Non-pecuniary interest as former pupil of the school
Mark Shooter	Hasmonean	Non-pecuniary interest as former pupil of the school and brother a Governor at the school
Eva Greenspan	Hasmonean	Non-pecuniary interest as former Governor of the school – 20 years

		ago
Claire Farrier	12-18 High Street	Non-pecuniary interest as speakers are known to her

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum were dealt with under individual planning applications.

6. HASMONEAN

The Committee received the report and addendum and noted that there had been one further letter of objection, post addendum.

Representations were heard from John Gillett, Anushka Levey, Councillor Duschinsky and the Applicant's agent.

A vote was taken on the Officer's recommendation to REFUSE the application for the reasons detailed in the report:

For (refusal)	5
Against (refusal)	6
Abstained	0

It was moved by Councillor Cohen and seconded by Councillor Greenspan that the application be APPROVED for the following reasons:

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 and the Secretary of State. 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 and the Secretary of State.

Recommendation 2: Prior to submission to the mayor and Secretary of State the conditions, S106 Heads of Terms and any informative attached to the planning permission be agreed by the Head of Strategic Planning in consultation with the chairman.

Recommendation 3: That subject to Recommendations 1 and 2, the Head of Strategic Planning approve the final planning application reference 16/6662/FUL under delegated powers.

Reasons for Approval

- 1. Members are of the view that if the playing fields did not actually form part of the application site the impact on loss of publicly accessible open space would be lessened. This could be covered by an informative.**

2. Members are of the view that contrary to officer opinion there are indeed very special circumstances here to warrant exception to green belt policy.
 - (a) Operationally there is a need for the two schools to be conjoined the application is for one school.
 - (b) The applicants have made significant efforts to find other sites to accommodate both schools together over some 20 years without success.
3. The London Plan allows in Policy 7.18 that applicants can be required to improve the quality of a nearby area of open space at its own expense. Given the special circumstance of this proposal. LBB can require a significant monetary contribution to improve the quality of existing nearby open space.
4. London Plan allows in Policy 7.19 that applicants make appropriate compensation for the loss of biodiversity elsewhere in the Borough.
5. In relation to the trees taken out currently protected by a TPO members are of the view that the applicant can provide additional tree planting of suitably mature species on the application site.

For (approval)	7
Against (approval)	3
Abstained	1

RESOLVED that the application be **APPROVED** for the reasons detailed above.

THERE WAS A 5 MINUTE COMFORT BREAK AT 8.25PM, WITH THE MEETING RECONVENING AT 8.30PM

7. NATIONAL INSTITUTE FOR MEDICAL RESEARCH

The Committee received the report and the addendum to the report.

Representations were heard from Gavin Waxkirsh, Karen Hatchett and Councillor John Hart.

The Committee voted on the Officer's recommendations to approve the report:

For (approval)	1
Against (approval)	8
Abstained	2

It was moved by Councillor Sowerby and seconded by Councillor Braun that the application be **REFUSED** for the following reasons:

- 1) The proposed development, by reason of its appearance, specifically the modern residential design and use of flats roofs, is out of character with the Mill Hill Conservation Area and has a negative impact when viewed from the Green Belt land to the north, contrary to policies 7.8 and 7.16 of the London Plan (2016), policies CS5 and CS7 of the Local Plan Core Strategy DPD

(adopted September 2012) and policies DM01, DM06 and DM15 of the Development Management Policies DPD (adopted September 2012).

- 2) The proposal will result in the loss of trees of special amenity value with associated loss of nature conservation value, contrary to policies 7.19 and 7.21 of the London Plan (2016), policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and policies DM01 and DM16 of the Development Management Policies DPD (adopted September 2012).

Councillor Tierney moved an amendment to Councillor Sowerby's motion to add lack of affordable housing to the reasons for refusal:

For (adding affordable housing to the list of reasons for refusal)	5
Against (adding affordable housing to the list of reasons for refusal)	6
Abstained	0

Councillor Tierney's amendment was **lost**.

The Committee proceeded to vote on Councillors Sowerby's motion to refuse the application for the reasons detailed above:

For (refusal)	6
Against (refusal)	5
Abstained	0

RESOLVED that the application be **REFUSED** for the reasons detailed in Councillor Sowerby's motion.

8. REFERRAL FROM THE FINCHLEY AND GOLDERS GREEN AREA PLANNING COMMITTEE 12-18 HIGH ROAD

The Committee received the report and addendum and heard representations from Dr Lee Hoare, Mary Hogben and the Applicant's agent.

As the time was now 9.45pm the Chairman stated that he would be extending the finish time of the meeting to 10.30pm.

The Chairman moved to the vote on approving the application:

For (approval)	5
Against (approval)	5
Abstained	1

The Chairman used his casting vote, to vote in favour of approving the application.

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

9. PHASING COMMITTEE REPORT 16-7489

The Committee received the report.

RESOLVED that the application be unanimously approved, subject to the completion of a deed of variation (see the recommendation in the agenda) and the informatives in Appendix 2 of the report.

10. 2.4 AND 2.5 DECOUPLING

The Committee received the report.

RESOLVED that the application be unanimously approved.

11. TEMPELHOF BRIDGE RMA

The Committee received the report and received a representation from Gina Emmanuel.

The Committee proceeded to vote on the application as follows:

For (approval)	6
Against (approval)	4
Abstained	1

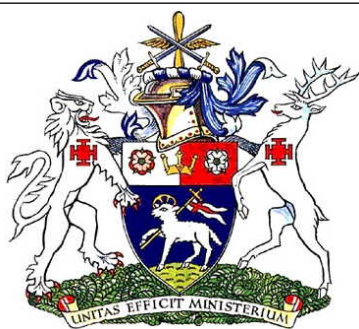
RESOLVED that the application be approved subject to the conditions and informatives detailed in the report and the changes set out in the addendum.

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

None.

The meeting finished at 10.25pm

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Planning Committee

29 March 2017

Title	Members' Items
Report of	Head of Governance
Wards	All Wards
Status	Public
Urgent	No
Key	No
Enclosures	None
Officer Contact Details	Sheri Odoffin, Governance Officer Email: sheri.odoffin@barnet.gov.uk Tel: 020 8359 3104

Summary

The report informs the Planning Committee of a Members' Items and requests instructions from the Committee.

Recommendations

- 1. Instructions from Planning Committee are requested in relation to this Members item.**

1. WHY THIS REPORT IS NEEDED

- 1.1 Historic England advises local planning authorities that key to the ongoing success of conservation areas is to have a good understanding of what makes them special, and to ensure active management once they are designated.
- 1.2 The majority of the Borough's 17 Conservation Area Appraisal statements have not been reviewed (as originally intended) every 5 years. In fact a number have not been reviewed in over 10 years. This suggests our current policy framework may not be providing a reliable understanding of the special character of our conservation areas to ensure their ongoing relevance.
- 1.3 The nature and quality of engagement with the planning process of some of the Conservation Area Advisory Committees (CAACs) appears variable; the governance structure under which the CAACs operate have been in place for many years and may benefit from a refresh, particularly in terms of community representation and transparency; therefore a review of CAAC arrangements would provide a useful insight into the effectiveness of the current arrangements for actively managing our conservation areas.
- 1.4 The list of buildings of local architectural or historic interest has not been updated for a number of years, and therefore it would be useful understanding whether this is something that is expected due or overdue in relation to the current programme of work.
- 1.5 Considering the risks from inappropriate, unsympathetic and harmful development to our Conservation Areas and Listed Buildings and the need for review of our current arrangements for managing the risks to conservation areas, I request that Planning Services arrange a review of:
 - i) Processes and resources for updating Conservation Area Appraisal Statements;
 - ii) The governance structures and any management plans associated with day to day oversight of Conservation Areas including CAACs;
 - iii) The need to update the local list used to define heritage buildings for special protection; and
 - iv) Ongoing Planning Committee engagement with the review process (it may be necessary for a special sub-group of the Planning Committee to be established for the purpose)

2. REASONS FOR RECOMMENDATIONS

- 2.1 No recommendations have been made. Committee is therefore requested to give consideration to the Member's Item above and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

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

5. IMPLICATIONS OF DECISION

5.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

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

5.2.1 None in the context of this report.

5.3 Social Value

5.3.1 Members Item's provide an avenue for Members to request Officer reports for discussion within a Committee setting at a future meeting.

5.4 Legal and Constitutional References

5.4.1 The Council's Constitution Meeting Procedure Rules (section 6) states that a Member, including appointed substitute Members of a Committee may have one item only on an agenda that he/she serves. Members items must be within the term of reference of the decision making body which will consider the item.

6. Risk Management

6.1 None in the context of this report.

7. Equalities and Diversity

7.1 Member's Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

8. Consultation and Engagement

8.1 None in the context of this report.

8.2 The process for receiving a Member's Item is set out in the Council's Constitution, as outlined in section 5.4 of this report. Members will be

requested to consider the item and determine any further action that they may wish in relation to the issues highlighted within the Member's Item.

9. BACKGROUND PAPERS

9.1 Emails to the Governance Service.

Location: 12-18 High Road N2

Reference: 16/2351/FUL

Received: 11th April 2016

AGENDA ITEM 7

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

Recommendation: That Members of the committee note the amended list of plans and confirm that the application is approved in accordance with to the amended plan list and amendments to conditions contained within this report.

This planning application was approved subject to legal agreement by Members at the meeting on 22/02/2017. However following the meeting it was noted that some errors were evident in the conditions having occurred during the process of cross referencing items between the addendum from January Planning Committee and the report for February Planning Committee.

The changes in question solely relate to the removal of roof terrace balconies from the proposals; there are no changes to the dimensions of the building. Furthermore the plans presented to the committee were correct. Officers are satisfied that no party would be prejudiced by correcting this typographical error.

Officers have referred the amendments to the March Planning Committee to ensure matters are clarified and an accurate record made of the decisions, revised plan numbers and conditions and additional condition.

<u>Current Plan Numbers Approved by Committee</u>	<u>Corrected Plans to form amendment to Condition 1 (Plan Numbers)</u>
HR-G-AG01 E	
HR-G-AG02 D	
HR-G-AG03 D	HR-G-AG03 E
HR-G-AGP01 G	
HR-G-AGP02 E	
HR-G-AGP03 D (Should be E)	HR-G-AGP03 E
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 (Should Be D)	HR-G-AE05 D
HR-G-AE06 D (Should be E)	HR-G-AE06 E
HR-G-AE07 C	
HR-G-AE08 B (Should be C)	HR-G-AE08 C
HR-G-AE09 A	
HR-G-AE10 B	
HR-G-AE11 B	

Amended condition 15 (Ventilation)

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.

Additional condition

No parts of the roof of the first floor roof shown on plan HR-G-AGP03E, or the second floor roof on plan HR-G-AGP04E (with the exception of the second floor areas specifically annotated as roof terraces) shall be used as balcony, amenity or sitting out area.

Reason: To safeguard neighbouring amenity.

915 High Road London N12 8QJ

AGENDA ITEM 8

Location

Reference:

16/5639/FUL

Received: 25th August 2016

Accepted: 29th August 2016

Ward:

Woodhouse

Expiry 28th November 2016

Applicant:

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Proposal:

Change of use of ground and first floor of the south wing of Solar House from office (Use Class B1(a)) to Use Class D1(Non-residential institutions), change of use of the second floor of the south wing from office (Use Class B1(a)) to dual D1/B1(a) Use, construction of a new entrance and single storey extension to the front on High Road and demolition of the 3 storey rear wing and construction of a new auditorium

Recommendation: That upon completion of the agreement specified in Recommendation 1, the Interim Head of Development Management approve planning application reference 16/7565/FUL subject to the following conditions and any changes to the wording of the conditions considered necessary by the Interim Head of Development Management.

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. Submission of Faith Travel Plan
4. Monitoring of Faith Travel Plan £15,000
5. Contributions required towards the review of the existing Control Parking Zone (CPZ) and the implementation of the review
6. Submission of Activities Management Plan £0.00
7. Monitoring Cost of Legal Agreement

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager/Head of Development approves the planning application under delegated powers and granted planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Planning Performance and Business Development Manager/Head of Development Management:

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

BAR-E-001 (Site Location Plan)
BAR-E-002 (Existing site plan - Solar House)
BAR-E-003 (Existing site survey - Solar House)
BAR-E-010 Rev 01 (Existing basement floor plan - Solar House)
BAR-E-011 Rev 01 (Existing ground floor plan - Solar House)
BAR-E-012 (Existing first floor plan - Solar House)
BAR-E-013 (Existing second floor plan - Solar House)
BAR-E-014 (Existing third floor plan - Solar House)
BAR-E-015 (Existing fourth floor plan - Solar House)
BAR-E-016 (Existing roof plan - Solar House)
BAR-E-020 (Existing section AA - Solar House)
BAR-E-021 (Existing section BB - Solar House)
BAR-E-030 (Existing north elevation - Solar House)
BAR-E-031 (Existing south elevation - Solar House)
BAR-E-032 (Existing east elevation - Solar House)
BAR-E-033 (Existing west elevation - Solar House)

BAR-F-040 Rev 01 (Demolition Plan - basement floor plan)
BAR-F-041 Rev 01 (Demolition Plan - ground floor plan)
BAR-F-042 Rev 01 (Demolition Plan - first floor plan)
BAR-F-043 Rev 01 (Demolition Plan - second floor plan)
BAR-F-044 Rev 01 (Demolition Plan - third floor plan)
BAR-F-045 Rev 01 (Demolition Plan - fourth floor plan)
BAR-F-046 Rev 01 (Demolition Plan - roof plan)
BAR-F-047 Rev 01 (Demolition Plan - landscape plan)

BAR-F-001 (Proposed Site Plan)
BAR-F-002 (Proposed Landscaping Plan)
BAR-F-110 (Proposed Basement Plan)
BAR-F-111 (Proposed Ground Floor Plan)
BAR-F-112 (Proposed First Floor Plan)
BAR-F-113 (Proposed Second Floor Plan)
BAR-F-114 (Proposed Third Floor Plan)
BAR-F-115 (Proposed Fourth Floor Plan)
BAR-F-116 (Proposed Roof Plan)
BAR-F-120 (Proposed North Elevation)
BAR-F-121 (Proposed South Elevation)
BAR-F-122 (Proposed West Elevation)
BAR-F-123 (Proposed East Elevation)
BAR-F-130 (Proposed Section 1)
BAR-F-131 (Proposed Section 2)

Acoustic Assessment
Air Quality Statement
Daylight, Sunlight and Overshadowing Assessment
Design and Access Statement
Economic Statement
Faith Travel Plan
Flood Risk Assessment
Land Contamination Assessment
Planning Statement
Transport Assessment
Tree Report
Sustainability Statement

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development 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.

- 4 Prior to the occupation of the building or first commencement of the use on the site, a site lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall detail philosophy, reasons and targeted achievements dealing with expectation, controls, light pollution and spillage. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the surrounding area.

- 5 a) No development or site works shall take place on site in relation to the initial occupation of the building (including construction of new front entrance, internal refurbishment of the entrance and lifts and internal separation of north and south wings) until a 'Demolition and Construction Management and Logistics Plan' relating to this aspect of the proposal has been submitted to and approved in writing by the Local Planning Authority.

b) No development or site works in relation to the demolition of the rear wing and construction of the auditorium shall take place until a 'Demolition and Construction Management and Logistics Plan' relating to this aspect of the proposal has been submitted to and approved in writing by the Local Planning Authority.

The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

6 The Church and associated ancillary uses shall not be open to the public outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:-

Monday to Sunday 07:00 to 23:00

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 7 a) The kitchen hereby approved on the ground floor shall not be brought into use 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).

- 8 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 prior to occupation of the relevant part of the building 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.

- 9 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and 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 prior to occupation of the relevant part of the building and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the

Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

- 10 The level of noise emitted from the approved 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.

- 11 Prior to the occupation of the relevant part of the site, a noise management plan shall be submitted and approved in writing by the Local Planning Authority, which shall detail how breakout noise and noise from the car park will be controlled. The development shall then be carried out in accordance with the approved details.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

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

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

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.

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

Reason: To ensure that the 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).

- 13 The relevant part of the premises shall be used for D1 (Place of Worship) and any other associated community uses, education and training in association with the main D1 use and for no other purpose (including any other purpose in D1 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), unless otherwise agreed in writing with the Local Planning Authority.

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.

- 14 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).

- 15 No more than a maximum of 700 persons shall be present on site in connection with the Church use at any one time.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 16 a) The development is required to meet the BREEAM 'Very Good' level against the BREEAM Non Domestic Refurbishment 2014 criteria.

b) Before the auditorium is first occupied the developer shall submit certification for the whole building of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

- 17 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).

- 18 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as approved under the submitted Arboricultural Survey & Impact Assessment (BS5837: 2012) (dated 05/08/2016) has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 19 Prior to the completion of the development, the proposed scheme of hard and soft landscaping shall be implemented in full accordance with approved drawing number BAR-F-002 (Proposed Landscaping plan)

All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following the completion of the relevant part of the development.

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.

- 20 Before the auditorium hereby permitted is first occupied the proposed windows in the west elevation facing Whittington Mews shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut.

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).

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

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 22 Before the auditorium hereby permitted is occupied the car parking spaces as shown on Drawing No. BAR-F-110, BAR-F-111 shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

- 23 Before development commences, details of the gradient for the pedestrian access ramp leading to the building entrance shall be submitted to and approved in writing by the Local Planning Authority. The ramp gradient preferably should be 5% (1:20) but in any case should not exceed 8% (1:12). The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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

- 24 Prior to the occupation, the main pedestrian access to the site shall be from A1000, High Road. All other pedestrian access points to the building available from Fredericks Place (for the church) and Highwood Avenue (for the retained office use) shall only be used for emergency egress and shall not be used for normal access to, or exit from, the church building.

Reason: In the interests of pedestrian and highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted)

September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 25 Before the development hereby permitted is occupied cycle parking spaces in accordance with London Plan Cycle Parking Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

- 26 Prior to the occupation of the relevant part of the development hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. location and layout of car parking spaces,
- ii. the allocation of car parking spaces;
- iii. on-site parking controls and charges;
- iv. the enforcement of unauthorised parking; and
- v. disabled parking 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 parking management plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

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

- 27 Prior to the commencement of the relevant parts of the development, details of any works proposed on public highway shall be submitted to and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans.

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

- 28 Before the development hereby permitted is commenced a scheme showing disabled access to the property shall be submitted to and approved by the local planning authority. The agreed scheme shall be implemented before the relevant part of the development hereby permitted is brought into use.

Reason: To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy

CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 29 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 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 30 Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. Calculations demonstrating the additional carbon emission reductions that would be achieved through the provision of additional panels shall also be submitted. The development shall be carried out and constructed in accordance with the approved details.

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

- 31 The proposed development shall be implemented in its entirety in accordance with the proposed mitigation measures detailed within the submitted Air Quality Assessment (received 25/08/2016) before the relevant part of the development is occupied and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 3.2, 5.3 and 7.14 of the London Plan 2011.

- 32 Prior to the first occupation of the relevant part of the development, certification demonstrating compliance where appropriate, financially viable and in accordance with the design hereby approved with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of community safety in accordance with London Plan Policy 7.3, London Borough of Barnet's Local Plan Policy CS12 of Core Strategy (September 2012) and Policy DM02 Development Management Policies (September 2012).

RECOMMENDATION III:

- 1 That if an agreement has not been completed by 31 July 2017, that unless otherwise in writing, the Planning Performance and Business Development Manager should REFUSE the application 16/5639/FUL under delegated powers for the following reasons:

1. The proposed development does not provide a legal agreement to mitigate the impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy and policy DM17 of the Adopted Development Management Policies DPD.

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 applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.
- 3 The applicant is advised that the barrier should either be electronically operated or manned at all time or shall remain open when the church activities are taking place and the car park is in use such as all day on Sunday to avoid any obstruction of public highway by vehicles waiting on public highway for the gates to open.
- 4 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 5 The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.
- 6 Any highway approval as part of the planning process for the reinstatement or alteration to the existing access/crossovers or provision of a new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense including any relocation of street furniture, lighting columns or amendments to parking bays affected by the proposed works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N12 0EJ.

- 7 The applicant needs to ensure that the proposed disabled pedestrian access ramp is contained within the developers land and does not encroach on to public highway.
- 8 The applicant is advised that A1000 High Road is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

The applicant also advised that A1000 High Road part of the Strategic Road Network (SRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.

Officer's Assessment

1. Site Description

- 1.1 The application site (named Solar House) is located at 915 High Road, on the west side of High Road, within the ward of Woodhouse.
- 1.2 The site has an area of approximately 0.27 hectares and contains a four storey building plus basement consisting of 3,943 sqm GIA of office floorspace. The building is divided into three areas; 4 storey north and south wings and a 3 storey rear wing extending to the rear of the south wing. The south and rear wings which are the subject to this application comprise of 2,590 sqm GIA (excluding basement and plant room).
- 1.3 There is an existing vehicular access into the site along the north boundary from Highwood Avenue which leads to 73 car parking spaces located at ground (24) and basement (49) levels.
- 1.4 The existing building is not statutory or locally listed and the site does not fall within a designated conservation area. The site lies on the outskirts of the northern boundary of North Finchley Town Centre which extends up to Friern Watch Avenue on the eastern side of High Road.
- 1.5 To the north and south of the site are Highwood Avenue and Fredrick's Place, residential streets characterised by 2 storey terrace properties. Whittington Mews, a row of 2 storey dwellings accessed off Fredrick's Place, lies to the west of the site. On the corner of Fredrick's Place and High Road is an existing 4 storey block of flats, while a new 5 storey residential development has been recently completed on the corner of Highwood Avenue and High Road. On the opposite side of High Road, a new 5 storey block of flats is currently under construction.

2. Site History

- 2.1 Reference: 16/4787/PNO
Address: 915 High Road, London, N12 8QJ

Decision: Prior Approval Required and Approved
Decision Date: 26 August 2016
Description: Change of use of part ground floor to third floor from Class B1 (Office) to Class C3 (Residential) (27 Units)

- 2.2 Reference: F/05136/14
Address: Solar House, 915 High Road, London, N12 8QJ
Decision: Prior Approval Required and Approved
Decision Date: 06 November 2014
Description: Change of use from Class B1 (Office) to Class C3 (Residential) (27 Units)
- 2.3 Reference: N01584AF
Address: 915 High Road, London, N12 8QJ
Decision: Prior Lawful
Decision Date: 11 October 1999
Description: Erection of 1.3m diameter satellite dish to roof of building
- 2.4 Reference: F/05136/14
Address: 915 High Road, London, N12 8QJ
Decision: Refused
Decision Date: 30 October 1996
Description: Retention of internally illuminated signs
- 2.5 Reference: F/05136/14
Address: 915 High Road, London, N12 8QJ
Decision: Refused
Decision Date: 04 October 1995
Description: Continued display of illuminated signs on endwalls of building and to front face of canopy
- 2.6 Reference: N01584AA
Address: 905-925 High Road Finchley N12
Decision: Approved
Decision Date: 07 December 1984
Description: Alterations to office building under construction incorporating revised parking layout and omission of swimming pool, squash courts and sauna baths, alterations to elevations, provision of refuse facilities and electricity sub-station.
- 2.7 Reference: N01584Z
Address: 905-925 High Road Finchley N12
Decision: Approved subject to conditions
Decision Date: 04 July 1984
Description: Alterations to office building under construction incorporating revised parking layout and omission ancillary sports facilities, alterations to elevations, provision of refuse facilities and electricity sub-station.
- 2.8 Reference: N01584Y
Address: 905-925 High Road N12
Decision: Approved
Decision Date: 27 January 1984

Description: Part three, part four-storey office block with plant room on roof, 82 car parking spaces in basement and at rear and ancillary sports facilities at basement level.

2.9 Reference: N01584W
Address: 905-925 High Road N12
Decision: Approved subject to conditions
Decision Date: 11 November 1983
Description: Part three, part four-storey office block with plant room on roof, 82 car parking spaces in basement and at rear and ancillary sports facilities at basement level

2.10 Reference: N01584T
Address: 905-925 High Road N12
Decision: Approved subject to conditions
Decision Date: 03 December 1981
Description: Part three, part four-storey office block with parking provision for 81 cars

3. Proposal

3.1 There are several proposed elements to the application, comprising off:

- Change of use of the ground and first floor of the south wing of Solar House from office (Use Class B1(a) to a place of worship (Use Class D1). The second floor will comprise of dual B1(a) and D1 use and third floor will remain in B1(a) use to be used for ancillary church purposes. In total a provision of 1,666 sqm GIA of D1 floorspace is proposed to be provided, with a further 516 sqm GIA of dual B1(a)/D1 floorspace at second floor level;
- Demolition of the existing 3 storey rear wing and construction of single storey auditorium;
- Construction of new entrance, with both stair and disabled ramp access, with new single storey glazed orangery;
- Internal alterations to separate the north and south wings, with occupiers of the north wing continuing to use the existing High Road entrance.
- New landscaping to include new planting on the High Road frontage and boundary adjacent to Whittington Mews. A new green roof is proposed to the rear of the site on the roof of the rear part of the basement car park, adjacent to Whittington Mews.

3.2 There are various artefacts of public interest which are currently located within the existing Holden Road site and are proposed to be relocated to the Solar House site as part of the move. The most significant of these are the wooden World War one memorial screen and the World War 2 stained glass window in the existing east elevation. These will remain open to the public to view.

- 3.3 A single phased development is proposed. However, it is the intention of St Barnabas to move into Solar House before the demolition of the rear wing and the construction of the auditorium. Prior to the church first moving into the building, the following works are proposed to be undertaken:
- Construction of new entrance and provision of both stair and disabled ramp access;
 - Internal refurbishment of the entrance and lifts; and
 - Internal separation of the North and South wings
- 3.4 In terms of activities/events, in summary, the church seeks approval for:
- Up to 4 services every Sunday of no more than 700 people;
 - Up to 4 services on Christmas Eve, Christmas Day and Good Friday of no more than 700 people;
 - Up to 30 larger events per annum of no more than 700 people.
- 3.5 Outside of these events, there are a number of smaller events and activities which would take place throughout the week. The current list of events/activities, days, times and numbers are contained within the submitted Activities Management Plan (AMP).
- 3.6 Larger events not falling on a Sunday are anticipated to comprise:
- Services at Christmas and Good Friday;
 - Large Weddings and Funerals;
 - Summer and Autumn Festivals and Fundraising events; and
 - Conferences.
- 3.7 In association with this application, a separate planning application has been submitted for the existing church site, Barnet reference 16/5632/FUL for the “Conversion of the existing St Barnabas Church from Use Class D1 (community use) to Use Class C3 (residential) comprising 21 flats and four floors, along with associated external alterations. Demolition of the existing bungalow at 42 Holden Road and construction of a three storey plus lower ground floor building comprising 9 residential flats and car parking, provision of private and shared amenity space, cycle and bin stores and other associated works.”

4. Public Consultation

- 4.1 As part of the consultation process, letters were sent to neighbouring occupiers within a 100m radius of the application site. This was in accordance with national planning legislation and Barnet’s own adopted policy on the consultation to be carried out for schemes of this nature.
- 4.2 With further information being submitted on the 25th January 2017, the application was subject to an additional period of consultation of 21 days. This was repeated on the 28th February following the submission of a further document.

4.3 At this stage, a total of 389 representations were received. This includes multiple representations received from the same household following additional consultation. Having accounted for multiple representations, a total of 151 objections were received, with 197 letters of support.

4.4 Following the period of re-consultation from the 28 February 2017, a further 129 responses have been received, consisting of 22 objections and 103 letters of support

4.4 A summary of the objections received is set out below:

- Proposed use is not appropriate in this residential area;
- Surrounding area is already overdeveloped;
- Local businesses in North Finchley will be adversely affected;
- Loss of employment facility;
- Overdevelopment of the site;
- Size of auditorium is inappropriate, will be higher than surrounding building and will have an overbearing impact;
- Proposed development will cause overshadowing;
- Adverse noise impact from proposed activities and volume of people;
- Disruption to the enjoyment of residential amenity;
- Social impact on the surrounding area
- Increase in crime due to high influx of people
- Insufficient parking available on Sundays;
- Existing parking stress on surrounding streets;
- Scope of submitted parking surveys is insufficient;
- Other new residential developments in the vicinity have contributed to parking stress and traffic congestion;
- Road safety;
- Proposed mitigation measures in submitted documents are not enforceable;
- Additional noise and environmental pollution from increased vehicles;
- Air pollution from transport;
- Inadequate waste disposal measures;
- Existing war memorials and other historical features should be treated with proper care and re-sited appropriately;
- Local residents were not notified of planning application.

5. Summary of responses from Internal Consultees

LBB Business, Employment and skills – No loss of employment floorspace contribution is required.

LBB Environment Health – No objection to application subject to conditions.

LBB Highways (Drainage) - No objection to application subject to conditions.

LBB Property Services – Findings of submitted Economic Statement with regards loss of office space are considered to acceptable.

LBB Traffic and Development – No objection to application subject to conditions and S106 obligations securing adequate mitigation.

LBB Waste and Recycling – Did not respond to the consultation request.

6. Planning Considerations

6.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

- 6.1.1 The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.
- 6.1.2 The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.
- 6.1.3 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

- 6.1.4 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.
- 6.1.5 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)

- 6.1.6 Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.
- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS6, CS8, CS9, CS10, CS13, CS14, CS15
 - Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM11, DM13, DM14, DM16, DM17

Supplementary Planning Documents

- 6.1.7 Planning Obligations (Adopted 18/04/2013)
Delivering Skills, Employment, Enterprise and Training (SEET) from development through S106 (Adopted October 2014)
Sustainable Design and Construction SPD (adopted October 2016)

Each of the above SPD documents has been subject to individual public consultation prior to their adoption.

7. Assessment of proposals

Principle of loss of B1 employment space

- 7.1 Policy DM14 (New and existing employment space) of the Barnet Development Management Policies Document relates to existing employment spaces and states that the loss of B Class uses outside the protected business areas *“will only be permitted where it can be demonstrated to the Council’s satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken.”*
- 7.2 At present, Solar House comprises of 3,943 sqm GIA over four floors and provides 3,393 sqm of NIA office space. The south and rear wings consist of 2,590 GIA of the overall space and the north wing provides the remaining 1,353 sqm. The proposed development only relates to the south and rear wings of Solar House and will overall retain 516 sqm GIA (480 sqm NIA) of dual B1/D1 at second floor level and 561 sqm GIA (475 sqm NIA) of B1 floorspace at the third floor level. The north wing will remain unaltered and will not result in any loss of office accommodation.
- 7.3 The applicant has submitted an Economic Statement which provides details of the proposed use, marketing activities that have been undertaken, profile and availability of existing office premises and an analysis of the site’s suitability for employment use. Appendix 1 of this statement is a letter on behalf of one of the appointed agents who were instructed to market and let the office space. The letter states that they (the agent) were appointed in early 2011, at which point only 16% of the existing building was occupied. From 2011 to 2012, there were a number of lettings within the north wing but the south wing remained vacant. The site was continually marketed until 2015 until the London Diocesan Fund acquired the site. At this point, around 70% of the building remained vacant.
- 7.4 The following marketing activities were carried out on this property:
- Marketing board erected on the outside on the High Road frontage;
 - Listing on the agent’s website;
 - Creation and listing of a bespoke website for the property;
 - Listed on commercial online web portals;
 - Carrying out various mailing and local advertising campaigns; and
 - Preparation of marketing particulars.
- 7.5 The letter concludes that although some space was let within the building, the building continued to remain partially vacant and the viewing levels remained low. In

justifying the vacancy and low level of demand, the letting agents have put forward a number of reasons:

- The position of the building outside of a main town centre;
- The availability of better located offices within town centres and better quality accommodation;
- The site is not located within an area characterised by employment uses. The area surrounding the site has become increasingly residential;
- The deep and large size of the floorplates within the south wing are not suitable for occupiers in this part of Greater London; and
- The age and specification of the building made the building difficult to let, we believe Solar House became obsolete as an office building.

Assessment of information

- 7.6 In order to verify and confirm the submitted information, Planning Officer's consulted with the Council's Property Services team. Having reviewed the submitted statement and contacting the appointed letting agent, Planning Officers' received feedback that demand within Finchley is low and that supply outweighs what is demanded. The Property Services department undertook some internal research and commented that within the past two years, there had been six lettings within 1 mile of Solar House and approximately 29 lettings within 2 miles. The conclusion drawn from these statistics is that the application site (Solar House) is not located in the most sought after location based in the jump in lettings between 1 mile and 2 miles.
- 7.7 In summary the response to Planning Officer was that review and research undertaken would demonstrate the argument outlined in the submitted Economic Statement was accurate. Based on these factors, the Property Services team would agree that the agents have proactively tried to let the property and that there is a shortage of interest, especially in the specific location of Solar House.

Loss of employment contribution

- 7.8 Where it is demonstrated that there is an overall loss of employment, Policy DM14 still seeks that some re-provision of employment is provided. A financial contribution will be required for employment training where this cannot be delivered satisfactorily on site.
- 7.9 The submitted Economic Statement states that the proposal will still retain employment uses on site. At present, St Barnabas employs 22 staff (14 full-time and a further 8 part-time staff who are equivalent to 5 further full-time staff, resulting in the equivalent of 19 full-time staff), plus volunteers and trainees. The report states that it is expected that the number of staff will increase if St Barnabas relocate to Solar House.
- 7.10 In addition, if consent is granted, it is proposed to create a number of social enterprise schemes within the building to provide further skills and training. At this stage, details of this have not been provided and will depend on the skills and experience of the available business managers within the church. However examples of such initiatives may include a hair salon/nail bar, a gardening business,

a bike repair shop, a painting and decorating business or other similar activities. It is likely that the ground floor refreshment area will also be run as a social enterprise. Depending on the nature, facilities and scale of each initiative, separate planning consents may be required for their individual use. The report highlights that the church already provides support and training to the local community in the form of English conversion classes.

- 7.11 As stated above, Barnet's Supplementary Planning Document (SPD) on 'Delivering Skills, Employment, Enterprise and Training (SEET) from Development through S106' (2014) states that *"if a development involving the loss of employment space is considered to be compliant with Policy DM14 it will be expected to mitigate the loss and make contributions to employment training. Calculations of such contributions will be made on a site by site basis"* and will take into account a number of factors. The Council's Business, Employment and Skills team has reviewed the proposal and has commented that on balance, there is not a need to seek a charge on the loss of employment floorspace, given that some employment floorspace remains, the low level of existing occupancy and that additional economic activity such as employment would be generated through the church.

Conclusion

- 7.12 Planning Officers are therefore satisfied based on the submitted information, justification and internal consultation that appropriate marketing has been carried out for the property which demonstrates that the site is no longer suitable and viable for its existing or alternative business use. An alternative use could therefore be sought for this site.
- 7.13 In addition to accepting the overall loss of B1 floorspace, Planning Officers are accepting of the position that the proposed church would retain an employment use on site and provide future opportunities for skills, employment, enterprise and training.
- 7.14 Officers consider that the proposed development meets the aims of Core Strategy policy CS8 and satisfactorily complies with the policy requirements of DM14.
- 7.15 While the proposal has been found acceptable in relation to loss of employment, the submitted Planning Statement also highlights that there is an approved fall-back position which would remove the loss of employment altogether from the application site. Two separate Prior Approval applications have been obtained (references F/05136/14 and 16/4787/PNO) for the change of use from Class B1 (Office) to Class C3 (Residential) of the south wing to provide 27 units. While these Prior Approval's exist, Planning Officers would consider that they would hold limited overall weight in the consideration of the loss of employment space. There has been no justification submitted to demonstrate that there is a theoretical possibility of the site being developed for this fall-back use.

Provision of new community use

- 7.15 Policy DM13 (Community and education uses) relates to the provision of new community uses and states that *"new community uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. New community uses should ensure that there is no*

significant impact on the free flow of traffic and road safety. New community uses will be expected to protect the amenity of residential properties.”

- 7.16 Policy CS10 (Enabling inclusive and integrated community facilities and uses) of the Barnet Core Strategy aims to ensure that we provide the right community facilities for Barnet’s communities. The Council plan to protect existing community uses across the borough, and ensure that new facilities are in accessible locations. Community facilities provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community. The council recognise that there is a need for a range of community and religious facilities in Barnet to support the requirements of different ethnic, religious, social and interest groups in the borough. Community uses may be appropriate in residential areas. Proposals should not have a demonstrably harmful impact on the amenities of nearby residential properties and other uses in terms of noise and traffic generation, or on the character of the surrounding area.
- 7.17 The proposed development seeks to relocate an existing church which is currently located on Holden Road. The agents have provided separated justification as to why the existing premises is no longer suitable and the existing church site is subject to a separate submitted planning application (Barnet reference no 16/5632/FUL). The existing building provides 1,015 sqm GIA of D1 floorspace and the current application proposes to provide 2,182 sqm of D1 floorspace, an increase of 1,167 sqm.

Assessment of site location

- 7.18 While the site is not located within a designated town centre, it does lie on the edge of the northern boundary of North Finchley Town Centre. Officers do not consider that by virtue of its location, the characteristics of the application site differ significantly than those sites which fall within the northern boundary of the designated town centre. Therefore the preference for new community uses to be located within town centres/local centres can be suitably argued in this instance and officers do not feel that the location of the site can be dismissed on this basis. The site falls within a Public Transport Accessibility Level (PTAL) of 2 which is generally considered a poor level of public accessibility. However, the application site fronts directly onto High Road, the main thoroughfare through and out of the town centre and has easy access by foot or cycling to and from the site. Woodside Park Underground Station is located approximately 850m when accessed along High Road and Woodside Park Road and there are a number of bus stops in close proximity to the site. In officers’ opinion, the site’s low PTAL rating is not considered to be a significant factor as it is clear from visiting the site, that it has direct access to public transport and would approximately take 10/15 minutes to walk to the central town centre area.
- 7.19 The second part of the policy states that proposals should not have a significant impact on the free flow of traffic and road safety. The applicant has submitted a number of documents including a Transport Assessment, Faith Travel Plan and additional surveys in an attempt to demonstrate that there will be no significant impact on the free flow of traffic and road safety. This will be addressed and discussed individually further on within the report. The outcome of that individual assessment will also have a material consideration on the appropriateness of a new community use in this location.

- 7.20 In addition, proposed new developments should not adversely affect the amenity of neighbouring residential users. Officers consider that this relates to the potential noise/disturbance impacts created by the proposed development, with other potential amenity issues relating to other aspects of the proposal such as layout, siting and design. To demonstrate that the proposal is acceptable in this regard, the applicant has submitted an Acoustic Assessment. This will be individually assessed further within the report.

Conclusion

- 7.21 Planning Officers consider that in principle the location of the application site is appropriate given the sites proximity to North Finchley Town Centre and the site can be accessed by a variety of public transport modes, cycling and walking. Further assessment of this policy will be undertaken of the individual impacts towards Highways and residential amenity

Design Assessment

- 7.22 Paragraphs 56-58 of the National Planning Performance Framework (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.
- 7.23 The proposed development comprises of two main elements – provision of new entrance with construction of new porch and glazed addition (orangery) and the construction of new auditorium to the rear (west) of the south wing of the building.

Alterations to High Road frontage

- 7.24 The proposal is create a new and separate entrance on High Road to serve the proposed church which would involve the construction of a two storey porch with a glazed fronted addition (orangery). A new staircase up to the new entrance and ramped access is also proposed. The existing entrance to Solar House would remain unaltered and be dedicated solely to serve the north wing.
- 7.25 In terms of layout, the single storey glazed addition would project beyond the existing front elevation and would only provide a small additional footprint in comparison to the existing building. In terms of height, the glazed addition would be single storey, with a separate two storey porch denoting the entrance of the church. The applicant has provided a number of elevation drawings and 3D visuals to illustrate how this element of the scheme would appear within the streetscene. Overall, Planning Officers do not consider that the proposed alterations and additions to the front elevation by virtue of their proposed layout, siting, scale or height would have an adverse impact on the character and appearance of the existing building, streetscene or surrounding area. Any new signage, banners or flags would require to obtain separate Advertisement Consent.
- 7.26 The proposed porch will be constructed with a grey aluminium finish, set against a blue brick slip finished panel. The orangery will be a glass curtain walling with dark grey aluminium components, standing on a brick plinth of Staffordshire blue bricks, with grey Sarnafil flat roof. In this regard, Planning Officers the detailed design and form of the front entrance, porch and glazed addition to be of a high quality and appropriate within the context of the existing building and surrounding area.

Demolition of rear wing and construction of auditorium

- 7.27 The existing rear wing is three storeys in height measuring approximately 13.5m high. Between the rear wing and the rear boundary of the ground floor of the site is an existing car park.
- 7.28 It is proposed to demolish this rear wing and construct a single storey auditorium (543 sqm) with a pitched roof with an eaves height of 4m and a total height of 10.75m at its highest point. It will be constructed of a brick cladding to match the existing building and finished with a dark grey metal roof. The applicant has provided a number of elevation drawings and 3D visualisations to help illustrate how the auditorium would appear.
- 7.29 In terms of layout, the proposed auditorium is of a fairly large rectangular footprint which would occupy a large area of the rear space. Between the rear elevation of the proposed auditorium and the rear (west) boundary of the site (5.8m), it is proposed to create a green roof over the basement car parking area. The layout and footprint of the proposed auditorium is not considered to be inappropriate.
- 7.30 In terms of height, scale and massing, the existing building (Solar House) is four storeys in height and other buildings along High Road are of similar height. The residential streets of Fredrick's Place, Whittington Mews and Highwood Avenue are all characterised by two storey dwellings. Considering these residential streets, while the proposed auditorium could introduce an unusual feature within the streetscene, given the separation of the neighbouring sites, it is not considered that the massing and bulk of the proposed auditorium is out of scale or height with the surrounding area because is predominately single storey in height and the roof structure is not a dominate feature of the proposed development. A small element of the central pitch would be higher than the surrounding residential properties but taking into account the taller nature of Solar House, is not considered to introduce a feature that would be detrimental to the character of the area.
- 7.31 The design of the auditorium and its palette of materials will largely match the appearance of the existing building. The large window fenestration along the southern elevation helps to break up the massing of the building.

Conclusion

- 7.32 It is considered that the proposed development would represent a high quality development that would not be incongruous within its surrounding context and this is accordant with Paragraphs 56-58 of the NPPF and policies CS and DM01 of the Barnet Local Plan.

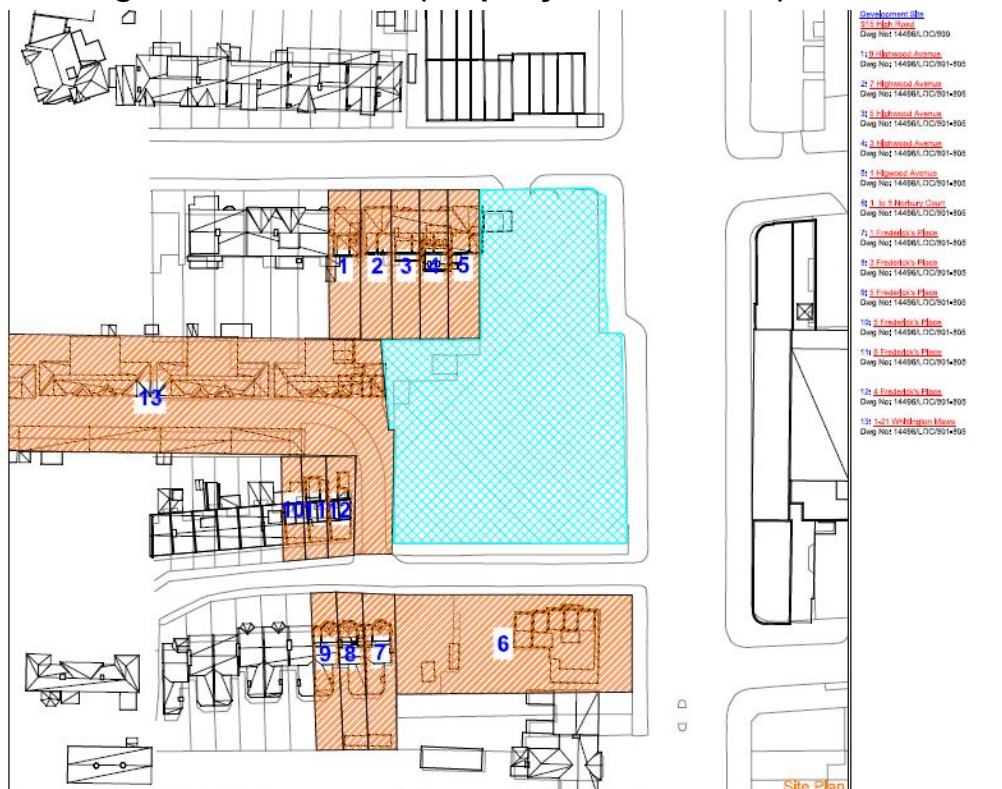
Impact on residential amenity

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

Daylight, sunlight and overshadowing

- 7.34 The proposed auditorium will have a building wall height of 4m and a total height of 10.75m. Auditorium will be located 5.8m from the rear (west) boundary wall, 14.6m from the side elevation of the nearest property along Fredrick's Place, 11.5m from the neighbouring side elevation of the property in Whittington Mews and 28.4m from the rear elevation of the properties along Highwood Avenue to the north.
- 7.35 A Daylight, Sunlight and Overshadowing Study was carried out by Delva Patman Redler Chartered Surveyors and was submitted as part of the application documents. The report confirms that that the assessments were carried out in accordance with BRE Report BR209: 2011 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. However the BRE documents and methods are only a guideline and do not form part of formal adopted policy. Planning officers can use the BRE guidelines to help inform the assessment in terms of daylight/sunlight impacts.
- 7.36 The following residential properties with windows and gardens facing the application site were assessed:
- 1 - 8 Norbury Court
 - 1,3 & 5 Fredrick's Place
 - 4,6 & 8 Fredrick's Place
 - 1,3,4,7 & 9 Highwood Avenue
 - 1 - 4 Whittington Mews
- 7.37 A geographical map of the location of these properties is shown in the drawing below:

Drawing no: LOC/DAY/800 (Property Location Plan)



- 7.38 Prior to assessing the impact from the proposed development, an analysis of the existing daylight, sunlight and shadowing levels enjoyed by the neighbouring residential amenity has been undertaken in order to provide a baseline against which the impacts arising from the proposed development can be assessed.
- 7.39 The standardised assessment methodology for daylighting is set out within the BRE document Site Layout Planning for Daylight and Sunlight (BRE, 2011). Within the document it is set out that there three tools to assess daylight: Vertical Sky Component (VSC), No Sky Line (NSL) and Average Daylight Factor (ADF).
- 7.40 The target value for VSC for windows to retain the potential for good daylighting is 27% or more than 0.8 times its former value. The daylight assessment carried out indicates that of all of surrounding residential windows assessed would have a VSC of over 27% and that they will not experience a noticeable loss of daylight.
- 7.41 For NSL, the target value for potential good daylighting is 0.8 times is former value. The daylight assessment carried out indicates that of all of surrounding residential windows assessed would meet the NSL values and that they will not experience a noticeable loss of daylight.
- 7.42 A room may be adversely affected if the ADF is less than 1% for a bedroom, 1.5% for a living room or 2% for a kitchen. The daylight assessment carried out indicates that all of the surrounding residential windows assessed would not experience adverse ADF values.
- 7.43 In terms of sunlight, BRE guidance recommends that the Annual Probable Sunlight Hours (APSH) received at a given window in the proposed case should be at least 25% of the total available including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period. The results from the sunlight assessment carried out demonstrate that the APSH for the surrounding properties would be equal to or greater than the target values of 25% and 5% respectively indicating that sufficient light from the sky would reach the windows.
- 7.44 The assessment also considers the overshadowing impact of the development. The overshadowing study demonstrates that all of the residential gardens surrounding the application site would receive at least 2 hours of direct sunlight on over 50% of the 21st March. This is in accordance with BRE guidelines.
- 7.45 In summary, taking regard to the above assessment and in the opinion of Planning Officers, Officers are satisfied that the daylight and sunlight analysis demonstrates that the sunlight and daylight levels would not be detrimentally impacted by the proposed development. The proposed development would not result in adverse levels of overshadowing.

Outlook

- 7.46 Taking into account that the footprint of the auditorium is set in from the northern and western boundaries and that the eaves height of the auditorium would measure 4m, it is considered that the proposed development would not cause any unacceptable loss of outlook for existing and future neighbouring residential

occupiers. Windows on the auditorium would only be found on the ground floor and therefore Planning Officers do not consider that there would be an unacceptable impact on neighbouring properties in terms of light pollution.

Privacy and overlooking

- 7.47 There are proposed to be large windows located on the side elevations of the auditorium facing onto Fredrick's Place and Highwood Avenue. Considering that there is a public road to the south and a large separation distance to the rear elevations of properties along Highwood Avenue, it is considered that these elevations would result in any unacceptable levels of potential overlooking. There are two narrow, full height windows on the rear elevation facing on Whittington Mews but these are proposed to be installed with obscure glazing.

Noise and disturbance

- 7.48 An Acoustic Assessment has been submitted with the application to undertaken and assess the acoustic implications of the proposed development. The report assesses the impact of the proposed development in the short term, when the church initially moves into the building and in the long term, following the completed construction of the rear auditorium.
- 7.49 While there will be other smaller group activities occurring throughout the week, mostly during the daytime and some in the evening finishing up to or shortly after 10pm, the main and most intensive use of the site will occur on Sundays. There are 4 proposed services, starting at 8am (typically 10-15 people) and the other three services starting at 09:30am, 11:30am and 19:00pm. It is expected that the evening service would typically finish around 9pm, with the majority of people leaving between 20:30pm and 21:30pm.
- 7.50 Within this report, there are three main areas that formed the focus of the assessment:
- Noise breakout from the building and the implication on nearest residential properties. The church use amplified music and audience participation in its services;
 - Potential increase in noise from change as a result of the mechanical services strategy for the building with the change of use and proposed extension;
 - Noise from potential intensification of use of open ground level car park during church services including Sundays.
- 7.51 The report assumes that the main worship space will be principally used for amplified music and speech, with unamplified singing from the congregation during services.

Temporary Use – Prior to construction of auditorium

- 7.52 If permission is granted, the church would initially move into the building and utilise the existing footprint. A number of alterations would take place to the front elevation and internal layout. At this stage, when assessing the surrounding area, the nearest

windows of residential properties in Whittington Mews and Fredrick's Place are located approximately 23-25m to the north-west and south-west of the rear façade of the worship space. The report acknowledges that the first floor windows of these properties will have the most sensitive position for the purposes of the assessment as they would have a view over boundary walls and fences. The assessment also includes the impact on the gardens. At this stage, the worship space which will be located in the rear and south wings will retain its current ventilation strategy, to be mechanically ventilated and therefore no windows to the worship space on this façade need to be openable.

- 7.53 In terms of music noise, calculations have been carried out and found that the noise levels would meet the desirable noise levels for sleeping and resting, stated within the standard, during the normal operating hours for the church. The nearest gardens are also found not be detrimentally affected. A second standard was also applied for this assessment, and while strictly not a best fit approach for break out noise, it also confirmed that there would be a low impact.
- 7.54 At the initial move in stage, the report states that there is no requirement to increase the number of Air Handling Units (AHU) and the existing operational requirement remains unaltered by the change of use. However, it is recognised that the increase load on Sundays could require the AHUs to operate at a higher level than currently used for the existing use. The report acknowledges that this intensification will need to be taken into account. A small air source heat pump is proposed to be installed for the proposed front extension which would have its condenser unit located in the car park at the rear of the building. It is also the intention to internally install a kitchen on the ground floor and therefore a kitchen extract duct is proposed to be taken up to high level on the 3rd floor. Assessing these impacts the report noted that there is no noticeable increase or decrease in weekday and weekend background noise levels and have concluded that without intensification of the AHUs, no additional complaints would be likely within the change of use. Taking into account of the separation distance between the proposed location of the new condenser unit and the nearest residential property (32m), it is unlikely to be audible and within the criterion normally applied by the local authority. The proposed kitchen extract would be of a similar distance from the nearest neighbouring property but the report recommends that its noise levels be limited to avoid any cumulative effects.
- 7.55 At present there is no restriction on the current use of the rear ground floor car park. With the proposed development, it is likely that during the initial move that the car park will be used during church service times with a probable intensification of use on Sundays. The assumption that all spaces (approximately 25) in the car park could be used in all four Sunday services has been applied to the assessment of this element. With reference to the transport assessment, and assuming that 5 of the basement spaces available would already be taken up by staff, it is estimated that cars would use approximately 70% of the spaces allocated to the south wing for the 9:30 service and all the demised spaces during the 11:30 and 19:00 service. The conclusions from the predicted noise levels from the car park illustrate that on Sundays the use of car park is not likely to result in a significant loss of quality of the existing noise climate.
- 7.56 At the initial move in, all visitors (other than those entering by vehicle via the car park) will enter and exit through the proposed new entrance on High Road. There would be an internal lift serving the basement car park. There would be no side exit doors other than those required for emergency.

Completed construction of rear auditorium

- 7.57 Once completed the auditorium will serve as the primary worship space. The report acknowledges that there are a number of implications compared to the initial temporary move in:
- Closer proximity of new build extension to residential properties;
 - Additional AHUs for worship space; and
 - Reduced external parking (reduces potential parking noise)
- 7.58 With the auditorium completed, the distance to neighbouring properties is reduced. The nearest windows in the nearest residential property in Whittington Mews is approximately 13m. The report notes this is the receiver likely to have the lowest background noise levels and has been used as the worst affected for the purposes of this element of the assessment. The worship space will have its own supplementary air handling unit and be mechanically ventilated. Therefore there is no need to have openable windows to the auditorium extension. The escape door will have a high acoustic specification with full perimeter seals. Therefore there will be no openings that would result in adverse noise leakage.
- 7.59 In terms of music noise breakout, it is predicted that the noise levels will be lower than the initial occupation and would represent an improvement. The conclusion of this assessment is that there is unlikely to be significant adverse impacts as the new build extension can be designed that such music breakout levels are below the existing background noise levels.
- 7.60 The auditorium would require a new air handling plant which is proposed to be installed within the basement, towards the north side of the extension. Its location is unlikely to cause any significant noise disturbances.
- 7.61 The rear car park would no longer exist once the auditorium is constructed, with the exception of 2 car parking spaces located to the north. Therefore it is considered that the use of the car park on Sundays is not likely to result in a significant loss of quality of the existing noise climate.
- 7.62 The construction of the auditorium does not alter the movement of people into and out of the site, with the main entrance on High Road. While the auditorium would increase the capacity of those on site at any one time, the report considers that the noise from conversation and footfall would not be significant in the context of the relatively high levels of road traffic on High Road.

Other potential noise impacts

- 7.63 The church has an obligation to have a bell on the outside of the building. The report states that the intention to ring the bell would not be on a regular basis. Currently the bell is used infrequently in the past for on special occasions less than once per month. The report argues that the infrequency of its use and that it would only be rung during daytime hours, it is unlikely that it would result in detrimental noise impacts.

- 7.64 In relation to the existing occupiers of the north wing, the report notes that where the two wings are proposed to be connect, there are a series of non-sensitive spaces such as toilets, lift shafts and the stairwell. It is argued that the majority of noisy activity would occur outside of normal working hours and therefore the risk of disturbance to the office accommodation is low.

Assessment of noise information

- 7.65 The Council's Environmental Health department have reviewed the submitted Acoustic Assessment and is satisfied with the findings of the report and the mitigation measures proposed. The acceptance of the proposed development is conditional on a number of conditions being applied to any planning permission for the restriction of hours of use and further noise surveys.

Conclusion

- 7.66 Having regard to all of the above, Planning Officers consider that the development, subject to conditions, would not result in an unacceptable impact on the residential amenity of the neighbouring residential occupiers in line with Policy DM01. This conclusion would also meet the requirements of Policy DM14 (Community and education uses) which expects new community uses to protect the amenity of neighbouring residential properties.

Transport and Highways

- 7.67 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 documents 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.

Accessibility

- 7.68 The application site (Solar House) is located on the west side of High Road, which is classified A1000 and is a main route towards the A1 to the north and North Circular to the south.
- 7.69 There is an existing vehicular access into the site from Highwood Avenue which provides access to the ground level and underground parking areas. At present the car parking areas are secured via an intercom controlled gate. The application site currently consists of 73 car parking spaces of which 24 are located on the ground level parking area to the rear and the remaining 49 are located in the basement parking area which is reached by a ramp within the site area.
- 7.70 There are a wide range of bus services provided from the northbound and southbound bus stops located along High Road (A1000). The nearest bus stops are

located approximately 150m (northbound) and 60m (southbound) with further routes and services provided beyond these distances. The local bus stops serve the following routes – 82, 125, 134, 221, 263, 326, 383 and 460.

- 7.71 Woodside Park London Underground (LU) station is on the High Barnet branch of the Northern Line and leads to High Barnet to the north and central London to the south. The station is located approximately 850m from the application site along High Road and Woodside Park Road and would represent a 10/15 minute walk to the application site.
- 7.72 Using TfL’s online WebCAT tool, the Public Transport Accessibility Levels (PTAL) rating for Solar House is 2, which is generally described as a poor level of accessibility. The PTAL is graded from 1 for poor accessibility to 5/6 for excellent accessibility. Reviewing the online tool also reveals that the rating improves to 3 around 100m south of Solar House and reaches 4 around 200m south.
- 7.73 The application site is currently located within an ‘All Day’ North Finchley Residential Controlled Parking Zone (CPZ), which operates from Monday to Saturday 9am to 5pm. ‘Pay by Phone’ parking bays are also in operations on High Road frontage the site and on Highwood Avenue from Monday to Saturday 8am to 18.30pm.

Proposed church activities

- 7.74 The Activities Management Plan (AMP) provides details of the proposed church activities. It is intended that the maximum building capacity would be 700 people, with a maximum 500 located in the auditorium and 200 elsewhere within the building. The 200 elsewhere would typically on a Sunday consist of children and young people.
- 7.75 On a weekly basis, the current highest number of attendees attending church at any one time is on a Sunday. This is expected to be continued after the proposed move, where it is proposed to have up to 4 services, with a capacity of no more than 700 people. Larger events which may fall outside of Sunday and where it is expected that a high number of people may attend are:
- Services at Christmas and Good Friday;
 - Large weddings and funerals;
 - Summer and Autumn festivals and Fundraising events; and
 - Conferences.
- 7.76 The following table has been taken from the submitted AMP which illustrates the current peaks in travel demand for regular (weekly or monthly, rather than one off) services and other activities, including non-religious activities, at St Barnabas, which generally involve in excess of 20 people.

Table 1: Major Existing Regular (Weekly/Monthly) Services (with 20+ people)

Day	Service/Activity	Times	Average 2015 Attendance

Sunday (weekly)	Morning Worship, Tots Church, Mini Church & Kids Church	09.30 – 11.00	218
Sunday (weekly)	Morning Worship, Tots Church, Mini Church & Kids Church & The Sunday Session	11.30 – 13.00	313
Sunday (weekly)	Evening Worship	19.00 – 21.00	115
Tuesday (weekly)	English Conversation class	10.00 – 12.00	25
Tuesday (weekly)	Alpha Course	19.30 – 22.00	30
Wednesday (weekly)	Toddler Group	09.30 – 11.30	70
Thursday (weekly)	N12 Women	09.30 – 12.00	22
Thursday (weekly)	N12 Community Choir	19.30 - 21.30	18
Friday (weekly)	Toddler Group	09.30 – 11.30	55
Saturday (monthly)	Equip School of Theology	09.00 – 13.00	35
Saturday (monthly)	Equip School of Leadership	09.00 – 13.00	16
Wednesday (once a term)	Central Prayer Meeting	20.00 – 22.00	100
Saturday (once a term)	Men's Breakfast	09.30 – 11.00	35
Saturday (once a term)	Oasis Women's Event	09.30 – 13.00	33
Saturday (twice a term)	Who Let the Dads Out	09.30 – 11.00	22
Monday (every other month)	PCC Meeting	07.30 – 10.00	25
Midweek (monthly)	Missional Community Meeting	19.30 – 22.00	30

7.77 The next table illustrates events that occur less frequently, such as once or twice a year:

Table 2: Less Frequent Existing regular (Weekly/Monthly) Services/Events (with 20+ people)

Day	Service/Activity	Times	Average 2015 Attendance
Saturday (Twice a year)	Autumnfest and Springfest	14.00 – 16.00	500
Saturday (Twice a year)	Senior Citizens Tea (Christmas and Easter)	15.00 – 17.00	100
Saturday (Once a year)	Ceilidh	19.30 –	100

year)		22.30	
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7.78 There are also other services and activities at the church that can attract in excess of 100 people as detailed in the below table. These activities appear to take place at Good Friday and Christmas.

Table 3: Major Existing Regular Easter & Christmas Services/Events

Day	Service/Activity	Times	Average 2015 Attendance
Good Friday	Time at the Cross	11.30 – 13.00	405
Good Friday	Time at the Cross	14.30 – 16.00	275
Weekday	Northside School Carol Service	10.00 – 12.00	130
Sunday	Christmas Tree Lighting	16.30 – 18.30	100
Sunday	Family Christmas Party	09.30 – 11.30	250
Sunday	Nativity and Carols	11.30 – 12.30	400
Sunday	Carols by Candlelight	17.30 – 19.00	375
Sunday	Carols by Candlelight	20.00 – 21.30	425
Christmas Eve	Christingle	16.00 – 17.00	275
Christmas Eve	Christingle	18.00 – 19.00	275
Christmas Eve	Carols and Communion	23.00 – 00.30	350
Christmas Day	Christmas Celebration	10.30 – 11.30	300

7.79 The Transport Assessment (TA) states that the events in the above Table 3 are generally one-off annual events rather than regular weekly or monthly events and therefore a specific Event Management Plan will be produced to target the particular attendance for each individual event, or series of events on a specific day, with particular reference to the Faith Travel Plan document.

7.80 The Church also caters for weddings and funerals, where the attendance can be in excess of 100 people. Most weddings tend to be on a Saturday afternoon, and most funerals are usually on a weekday during day hours. The attendance at these events is likely to be different at each event and therefore the appointed Travel Plan Coordinator (TPC) will prepare a separate Event Management Plan for each event.

7.81 Other regular meetings such as Bible Study, Alpha Course, Barneys Toddler Groups, Community Choir, The Equip School of Theology and other meetings all generally take place on a weekday outside of the normal peak periods and attract less than around 50 attendees. One exception to the above is the once a term Central Prayer Meeting which currently attracts around 100 attendees. The Central Prayer Meeting occurs on a Wednesday and only three times a year (once a term).

It starts at around 8pm and finishes at around 10pm and there are likely to be no other events which are also undertaken at the same time. Arrivals to this event are however likely to be outside of the normal PM peak period and there is likely to be sufficient car park space at Solar House, on the High Road in the public spaces and in the public off-street car parks to accommodate all of the attendees.

- 7.82 The conclusion drawn from the church activities is that as indicated in Table AMP, the maximum regular travel demand is likely to be on a Sunday between 11.00am and 11.30am. This is when the first morning worship group are departing and the second morning worship are arriving. There will also be a lesser 'peak' between 13.00 and 13.30 when the second (and larger) morning worship congregation are departing. It is anticipated that broadly the same range of activities will take place at Solar House as the existing Holden Road site with some growth in attendance numbers and some new activities.

Trip Generation

- 7.83 The Transport Assessment (TA) stated that the Industry Standard software TRICS could not be used to determine the trip rates as the sites available on the database were not considered comparable to the St Barnabas Church operation. Therefore the TA undertook the determination of the number of person and vehicle trips to St Barnabas from the first principles by examining the existing and proposed events and activities undertaken by the church.
- 7.84 Mode split travel surveys were undertaken during November 2014 and April 2015 including arrival and departure surveys undertaken in February 2016 were applied to the church's own growth predictions to arrive at likely future scenarios for the church.
- 7.85 As per the submitted TA, the peak trip times for the place of worship is likely to be around mid to late morning on a Sunday whereas the peak periods on the local roads are likely to be weekdays 07.00 to 09.00 and 16.00 to 19.00.
- 7.86 The greatest effect of the church relocation as detailed in the TA is likely to be on a Sunday, probably between 11.00 and 12.00 when one service has just finished and another is about to start which is unlikely to coincide with highway network peaks. The weekday peak is likely to be during 07.00 to 09.00 and 16.00 to 19.00.
- 7.87 Therefore it is likely that during the weekday AM peak period, the trip generation/attraction by the church will be less than what would be expected from a continued full office use at Solar House. This is that if Solar House was to be fully occupied and utilised for its existing B1 (office) use, the trip generations would be greater than the expected trips identified in the submitted Activities Management Plan. The TA therefore has assessed primarily the weekday PM peak period (17.00 to 18.00) and also on the Sunday peak period as 11.00 to 12.00 at the changeover between the two best attended services.
- 7.88 The TA states that the existing location of the church is within 800m to the proposed location in Solar House, and therefore most, if not all, of the current vehicle trips will simply transfer to the Solar House location from Holden Road and are likely to already be on the wider and local highway network. Therefore while there may be some marginal differences at particular junctions, with slight increases or decreases

in total traffic flow, the overall effect on the local highway network at the time of the changeover is likely to be broadly neutral.

7.89 The consultants have also stated in the TA that the existing location of the Church is within 800m to the proposed location in Solar House, and therefore most, if not all, of the current vehicle trips will simply transfer to the Solar House location from Holden Road and are likely to already be on the wider and local highway network. Therefore while there may be some marginal differences at particular junctions, with slight increases or decreases in total traffic flow, the overall effect on the local highway network at the time of the changeover is likely to be broadly neutral.

Existing church use surveys

7.90 The applicant undertook surveys to establish the travel patterns of the existing church user as follows:

- A survey of the Sunday congregation was undertaken on Sunday 16 November 2014 as shown in Table D below and was centred on the 11.30 morning service for that day, as this was considered to be the busiest service of the week.
- Surveys at two Toddler Group meetings undertaken on Wednesday 12 and Friday 14 November 2014 as shown in Table D below.
- A survey of all staff movements for a week undertaken in April 2015 (13 – 20 April 2015) as shown in Table 4 below.

Table 4: 2014 Travel Survey Results (Sunday 16 November 2014)

Mode	Split	Number of visitors
Car alone	5.5%	16
Car share as driver	24.7%	72
Car share as passenger	55.0%	160
Sub Total Car	85.2%	248
Bus	3.1%	9
Underground	3.4%	10
Sub Total Public Transport	6.5%	19
Bike	0.0%	0
Walk	8.2%	24
Motorcycle	0.0%	0
Total	100%	291

7.91 The results of the survey indicated as follows:

- Approximately 85.2% (248) of the Sunday congregation travelled to St Barnabas by car which comprised of 5.5% (16) travelling alone by car and 79.7% (232) car sharing.
- This equates to 30.2% of the congregation currently being car drivers.
- Therefore the average car occupancy is approximately 2.8 people per car.

- Approximately 8.2% (24) of the congregation walk;
- 6.5% of the congregation travel by public transport to St Barnabas.

7.92 The results from the Barneys Toddler Group Baseline Survey (12 & 14 November 2014) are shown in Table 5 below (Adult attendees only)

Table 5: 2014 Toddler Group Travel Survey Results (Wednesday/Friday 12/14 November 2014)

Mode	Split	Number of adult visitors
Car Driver	48.5%	17
Walk	40.0%	14
Bus	11.5%	4

7.93 The details submitted in the TA states that the two Toddler Group surveys (12 & 14 November 2014) together involved some 35 parents with around 50 children and showed that just less than half the parents attending 17 (48.5%) drove to the group, 14 (40%) walking and 4 (11.5%) using public transport.

7.94 The TA further ascertained from the results of the survey that most of those attending Barneys Toddler Group, 23 (65.7%) of the adults lived within 1 mile of the church, with around 60% of those walking to the group, while a further 9 (23%) adults lived within 1 to 2 miles of the church.

7.95 The applicant has stated that of the all church and other outside activities undertaken at St Barnabas, it is likely that Toddler Group meetings will be the biggest attractor during the day on a weekday (Wednesday & Friday). Further examination of the St Barnabas church timetable indicates that there are no other activities being undertaken at the church while the Toddler Group is on.

7.96 Other weekday daytime activities undertaken at St Barnabas include Bible study classes, English conversation classes and a Wednesday Afternoon club for senior citizens. However all these attract fewer attendees than the Toddler Group and also do not occur at the same time as each other or the Toddler Group and therefore would have less effect.

Staff travel

7.97 Staff travel surveys were undertaken from 13-20 April 2015 over the whole week which included all known staff trips over the week. The results of the survey are shown in Table 6 below:

Table 6: Staff Travel Survey Results (13-20 April 2015)

Mode	Split	Number of Staff Trips
Car (alone)	39.4%	54
Car (share)	5.1%	7

Bus	4.4%	6
Underground	8.0%	11
Bike	4.4%	6
Walk	32.8%	45
Quad Bike	5.8%	8

7.98 It is stated within the TA that following the move to Solar House, it is expected that this modal split will, initially at least continue for the staff.

Retained office use

7.99 Using the Industry standard TRICS Database, the trip analysis for the retained office use at Solar House indicated 21 trips in and 2 trips out in the AM Peak and 2 trips in and 21 trips out in the PM Peak. The TA states that these trips are already occurring at Solar House and would have already been accounted for within the 'existing' situation traffic count and have therefore not been added to the proposed trips.

Previous office use

7.100 It is stated within the TA that although the development proposal is to change the use of the south wing of Solar House from B1 to D1 (Place of Worship), the south wing could potentially be brought back into use as B1 office space without any new planning consent being required. The predicted peak hour trips associated with the church use should therefore be compared with the level of vehicular trips that could be expected at the same time if the office use was fully operational.

7.101 The trip generation for the existing B1 (Office) use was calculated using the TRICS database, as above that were previously utilised for the retained office element. The predicted traffic flows was assessed as 40 vehicles in and 3 vehicles out in the weekday AM Peak and 3 vehicles in and 39 vehicles out in the weekday PM Peak for the area of the south wing that was previously in B1 office use (2,590 sqm).

7.102 The TA states that these trips should be offset against the likely trips from the proposed church use at Solar House during the weekday AM and PM peak periods and with only 30 parking spaces available initially, rising to 40 by 2022. It is therefore likely that the church will generate less traffic movements during the weekday AM and PM peak hour periods when compared to the fully occupied existing office use.

Future St Barnabas Church situation

7.103 The main reason given for St Barnabas relocating to Solar House is that they have effectively outgrown their current facilities on Holden Road and are continuing to grow. The move to Solar House will therefore allow St Barnabas to further grow into the future.

7.104 The TA states that St Barnabas regularly monitors attendance at its various activities and has historical data both on the average and likely maximum attendances. The existing capacity of the church on Holden Road is approximately

350 at any one service and the existing pattern of worship reflects this capacity, with 2 major services held on a Sunday at present. Average attendance is generally about 70% of capacity, with maximum attendance being reached on special occasions such as Christmas, Easter etc.

- 7.105 According to the Church’s own attendance data in 2015 there were, on average, 225 adults and 88 children at the 11.30 service equating to 60% adult and 40% children attending the church services.
- 7.106 The auditorium at Solar house is proposed to accommodate a maximum of 500 seated adults. The TA makes the assumption that all of those in the auditorium would be adults, with the accompanying children occupied at their own ministries elsewhere within Solar House.
- 7.107 Therefore a full adult attendance of 500 adults with the above adult to children ratio of 60% adults and 40 % children would result in 200 children attending the church resulting in a total of church attendance of around 700 at the 11.30 service.
- 7.108 However, the church has stated that when the maximum attendance gets to within 80% of that figure (around 600 including children) they are likely to provide an additional Sunday service, most likely in the afternoon, ie after 13.00, which would split the attendance. Therefore attendance of 700 at the 11.30 Sunday service is the worst case scenario.

Table 7: below shows the predicted attendance numbers for the Sunday services

Day	Service/Activity	Times	Predicted Attendance
Sunday (weekly)	Morning Worship, Tots Church, Mini Church & Kids Church	09.30 – 11.00	484
Sunday (weekly)	Morning Worship, Tots Church, Mini Church, Kids Church & The Sunday Session	11.30 – 13.00	700
Sunday (weekly)	Evening Worship	19.00 – 21.00	253

- 7.109 The church has stated that whilst this is a ‘maximum’ attendance, in reality it is likely that when the attendance reaches around 600 an additional afternoon service will be started to assist in spreading out the attendance over the course of the day.

Predicted trips

- 7.110 The TA has predicted using the future modal split from the accompanying Travel Plan, which includes small percentage increases in those walking, cycling and using public transport and therefore a slightly lower overall car use of 27.8% car drivers in 2022 compared to 30.2% car drivers in November 2014. An expanded Sunday

morning congregation of 484 for the 09.30 service is likely to produce around 135 cars based on the car occupancy rate as in November 2014.

- 7.111 Of the 135 cars trips, 27 of these are likely to be parking at Solar House with around 108 vehicles seeking parking on either public highway or public car parks in the vicinity of the site such as Lodge Lane car park. It has been assumed that these vehicles will all leave in the hour between 11.00 and 12.00.
- 7.112 The 11.30 service could result in 700 attendees arriving as a worst case scenario. With the same modal split as used above for the 09.30 service (27.8% car drivers), around 195 vehicles are likely to arrive in the vicinity of Solar House all arriving in the hour around the start of the service (i.e. 11.00 to 12.00).
- 7.113 Of the 195 cars trips, 27 of these are likely to be parking at Solar House with around 168 vehicles seeking parking on either public highway or public car parks in the vicinity of the site such as Lodge Lane car park.
- 7.114 The TA states that this 'worst case' assessment is unlikely to occur in reality as the actual arrival profile is more spread out than that assumed in the assessment as the church will introduce a further Sunday service when the congregation reaches 80% of maximum capacity.

Parking Provision

- 7.115 On site, once the auditorium is constructed, there will be a total of 56 parking spaces including 2 disabled spaces provided within the basement and 2 at the rear ground level. 30 of the 56 spaces will be retained for the use, with the remaining 26 spaces allocated to the retained office use. It is intended that the parking allocation within the basement will be increased for the church once the current office lease expires in 2022 where it is proposed to increase the church provision by 10 spaces (40 in total). It is proposed that the church will operate a permit system for parking at Solar House.
- 7.116 The applicant undertook an initial parking beat survey to ascertain the current parking availability on street parking and the Lodge Lane car park.
- 7.117 A parking beat survey was undertaken on Friday 24 April 2015 between 11.00 and 12.00 and between 17.00 and 18.00 to ensure that the times of the survey correspond to the times of highest parking demand for the St Barnabas church use, particularly on a Sunday.
- 7.118 The table 8 below summarises the number of parking spaces available in the close vicinity of Solar House and the parking taking place.

Table 8: Observed vehicle parking in the area around Solar House (April 2015):

Location	Total spaces	Friday 11am	Friday 5pm	Sunday 11am
High Road Pubic Parking	67	36	41	18

Lodge Lane Car Park	232	2	94	134
Woodside Park Station	149	n/a	n/a	120
Totals	448	38	135	272

7.119 The table 9 below shows the number of parking spaces available in in Fredrick's Place and Highwood Avenue during weekdays and on Sunday.

Table 9 Observed vehicle parking on Fredrick's Place and Highwood Avenue (April 2015)

Location	Total spaces	Friday 11am	Friday 5pm	Sunday 11am
Fredrick's Place	30	9	8	4
Highwood Avenue	50	27	18	9
Totals	80	36	26	13

7.120 Table 9 above shows that while spaces are available on these streets during the weekday morning, many of these are covered by the CPZ and are therefore only available for residents with a permit to park in. During the hours the CPZ is in operation (Monday to Saturday 9am to 5pm) there is no public parking available on Fredericks Avenue and only 9, pay by phone, spaces on Highwood Avenue.

7.121 Outside of the CPZ restrictions weekday evenings and Sunday it could be possible for visitors to the church to park on these, and other local streets. Therefore, the church has proposed a parking management plan as follows to deal with the likely overspill parking.

7.122 The applicant was requested to undertake further parking beat surveys to include the evenings and Sunday to ascertain the existing parking stress on roads in the vicinity of the development site outside the CPZ operational times as follows:

Overnight parking surveys on Thursday 01/12/2016 and Wednesday 07/12/2016:

7.123 The parking beat survey indicated that Finchley Park, Avenue Road, Fredrick's Place and Highwood Avenue suffered parking stress above the 85% threshold.

All day parking beat survey on Sunday 04/12/2016

7.124 The roads most affected by parking stress above the 85% thresholds throughout the day in the vicinity of the site were as follows:

- Finchley Park;
- Avenue Road;
- Fredrick's Place;
- Highwood Avenue;
- A1000, High Road in the vicinity of the site to lesser extent.

Evening Parking Beat survey on Tuesday 06/12/2016 from 17:00hrs to 22:00hrs

7.125 The roads affected by parking stress above the 85% at certain times during the survey times were as follows:

- Britannia Road;
- Finchley Park;
- Avenue Road;
- Fredrick's Place;
- Highwood Avenue;

Evening Parking Beat survey on Wednesday 07/12/2016 from 17:00hrs to 22:00hrs:

7.126 The Parking Beat surveys indicated that the parking pressure on roads in the close proximity of the site was well below the 85% thresholds during the survey times on Wednesday. Only the Avenue Road between 17:00hrs and 17:30hrs and Britannia Road between 21:30hrs and 22:00hrs where the parking pressure was observed above the 85% thresholds.

Dropping off Activity:

7.127 Further concerns were raised by the Council's Traffic and Development team regarding the dropping off of congregation members at Solar House on Sundays and the impact this may have on the local roads, in particular Highwood Avenue located adjacent to the church as this had not been addressed in any detail in the submitted Transport Assessment.

7.128 The applicant therefore reviewed the current dropping off and pick up activity at the church's current location in Holden Road on Sundays to inform the likely dropping off activity that could occur at the proposed site.

7.129 The applicant had also originally undertaken Sunday turning counts for Highwood Avenue and the High Road junction, adjacent to Solar House over the same 15 minute period on a Sunday. Only 3 vehicles exited Highwood Avenue and 1 vehicle entered Highwood Avenue, a total two way movement of 4 vehicles was observed.

7.130 Based on the additional survey information the applicant stated the following in relation to the dropping off at Solar House:

- The applicant is anticipating that following the move to Solar House there will be less likelihood of dropping off occurring on Highwood Avenue than at the current church location due to the location of pedestrian entrance being on the High Road and not on Highwood Avenue.
- The TA states that for visitors arriving from the North by car who will be looking to park either on the High Road if spaces are available or continue south to one of the local car parks, that it makes sense to drop off on the High Road whereby passengers would cross using the pedestrian refuge island to the pedestrian entrance to the church on the High Road. It would be counterproductive to drive into Highwood Avenue for these visitors arriving from the north of Solar House.

- For visitors arriving from the South by car would be passing Lodge Lane and the other local car parks prior to arriving at the church where they would be advised to park therefore it would not be convenient to drop off visitors at the church and then return to the car parks to park, contrary to the current situation at Holder Road where the congregation are mainly looking to park on Holden Road and therefore passing the church is convenient.

7.131 Following a further meeting with Highway officers further surveys were requested and undertaken on Sunday 26th February 2017 and included a parking survey of the current number of drop-offs at the existing church location, turning counts at the junctions of Highwood Avenue and the High Road, and the junctions of Limes Avenue and Woodside Grove, and Woodside Grove and the High Road.

- The peak period for dropping off outside the existing church was identified from the surveys to be 11:30 to 11:45 associated with late arrivals for the 11:30 service.
- The current level of traffic dropping off outside of the existing church over this period was assessed to be 12 vehicles. This was increase on a pro-rata basis to 24 vehicles (assuming the service size could increase from the current of 300 to a maximum of 600 the limit at which a new service was to be introduced). A further 10% provision was added to reach a maximum upper limit of 26 vehicles as a 'worst case' scenario. The basement car park for the church has the capacity to accommodate 40 parking spaces. The TA has stated that 36% of the congregation arrive 0-30 minutes after the service start time, which is equivalent to 18% over the 15 minute period. This equates to 7 additional vehicles entering the church basement car park over the same period. Therefore the total traffic entering Highwood Avenue was modelled for 33 vehicles over the 15 minute period. The consultants therefore have concluded that of these additional 7 vehicles entering the basement car park, and the remaining 26 vehicles loop back onto the High Road to travel south towards Lodge Lane or another car park location. The applicants have advised that on Sundays and on days of larger events, there will be church attendants on the streets to direct vehicles to public car parks and advise not to park within the streets.
- In addition to the traffic counts the transport consultants also undertook a parking beat survey on Highwood Avenue, Limes Avenue and Woodside Grove. The results of the parking beat identified that throughout the morning very little activity occurred on the residential roads, and other than an occasional vehicle giving way to another vehicle as a result of the parking along both sides of much of the length of the streets, that no issues occurred that would require further examination. Over the hour of 11:00 to 12:00 which includes the peak time for dropping off for the church, only on three occasions did a vehicle have to wait to allow another vehicle to pass.

7.132 Therefore the consultants have stated that considering the above survey results and results of the junction modelling the small number of additional vehicles onto Highwood Avenue is unlikely to result in any significant delay for existing residents; especially considering the low number of vehicles currently using Highwood Avenue (a total of 6 vehicles were recorded between 11:30 and 11:45) and other local streets on a Sunday when the main church services will occur.

Parking Management Plan (PMP):

7.133 In order to manage the possibility of staff or the congregation parking in the local residential streets, St Barnabas has proposed to implement a Parking Management Plan (PMP).

7.134 As part of the PMP there are various initiatives proposed as follows:

- The permit system will be administered by the Travel Plan Coordinator and permits will only be issued to those who need to park close to the church, such as the disabled and infirm or possibly those carrying large items such as musical instruments. All other visitors to St Barnabas will, if they come by car, have to park elsewhere in one of the seven local public off street car parks or publicly available on street parking on the High Road, where at the times when the church has the greatest demand for parking, particularly on Sundays, there are spaces available.
- As part of the process of moving from Holden Road to Solar House St Barnabas will inform their staff and visitors, including the various Sunday congregations, about the parking situation at Solar House, particularly on a Sunday, and will provide a leaflet showing all of the options available for parking close to Solar House, this leaflet will also be available on the church website. This process has already commenced and the Sunday congregations are being regularly briefed on the options that will be available to them following the relocation to Solar House.
- The applicant has stated that the church attendants will be advised to use the local public car parks such as Lodge Lane (222 spaces), Stanhope Road (3 separate car parks totalling 116 spaces), Castle Road (50 spaces) and Woodhouse Road (11 spaces) together with an NCP operated car park at Woodside Park Underground station (141 spaces). The applicant has advised that members of the congregation will be advised of the required parking arrangements through flyers, announcements and the website at the first move and also during various times throughout the year. The church will allocate the parking permits for the proposed spaces on the site.
- Voluntary No Parking Zone for the Church attendants on the residential roads in the vicinity of the site to minimise the impact of the proposal on the local residents.
- St Barnabas will also, provide Marshalls at the entrance to the car park and on Highwood Avenue and Fredericks Place, and elsewhere if required, on a

Sunday, to direct church traffic away from these streets and to one of the more appropriate off street car parks, such as Lodge Lane. Marshalls will also be deployed at specific events like those at Easter and Christmas and at other times, such as weddings and funerals, if required. St Barnabas will deploy the parking Marshalls for as long as necessary.

- Provision of a Travel Plan

7.135 The Council's Traffic and Development team welcome the measures proposed, however, it is unlikely that these alone will fully mitigate the potential detrimental impact on the public highway in the vicinity of the site as the measures proposed are voluntary.

Servicing arrangement

7.136 The refuse collection will be maintained as per the existing arrangement of Highwood Avenue. Deliver will be made using the existing facilities available for Solar House.

Mitigation

7.137 The proposed voluntary parking controls set out in the submitted Faith Travel Plan are not alone considered adequate within the vicinity of the deal to with any likely overspill of parking that may result from the proposed development, especially on Sundays when the proposed use is likely to have the greatest impact on the public highway. In order to further control and mitigate any potential impacts, the Council's Traffic and Development team has requested that the applicant provide contributions towards the review and extension of the existing CPZ during the weekday evenings and on Sunday. The review would also considered the introduction of new waiting restrictions and review of existing waiting restrictions within walking distance of the site to deal with injudicious parking where required. The contributions sought would involve the implementation of any outcomes of the review.

7.138 Therefore, to ensure that any detrimental impact as a result of the proposed development can be fully mitigated, it is considered necessary to secure contributions under S106 Agreement to provide mitigating measures at follows:

- Submission of travel and contributions toward monitoring;
- Contributions towards the potential review of the existing CPZ and to implement the outcome of the review;
- To apply a limit to the maximum attendees that can be accommodated on site (max of 700 people at any given time);
- Restriction of hours of use;

7.139 In addition, the Traffic and Development team have proposed a number of conditions which are recommended to be attached to any approved planning consent.

Conclusion

7.140 Having regard to the above and subject to conditions and S106 obligations, Planning Officers consider that the application would be acceptable from a transport and highways perspective and is accordant with Policies CS9 and DM17 of the Barnet Local Plan. This conclusion would also meet the requirements of Policy DM14 (Community and education uses) which expects that there is no significant impact on the free flow of traffic and road safety as a result of new community developments.

Landscaping

7.141 An Arboricultural Survey & Impact Assessment to take into account the condition of all trees within the application site. The report confirms that the survey was undertaken in accordance with BS 5837: 2012 'Recommendations for trees in relation to construction (BS5837: 2012). The associated survey was undertaken on 07 January 2016 and accounted for 19 trees in total on the site.

7.142 The survey records that there are no Category 'A' or Category 'B' trees within the site and that all trees within the site can be classified at Category 'C'.

7.143 The report recommends that trees T1 – T14 are to be retained and appropriate tree protection measures have been recommended.

7.144 The survey states that trees T15-T19 which are located on the eastern boundary adjacent to High Road and within raised planter areas are recommended for removal. They were planted within the last 15-20 years and have outgrown their location. The narrow and confined planting area has restricted the trees growth that they generally lean in order to gain light and therefore have unbalanced canopies. Their removal is mitigated by a proposed new landscaping scheme.

7.145 There will be a condition attached to ensure that appropriate tree protection measures as detailed within the submitted report are erected before the construction works begin and are retained for the full duration of works.

7.146 In terms of new landscaping, it is proposed to plant 3 new trees along the eastern boundary to High Road and existing landscaping along the rear (western boundary) to Whittington Mews will also be increased. In addition to this, the area between the rear wall of the auditorium and the rear site boundary will become a green roof.

Refuse and Recycling

7.147 It is proposed to continue to use the existing refuse bin storage facility which is located off Highwood Avenue. The church proposes to retain the 3 x 1100 mixed commercial bins.

7.148 In terms of recycling, it is not envisaged that the church use will require a greater refuse disposal compared to the existing use of Solar House.

Sustainability

7.149 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

7.150 London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all major 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.

7.151 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).

7.152 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.

7.153 The application is accompanied by a BREEAM pre assessment report which advises that the application will achieve BREEAM 'very good'. The application documents also advise that the proposed development will receive an overall on-site reduction of 35.34% in regulated emissions which meets the London Plan target. The sustainability of the scheme has been assessed by Council officer against the London Plan Hierarchy and a summary is set out below:

Be Lean

7.154 The existing building fabric is in reasonable condition. The glazing is of particularly good standard for a property of its age. It already benefits from double glazed windows which provide a suitable level of thermal efficiency. The existing walls are of a brick and block construction, on a concrete frame and also thought to be in good condition. By comparison to the existing Holden Road site, Solar House is expected to provide a more air tight and thermally efficient building.

7.155 A new entrance door will be located on the eastern side of the building to ensure separate access between the northern wing and the church. These new doors will include a draught lobby to prevent heat losses.

- All windows to the office areas will be fitted with glare control;
- The auditorium will be constructed from thermal values which exceed Part L 2a requirements, to ensure the design can deliver a thermally efficient building, which is affordable to run.

7.156 The proposals will make use of the existing building, and make necessary upgrades to the building to facilitate its change of use. Preliminary M&E feasibility reviews

have been undertaken to consider the existing plant and building services. The conclusion of those reviews is that the existing systems are generally in good order, and will be able to facilitate the change of use with no further upgrades necessary, save for those required to achieve BREEAM Very Good.

- 7.157 Whilst the mechanical services will be retained and re-commissioned, in order to comply with BREEAM Very Good it is proposed that the lighting within the South Wing is upgraded to LED lighting. The replacement from the existing tungsten filament (T8 lamps) will reduce the energy consumption from the lighting, and is expected to payback within a 14 year period.

Be clean

- 7.158 The building services are not compatible with a district heating network and no heat network has been identified in proximity to the site. It is not anticipated that the Be Clean stage of the Energy Hierarchy offers potential for CO₂ savings at the site.

Be Green

- 7.159 It is proposed that the development would incorporate a scheme of PV on the roof of the development to achieve further CO₂ reductions, beyond the installation of efficient lighting. This will be located on the roof of the main building. A 16.7 kWp PV array will be located on the plant roof of the building. Where necessary the roof will be upgraded to allow for increased weight and wind loading. The arrangements for PV on the roof of the building will be defined through further design work with specialist sub-contractors. At this stage an area of 125 sqm of PV is predicted to meet the needs of the development.

- 7.160 The savings in emissions as a result for the upgrades to the building will result in a 35.34% reduction from Part L 2013 for the new build auditorium, and a 33.7% reduction as a result of the refurbishment of the existing building.

Water conservation

- 7.161 The proposed development will see upgrades to all existing WCs within the southern wing of the building which is subject to the change of use. The upgrades will see the replacement of the existing inefficient fittings with more modern and efficient types. The following efficiency measures are proposed:

- Staff and Congregation WCs – 4.5 litres dual flush cistern
- Accessible WCs – 6 litres minute single flush cistern, in accordance with DDA standards.
- Urinals – 2 litres / bowl / hour with programmed timer controls
- Hand Wash Basins – 4.5 litres / minute with push tap
- Shower – 8 litres minute with aerating head
- Dish Washing Machines – Max 13 litres / cycle A Rated machines
- All WC blocks will be fitted with shut off switches connected to PIR, which will prevent unnecessary usage out of hours.

- 7.162 The above measures will lead to an estimated 40% saving in water use and will assist to achieve BREEAM Very Good, or 71% of the available water credits within BREEAM. In order to achieve all water credits, the design would need to incorporate Rain Water Harvesting.
- 7.163 The opportunity to retrofit rainwater harvesting within the building has been given consideration. In general the systems are best integrated into new buildings where service runs can be designed into the building. The retrofit of rainwater harvesting is not considered to provide a practical or cost effective solution for the development. Such a system would not generate a payback within the design life of the system, particularly given the relatively low water intensity of the building.

Air Quality

- 7.164 An Air Quality Assessment report has been undertaken and submitted to determine whether the proposed development achieves compliance against National Air Quality Objectives, along with National and Local planning policy.
- 7.165 The report concludes that provided the mitigation measure recommended within the report are implemented during the construction phase, the estimated magnitude of impacts associated with the proposed development, should be negligible.
- 7.166 The Council's Environmental Health Officers have reviewed the submitted document and agree with the mitigation measures proposed for the construction phase and there is no outstanding concerns regarding air quality.

Contaminated Land

- 7.167 A Phase 1 Ground Contamination Assessment was undertaken and submitted to support the prior approval application for the change of use of the south wing of the subject site to residential use. This is still considered to be relevant for the development being proposed.
- 7.168 The assessment concluded that:

"The results obtained from the Tier 1 Risk Assessment shows that the site is considered to have a Low potential for discrete, localised ground contamination to be present within the former garage area and a Very Low potential for contamination to be present for the rest of the site.

Contamination risks in respect of Human Health and controlled waters are assessed as Very Low because the present building structure and hardstanding areas are not being redeveloped, and therefore no new pollutant linkages are being created.

It is considered that the proposed change of use from commercial to residential end use can be carried out without undertaking any special measures related to the ground conditions or contamination."

- 7.169 There have been no changes in use/activity at the subject side or in the immediate surrounding area in respect of potentially contaminated land used this assessment was undertaken. As such the conclusions of the report are considered to remain valid.

7.170 The Council's Environmental Health Officers have reviewed the information and have raised no objections in this regard.

Flood Risk

7.171 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".

7.172 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.

7.173 A Flood Risk Assessment (FRA) was carried out in support of the application. The FRA confirms that the site is located within Flood Zone 1 which is considered to be an area least susceptible to flooding. Therefore no specific flood management measures are considered to be necessary to protect the development. The Site is not specifically mentioned in the Level 1 SFRA as being at risk of surface water flooding, and there is no record of historic surface water flood risk.

7.174 The Council's Flood Risk and Water Management team have reviewed the submitted information and have considered that the assessments undertaken provide a sufficient assessment of the flood risk at the site. The applicant states that surface water will be managed via the following SuDS features:

- Green roofs (about 17% roof area) and attenuation using storage crates;

7.175 The use of open water features is considered to be an appropriate substitute for not meeting the first priority of the SuDS discharge hierarchy – 'store rainwater for later use.' As such meeting the SuDS discharge hierarchy is considered to be met.

Crime prevention / community safety

7.176 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.

7.177 The applicant's design team met with a Metropolitan Police 'designing out crime' officer and advice was received on the relevant design techniques to be used to ensure that the building is as secure as possible. Measures incorporated are as follows:

- The perimeter will be defined. This will include a retained wall. The existing wall around 2.5m high and the remaining boundary is to be 1.8m;
- Vehicle gates which are existing are around 2.5m to 3m high. They are electronically operated, not easy to climb. These gates will be locked out of hours;
- Each perimeter door will be to an enhanced security standard. This is LPS 1175 sr2 or higher. The main reception will be glazed doors;
- Security doors will be at the internal junction between the offices and the church, also junctions within the stair wells on each floor. Control will also be required on the lifts. The use of encrypted fob control on the lifts is being considered by the applicant;
- The main glass entrance doors on the High Road, the fire exit door on Fredrick Place and the fire doors from the auditorium on the north side need to be constructed to LPS 1175 and SR2 level;
- Lighting to a uniform level will be provided and bollard lighting is proposed; and
- Use of both alarms and CCTV

7.178 A condition requiring the development to achieve Secured by Design accreditation would be attached to any permission.

8. Response to Public Consultation

8.1 **Proposed use is not appropriate in this residential area** – Policy DM13 seeks that new community facilities are located in areas where they are accessible by public transport, walking cycling, preferably in town centre locations or local centres. The application site is located on the edge of the North Finchley Town Centre and is considered to be located in an accessible location.

8.2 **Surrounding area is already overdeveloped** – The proposed scheme has been assessed in relation to other developments in terms of design, amenity, and highways and has been assessed individually by LBB Officers. It is not considered that the proposed scheme in relation to other developments in the vicinity would have a detrimental impact.

8.3 **Local businesses in North Finchley will be adversely affected** – Planning Officers do not consider that the proposed development would have a detrimental impact on the trade and operation of local businesses.

8.4 **Loss of employment facility** – Policy DM14 states that change of use from employment may be considered in strict terms where it has been demonstrated that the site is no longer viable for its existing use and has been marketed for a suitable period. An Economic Statement has been submitted to justify the loss of employment and has been assessed by LBB Officers.

- 8.5 **Overdevelopment of the site** – The layout, siting, design and height has been assessed by LBB Officers and do not consider it to represent overdevelopment of the site. The layout of the proposed auditorium is set in sufficiently from neighbouring boundaries and the main bulk will measure approximately 4m in height which will not be greater in height than the surrounding dwellings. The pitched roof is not considered a dominant structure and only a small area of the roof which rise above the height of neighbouring properties.
- 8.6 **Size of auditorium is inappropriate, will be higher than surrounding building and will have an overbearing impact** – The buildings towards and along the High Road consist of larger 4 and 5 storey developments, with the surrounding residential streets to the north, south and west consist mainly of two storey dwellings.
- 8.7 **Proposed development will cause overshadowing** – LBB Officers have reviewed the overshadowing report that was submitted within the application and agree with its conclusion that there will be no detrimental impact in terms of overshadowing.
- 8.8 **Adverse noise impact from proposed activities and volume of people** – The application has been fully assessed by LBB Environmental Health Officers who considered that the scheme, subject to conditions would not result in unacceptable levels of noise.
- 8.9 **Disruption to the enjoyment of residential amenity** – LBB Environmental Health Officers have assessed the noise and associate music breakout from the proposed building and are satisfied that any associated noise will be contained within the building. The main pedestrian entrance will be located on High Road so there should not be volumes of people
- 8.10 **Social impact on the surrounding area** – A balanced assessment has been undertaken of the proposed development and is not considered to result in any unacceptable social impacts on the surrounding area.
- 8.11 **Increase in crime due to high influx of people** – there is no evidence to suggest that the proposed development will result in increased crime in the area. A condition will be attached to the permission to ensure that the proposed building complies with the necessary security requirements.
- 8.12 **Insufficient parking available on Sundays - Existing parking stress on surrounding streets** – It is acknowledged that there is an existing stress within the surrounding streets. LBB Traffic and Development have recommended that contributions be sought within a legal agreement to investigate a review of the CPZ and restrictions and implement any outcome of the review.
- 8.13 **Existing parking stress on surrounding streets** – It is acknowledged that there is an existing stress within the surrounding streets. LBB Traffic and Development have recommended that contributions be sought within a legal agreement to investigate a review of the CPZ and restrictions and implement any outcome of the review.
- 8.14 **Scope of submitted parking surveys is insufficient** - LBB Traffic and Development team have reviewed the submitted information and are satisfied with the content and methodology of the submitted surveys.

- 8.15 **Other new residential developments in the vicinity have contributed to parking stress and traffic congestion** - The LBB Traffic and Development team have assessed the proposed road safety impact and have not raised any significant objection in regards to this issue.
- 8.16 **Road safety**- The LBB Traffic and Development team have assessed the proposed road safety impact and have not raised any significant objection in regards to this issue.
- 8.17 **Proposed mitigation measures in submitted documents are not enforceable** – In addition to the proposed measures, the LBB Traffic and Development team have requested further measures to be agreed under S106 agreement and conditions. It is considered that a combination of both measures will mitigate the impact from the proposed development.
- 8.18 **Additional noise and environmental pollution from increased vehicles** - The application has been fully assessed by LBB Environmental Health Officers who considered that the scheme, subject to conditions would not result in unacceptable levels of noise and pollution.

9. Equality and Diversity Issues

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

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

9.2 For the purposes of this obligation the term "protected characteristic" includes:

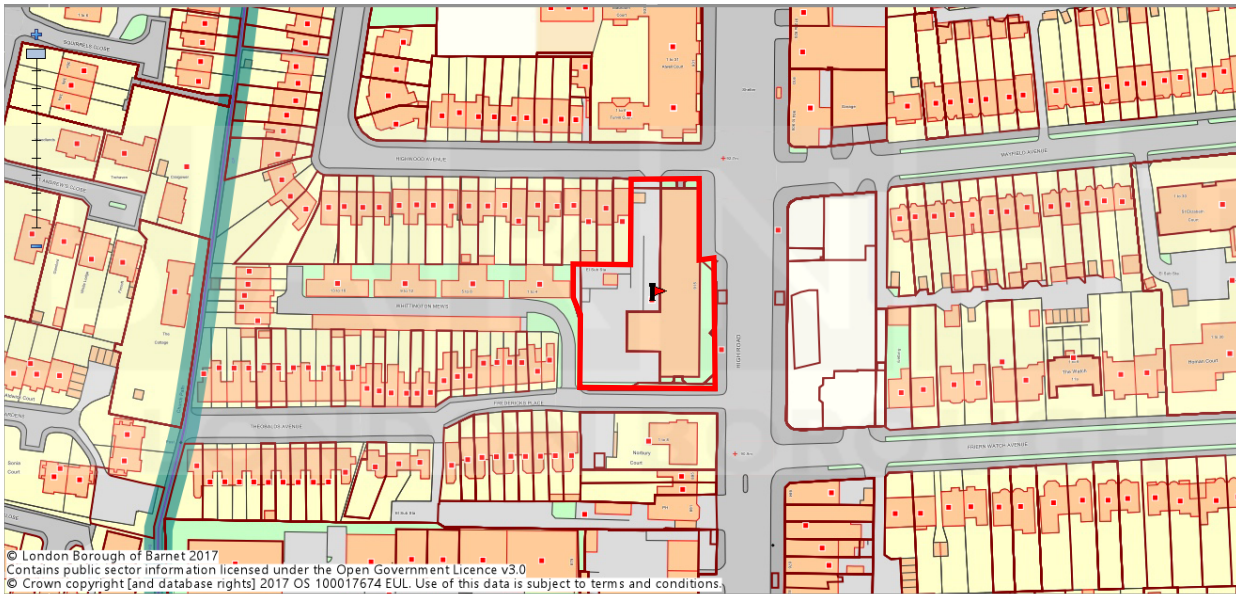
- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

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

- 9.4 The proposed development would re-provide an existing loss of community space sought via a linked application and would provide an overall increase in D1 floorspace.
- 9.5 In terms of likely negative impacts, the application has attempted to address these through amendments to the scheme. It is suggested that the majority of these can be mitigated through conditions and S106 agreement and that any impacts are unlikely to disproportionately affect any one group with a protected characteristic.
- 9.6 With the S106 and conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The development would therefore have a positive effect in terms of equalities and diversity matters.
- 9.7 It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

10. Conclusion

- 10.1 The application seeks permission for the change of use of existing B1(a) office building to D1 (Place of Worship) with the construction of new front entrance and rear auditorium for capacity of no more than 700 people at any one time.
- 10.2 The application has been satisfactory in regards to the loss of employment space, provision of new community facilities, design and impact on neighbouring residential amenity.
- 10.3 One of the primary concerns arising from the consultation process was the potential for the development to have a detrimental impact on the surrounding highways conditions in terms of traffic generation, traffic safety and parking provision. The Council's Traffic and Development team have reviewed the submitted Transport Assessment, Faith Travel Plan and have requested additional surveys and have advised that subject to planning obligations sought through the S106 agreement, the proposed traffic and parking impact from the proposed development can be mitigated to an extent that the benefits outweigh harm caused.
- 10.4 Having regard to all of the above and making a balanced recommendation, Planning Officers consider that the proposed development is acceptable and as such approval of the application is recommended.
- 10.5 Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions and completion of legal agreement, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



**St Barnabas Church 42 Holden Road Woodside Park London N12
7DN** **AGENDA ITEM 9**

Location

Reference:

16/5632/FUL

Received: 25th August 2016

Accepted: 8th September 2016

Ward:

Totteridge

Expiry 8th December 2016

Applicant:

N/A

Proposal:

Conversion of the existing St Barnabas Church from Use Class D1 (community use) to Use Class C3 (residential) comprising 21 flats and four floors, along with associated external alterations. Demolition of the existing bungalow at 42 Holden Road and construction of a three storey plus lower ground floor building comprising 9 residential flats and car parking, provision of private and shared amenity space, cycle and bin stores and other associated works.

Recommendation: That upon completion of the agreement specified in Recommendation 1, the Interim Head of Development Management approve planning application reference 16/7565/FUL subject to the following conditions and any changes to the wording of the conditions considered necessary by the Interim Head of Development Management.

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. Re-provision of existing D1 floorspace (1,015 sqm).
4. Commitment to 3 apprenticeships and 3 progression into work places. Seek that there is a local supply chain target of 30%; local labour target of 30% (and reporting on both); forecasting of job opportunities; and notification of job vacancies
5. Contribution towards affordable Housing £400,000.00
6. Monitoring of legal agreement

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approves the planning application subject to the following conditions and any changes to

the wording of the conditions considered necessary by the Planning Performance and Business Development Manager/Head of Development Management:

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

001 (Site Location Plan)
002 (Block Plan)
003 (Existing Plans Ground Floor Level)
004 (Existing Plans First and Basement Floor Level)
005 (Existing Sections A-A, C-C & D-D Sheet 1 of 2)
006 (Existing Sections E-E, F-F & G-G Sheet 2 of 2)
007 (Existing Elevations Sheet 01 of 02)
008 (Existing Elevations Sheet 02 of 02)
200 J (New Build Lower Ground Floor Layout)
201 K (New Build Upper Ground / Ground Floor Plan)
202 H (New Build 1st and 2nd Floor Plan)
203 C (Roof Plans)
210 A (Church Conversion Proposed Plans Ground Floor Level)
211 A (Church Conversion Proposed Plans First Floor Level)
212 (Church Conversion Proposed Plans Second Floor Level)
213 (Church Conversion Proposed Plans Third Floor Level)
300 B (New Build Proposed Sections A-A & B-B)
301 C (New Build Proposed Sections C-C)
310 (Church Conversion Proposed Sections A-A, C-C & D-D Sheet 01 of 02)
311 (Church Conversion Proposed Sections E-E, F-F & G-G Sheet 02 of 02)
400 H (New Build Proposed Elevations Sheet 1 of 3)
401 H (New Build Proposed Elevations Sheet 2 of 3)
402 G (New Build Proposed Elevations Sheet 3 of 3)
410 A (Church Conversion Proposed Elevations Sheet 01 of 02)
411 A (Church Conversion Proposed Elevations Sheet 02 of 02)
700 (New Build Area Schedule)*
701 (Area Schedule - Church Conversion)

Acoustic Report
Air Quality Report
Daylight Sunlight Report
Design and Access Statement
Drainage Statement
Energy and Sustainability Statement
Phase 1 Habitat Survey
Planning Statement
Preliminary Risk Assessment
Transport Statement
Tree Report
Utilities Statement

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development (other than demolition works) associated with the conversion of the existing church shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels around the existing church site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and retained as such thereafter.

b) No development (other than demolition works) associated with the erection of the new building to replace 42 Holden Road shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels around the 42 Holden Road site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved 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 or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

- vii. Noise mitigation measures for all plant and processors;
- viii. Details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

5 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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 a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

6 a) (i) No development (other than demolition works) associated with the conversion of the existing church shall take place until 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 for the area around the existing church, have been submitted to and agreed in writing by the Local Planning Authority before the development.

a) (ii) No development (other than demolition works) associated with the erection of the new building to replace 42 Holden Road shall take place until 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 for the area around the new building at 42 Holden Road, have been submitted to and agreed in writing by the Local Planning Authority before the development.

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.

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 7 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the tree protection measures as recommended in the submitted Tree Report (received 25/08/2016) have been erected around existing trees on site.

This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 8 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown in drawings 200 Rev J, 201 Rev. K and 008.099 Rev. 06 within the submitted Transport Statement shall be provided and the access to the parking spaces will be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that 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.

- 9 Before the development hereby permitted is occupied details of the 20% active and 20% passive parking spaces to be installed with electric vehicle charging points shall be submitted and approved by the Local Planning Authority. Such spaces shall be provided prior to first occupation and permanently retained and maintained thereafter.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

- 10 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with London Plan Parking Standards. Details shall be submitted to and approved by the Local Planning Authority and such spaces shall be provided prior to first occupation and permanently retained and maintained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 11 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).

- 12 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) to be installed on the church building shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

- 13 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).

- 14 The development hereby approved shall not commence (other than demolition works), until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. 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).

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

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

- 16 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.)

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

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

- 18 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.

- 19 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.

- 20 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.

- 21 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.

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

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

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

- 23 a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until further surveys, following on from the Phase 1 Habitat Survey, have been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.
- b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 24 a) No development associated with the conversion of the existing church shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and retained as such thereafter.

- 1) Samples of the materials to be used for the external surfaces of the building and hard surfaced areas;
- 2) Details of the new louvres at 2nd floor level in the church building at scale 1:10;
- 3) Details of secondary glazing and new double glazed units at scale 1:10;
- 4) Details of the removal and relocation of existing stained glass windows and the war memorial currently housed in the church;
- 5) Details of all external lighting;
- 6) Sections of the new windows, rooflights and doors at a scale of 1:10.

b) No development (other than demolition works) associated with the erection of the new building to replace 42 Holden Road shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and retained as such thereafter.

- 1) Samples of the materials to be used for the external surfaces of the building and any hard surfaced areas;
- 2) Details and materials for new balconies and screening;
- 3) Details of all external lighting.

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

Reason: To safeguard the special architectural or historic interest of the building and wider area, to ensure a satisfactory appearance, to protect the amenities of neighbouring residents 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), Policies DM01, DM02 and DM06 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.

- 25 a) No above-ground works 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 road and rail, as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

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

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

- 26 a) No development shall take place until 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 have been 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).

- 27 The development shall not be occupied until such a time as details of window treatment (including obscure glazing) have been submitted, approved and implemented.

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).

RECOMMENDATION III:

- 1 That if an agreement has not been completed by 31 July 2017, that unless otherwise in writing, the Planning Performance and Business Development Manager should REFUSE the application 16/5632/FUL under delegated powers for the following reasons:

1. The proposed development does not provide a commitment to provide at least equivalent quality or quantity of community space on the site or at a suitable alternative location contrary to policy CS10 of the Adopted Core Strategy and policy DM13 of the Adopted Development Management Policies DPD and the Planning Obligations SPD (2013).

2. The proposed development does not include a formal undertaking to provide a satisfactory review mechanism to secure a post-development review of the ability of the scheme to make a financial contribution for that purpose. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 of the Development Management Policies DPD (adopted September 2012), the Affordable Housing SPD (2009), Enterprise and Training SPD (2014), and the Planning Obligations SPD (2013).

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 £109,865 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 £423, 765 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.
3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit

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

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

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

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

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

- 4 The applicant is advised that any alteration if required to the public highway (including pavement) will require prior consent of the local highways authority. You may obtain an estimate for this work from Environment and Operations Directorate, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

The DCMP will take into account locations of any schools in the proximity of the proposed development that may be affected by the proposed development and the applicant shall ensure that construction related traffic and or deliveries shall be avoided during the school drop off and pickup times. The applicant may need to liaise with the affected school to ensure that measures are in place to ensure pedestrian safety.

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

Officer's Assessment

1. Site Description

- 1.1 The application site (named St Barnabas Church) is located on the eastern side of Holden Road, within the ward of Totteridge.
- 1.2 The site has an area of approximately 0.31 hectares and consists of two parts: the southern part of the site consists of an early 20th century church building, while there is a single storey bungalow (42 Holden Road) located within the northern part of the site. There are a number of temporary modular buildings and other single storey structures located within the rear ground area but lie out with the application site. This area of land located to the rear (east) of the church is owned by TfL.
- 1.3 There are separate vehicular accesses into the church and 42 Holden Road with small areas of off-street parking.
- 1.4 The church building is designated as a locally listed building under the Borough's 'Schedule of Buildings of Local Architectural or Historical Interest. The site is not located within a designated conservation area. The site is located approximately 1km from North Finchley Town Centre and Woodside Park Underground Station is located approximately 170m walking distance from the site.
- 1.5 Surrounding the site to the north, is a three storey residential property (44 Holden Road) comprising of flats; to the east is the railway line and land owned by TfL; to the south is Vicarage Court, a three storey building comprising of flats, and Holden Road runs along the western boundary. With the exception of the church building, the surrounding area is predominately residential with a variety of detached, semi-detached and terraced houses as well as a number of modern residential blocks of flats.

2. Site History

- 2.1 Reference: B/01714/09
Address: St Barnabas Church, Holden Road, London, N12 7DN
Decision: Approved subject to conditions
Decision Date: 27 July 2009
Description: Temporary retention of portacabin as existing office / youth building, erection of single storey conservatory for temporary use and associated additions to the rear including raised timber decking.
- 2.2 Reference: N12944/01
Address: 42 Holden Road, London, N12
Decision: Withdrawn
Decision Date: 15 February 2002
Description: Demolition of existing bungalow and the erection of a three storey building to provide five, one bedroom flats and three, two flats and associated parking (outline).
- 2.3 There are a number of further applications dating from 1985 to 2001 relating to erection of office building and temporary classrooms to rear and single-storey side extension to the church building.

3. Proposal

- 3.1 There are two elements to the proposed development: conversion of the existing church and redevelopment of 42 Holden Road.
- 3.2 It is proposed to convert the existing church building to provide 21 self-contained flats. A number of alterations are proposed to the building such as the creation of new doors, windows and rooflights. It is proposed to remove the existing single storey modern extension to the south of the church. The existing church use is proposed to be located to an alternative site at Solar House, 915 High Road, N12 8QJ. A separate planning application (Barnet reference 16/5639/FUL) has been submitted separately to consider the acceptability of a D1 use on that site.
- 3.3 The other part of the application involves the demolition of the existing bungalow at 42 Holden Road and the construction of a 3 storey plus lower ground floor building comprising of 9 self-contained flats. Accommodation is also proposed within the roofspace. The proposed new build would measure approximately 11.8m in width, with a depth of 22.4m along the norther elevation and 27m along the southern elevation and have a total height of approximately 16m.
- 3.4 Between both elements there would be a total of 30 self-contained flats proposed.
- 3.5 The proposal would provide 30 car parking spaces and 43 cycle parking spaces which would be located at the lower ground floor level of the new 42 Holden Road building and at surface level within the forecourt areas. The proposed development will provide new external communal and private amenity space.
- 3.6 A number of amendments have been made to the original proposal. The changes are as follows:
- Reduction in the number of rooflights proposed on the church building;
 - Height of new build at 42 Holden Road has been reduced;
 - Side and rear footprint of the new build has been reduced closest to the northern boundary and has several stepped elements; and
 - Metal balconies on the front elevation of the new build have been replaced with smaller recessed brick balconies.

4. Public Consultation

- 4.1 Consultation letters were sent to 143 neighbouring properties. The application was re-consulted on 9 December 2016 following the submission of amended plans.
- 4.2 6 responses have been received, comprising 4 letters of objection and 1 letter of support. 1 of the 6 representations received, provided no valid planning considerations for their objection.
- 4.3 The objections received can be summarised as follows:
- Street is congested with parking and traffic to a dangerous extent;
 - Proposal does not provide enough on-site parking;
 - Loss of valuable cultural and heritage asset;
 - Considerable loss of amenity;

- Application is totally conditional on approval to 16/5639/FUL; the Council should consider the two together;
- Transfer of existing war memorials and other fittings should be treated with proper care and re-sited appropriately.
- In view of the non-viability of the development for affordable housing provision, the Council should appraise this assertion carefully and should be in accordance with Policy CS4 and London Plan.
- Poor amenity provided to future occupiers of the site in terms of sunlight and daylight.

4.4 The letter of support received can be summarised as follows:

- Nice development that will be of enormous benefit for the residents of Barnet;
- Looks similar to surrounding blocks of flats and is a much more efficient use of space than the current bungalow and underused church;
- Close proximity to tube station.

5. Summary of responses from Internal Consultation

LBB Urban Design & Heritage - Expressed concerns that a number of proposed works are harmful to the heritage asset and its setting

LBB Traffic and Development - No objection subject to conditions

6. Planning Considerations

6.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

6.1.3 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

6.1.4 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.

- 6.1.5 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)

- 6.1.6 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, CS4, CS5, CS9, CS10, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM10, DM13, DM16, DM17

Supplementary Planning Documents

- 6.1.7 Affordable Housing (Adopted 08/02/2007)
Planning Obligations (Adopted 18/04/2013)
Residential Design Guidance SPD (adopted October 2016)
Sustainable Design and Construction SPD (adopted October 2016)
Delivering Skills, Employment, Enterprise and Training (SEET) from development through S106 (Adopted October 2014)

7. Assessment of proposal

Principle of loss of D1 community space

- 7.1 Policy DM13 (Community and education use) of the Barnet Development Management Policies Document relates to the loss of existing community uses and states that "*loss of community use will only be acceptable in exceptional circumstances where:*

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

- 7.2 At present, the existing building provides 1,015 sqm of D1 floorspace. The application justifies the proposed loss of community use at this site by proposing to re-provide the existing D1 floorspace at an alternative site at Solar House located at High Road, located approximately 860m to the north-east. As already stated there is a separate application which considers the acceptability of new community space at this site. Therefore Planning Officers will require that the two applications are require to be linked through a Section 106 agreement.

- 7.3 The proposed new site, would be able to accommodate the existing 1,015 sqm of D1 floorspace and once the overall development of that site is complete, there will be an overall increase of D1 floor space. If the alternative site was granted approval

for the change of use, therefore once the church moved into the new building, it would allow for the release of the existing church site to be development.

Conclusion

- 7.4 Having regard to the above, subject to a Section 106 agreement and application reference 16/5639/FUL being approved, then Planning Officers would consider that the requirements of policy DM13 would be satisfied.

Principle of residential development

- 7.5 With the exception of the church, the predominant character of the street is residential. Within Holden Road there are a variety of detached, semi-detached and terrace properties as well as modern blocks of flats. 44 Holden Road to the north of the site consists of flats and Vicarage Court to the south is a modern flatted development.
- 7.6 Having regard to the character of the street, Planning Officers do not consider that a development on this site consisting of flats would have an adverse impact on the character of the street. The provision of 30 units will help contribute to the Borough's housing supply.

Affordable Housing

- 7.7 Barnet policy DM10 (Affordable housing contributions) states that there is a borough wide target that 40% of housing provision should be affordable, subject to viability, from all new sites providing 10 or more units gross or covering an area of 0.4 hectares or more. (This has been superseded by recent Court decisions that confirm that affordable housing can be sought only on sites providing 11 or more units or with a floorspace exceeding 1,000 sq m.)
- 7.8 In line with Core Strategy Policy CS4 the tenure mix of affordable housing sought is 60% social rented and 40% intermediate.
- 7.9 The Policy states that in only exception circumstances, as set out in Barnet's Affordable Housing SPD, developments may seek a reduction in the affordable housing contributions or provide payments in lieu. Where it is proposed to provide a reduction of the 40% required affordable housing provision, the Council will require the applicant to submit a Financial Appraisal which would be required to be independently assessment. The costs of this are to be borne by the applicant as it seeks to justify the development business case and planning merits of reduced affordable housing provision.
- 7.10 As the proposed development seeks to provide 30 units, according to policy DM10, a 40% affordable housing contribution would relate to 12 units. The applicant has submitted an appraisal of the financial viability of the proposed development which confirms that the provision of any affordable units as part of the development is unviable.
- 7.11 As required by policy, the applicant agreed to have the submitted financial appraisal independently assessed.

- 7.12 An independent analysis was undertaken of the submitted report and concluded that the proposed scheme is not viable even with nil affordable housing. A reason for this is because of the high construction costs for the development due to high costs for conversion of the church, and low efficiency. The other important factor is the benchmark site value. The site has a high value in its current status and format and therefore, the scheme must generate a higher profit than would normally be required to encourage the landowner to develop for residential rather than selling the site or using it for its current / existing use.

Conclusion

- 7.13 With regards to the above, Planning Officers consider that the applicant has sufficiently demonstrated that due to viability reasons, no affordable housing provision can be provided on site. Therefore, the proposal would not conflict with policy DM10 of the Barnet Local Plan.
- 7.14 However, while the proposal meets policy requirements, the applicant is proposing a contribution of £400,000 over and above the policy requirements.

Design Impact

- 7.15 Paragraphs 56-58 of the National Planning Performance Framework (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.

Conversion of existing church

- 7.16 As stated the existing church building is designated as a locally listed building. Policy DM06 (Barnet's heritage and conservation) seeks a presumption in favour of locally listed buildings and against any proposed alterations or other external works which might be harmful to the architectural and historic character and setting of such buildings.
- 7.17 In determining planning applications that affect a locally listed building or its setting, the NPPF requires amongst other things that LPA's should take into account the desirability of sustaining and enhancing the significance of such heritage assets and of putting them to viable uses consistent with their conservation.
- 7.18 In determining its significance, it is necessary to consider the history of the building. The church building dates to 1912 and was completed 2 years later. It is a large building built of red brick with Wealdon limestone bands in a decorated style to design by J.S Alder. During the 1970s there was a modern extension to the south elevation of the building. The form of the building is constructed around a central nave with aisles on either side. On the front elevation, there are two separate entrances, a central bay window and a large gothic window. The setting of the church is quite narrow, as a result of neighbouring development. As you approach along Holden Road, you get glimpses of the front elevation and its height but it's only when you reach directly outside the church that you can view the extent of the church building. At present there is a community/social significance of the site given the number of attendees and visitors to the church.

- 7.19 There are no significant alterations or proposed works to the exterior appearance of the building. The later modern addition to the south elevation is proposed to be removed and it is proposed to install new windows and doors at ground floor level and a series of conservation rooflights. A number of existing windows will be replaced based upon their current condition. It is not proposed to extend or remove any of the original church structure. Planning Officers consider that the overall impact on the designated heritage asset would lead to less than substantial harm.
- 7.20 Paragraphs 126 to 141 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 7.21 In considering other alternative uses, the large scale of the building limits potential uses. The application is seeking to convert the building into residential flats which is considered to be a viable alternative use. Officers consider that by permitting the building to be used for residential the public benefits of the proposed development would ensure that the future conservation of the building is maintained.
- 7.22 The Council's Heritage officers expressed concerns over the loss of existing stained glass and existing lead windows. In securing the building for its optimum use, the retention of stained glass/artwork provides a difficult challenge to allow those areas of the building to be converted and allow for daylight/sunlight to enter those areas of the building. The stained glass is predominately located to the rear of the building where it can only be publically viewed from the railway line. The change of use would ultimately close off the building and the stained glass would be not as readily viewed. By proposing to retain and re-locate the stained glass windows on the alternative site, i.e. the new church location, they are not lost. With regards the other existing windows, the applicant has confirmed that all of the existing windows may not necessarily need replacing and those which are still in good condition will be retained. Where it is necessary to replace windows, these will be done on a like for like basis to ensure the style and appearance of the new windows is appropriate and preserves and enhances the character of the building. A condition will be attached to ensure that further details are provided where replacement is being proposed.
- 7.23 Another area of concern was the addition of a large number of rooflights on the existing upper and lower roof slopes which would introduce uncharacteristic features to the heritage asset. The large rooflight on the rear roof slope has been removed as requested and a few of the lower rooflights have been removed as well. Planning Officers consider that the use of rooflights are required to help provide additional light to a number of residential dwellings. The upper rooflights will be most visible but these are generally to be located towards the rear of the building.
- 7.24 Planning Officers do not consider that the introduction of individual amenity areas around the outside of the church to be detrimental to the setting of the heritage asset. While 1.8m high fencing may not be considered appropriate, there are other methods which would have a less obtrusive visual impact. A condition will be attached to any permission to that the Planning Authority can review this aspect of the proposal.
- 7.25 On the ground floor, Heritage Officers consider that the insertion of new doors and windows is harmful to the heritage asset. However Planning Officers consider that

in securing an alternative optimum use, the addition of new features is considered necessary to allow the building to secure a future use.

- 7.26 Therefore on balance, Planning Officers consider that the proposed external changes would introduce new features to the building, but that the limited impact of these changes on the setting of the building and considering an alternative optimum use of the site, there would not be a significant detrimental impact to the character or setting of the locally listed building.

Redevelopment of 42 Holden Road

- 7.27 It is fully recognised that this part of Holden Road is varied in terms of character of the buildings and spaces which presently exist along it. There are examples of buildings of a significant size and scale in use as flats and smaller scale semi-detached and detached single family dwellinghouses. It is also the case that the buildings in this part of the road use a range of detailed design approaches.
- 7.28 The proposed new build would measure approximately 11.8m in width, with a depth of 22.4m along the norther elevation and 27m along the southern elevation and have a total height of approximately 16m.
- 7.29 In terms of the new build's overall footprint, this has been reduced from what was originally proposed and set back further from the neighbouring northern boundary. The proposed building line would respect that of the existing building to the north and the church building to the south. At the front of the site, there is a wider and larger footprint which steps in firstly before the rear elevation of 44 Holden Road and again within the site. It is considered that this approach is more acceptable than the initial rectangular footprint that was originally proposed. This provides further setting to 44 Holden Road.
- 7.30 In terms of height, this has also been slightly reduced. Overall it is not much larger than the neighbouring building at 44 Holden Road and is considered to provide an appropriate transition between the existing church building and 44 Holden Road.
- 7.31 The design of the building incorporates a more traditional approach with brick detailing and balconies, chimneys and pitched roof.

Conclusion

- 7.32 Having regard to the above details, Planning Officers are satisfied that the proposed development in terms of design, siting, bulk, massing and height, does not have a detrimental impact on the character and appearance of the existing church building and site, streetscene and surrounding area.
- 7.33 It is considered that the new building relates acceptably to the adjoining church and maintains sufficient spacing and setting for the church such that less than substantial harm to the heritage asset will be caused.

Impact on residential amenity

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

Daylight, Sunlight and Overshadowing

7.35 A Daylight and Sunlight assessment was carried out by GIA and submitted as part of the application documents. The report confirms that the assessments were carried out in accordance with BRE Report BR209: 2011 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It should be noted that the BRE standards are guidance only.

The following residential properties with windows facing the application site were assessed:

- Woodside Grange
- Brookdene
- Garden Court
- Vicarage Court
- 44 Holden Road

7.36 The BRE provides two methodologies for assessing daylight: Vertical Sky Component (VSC) and No Sky Line (NSL). There is also a third daylight methodology which may be utilised to supplement these assessments, known as Average Daylight Factor (ADF).

7.37 In terms of sunlight, the BRE guidance recommends that the Annual Probable Sunlight Hours (APSH) is the methodology to use.

7.38 The predictions carried out for the first 4 properties illustrate that the daylight and sunlight levels for each of the potential facing windows would all meet BRE criteria. Due to the location of these properties in relation to the application site, it is unlikely that they would be adversely affected by the proposed development.

7.39 The property which has the most potential impact is 44 Holden Road to the north. There are 3 windows in the south elevation which face onto the application site. In terms of daylight, of the 13 windows and 11 rooms tested for this property, all but 2 pass the BRE criteria for VSC and NSL. In terms of sunlight, all rooms met the BRE criteria. However this assessment was undertaken against the original proposal which has been amended to remove some of the floorspace and bulk away from the neighbouring boundary, thereby further reducing any impact. At its closest point to the neighbouring windows of 44, there is a separation distance of approximately 8.2m which increases to over 10m as the proposed development steps in.

7.40 In terms of overshadowing, it is considered that all of the surrounding properties would receive at least 2 hours of direct sunlight on over 50% of the garden on the 21st March. This is in accordance with BRE guidelines.

Outlook

7.41 In this instance the main potential impact on outlook is related to 44 Holden Road. As stated above there are only 3 windows located on the southern elevation of 44 Holden Road. Having visited the site, it is the Officers assumption that the windows in this elevation are likely to be secondary windows with a greater number of windows which are also larger located on the front and rear elevations. While the proposed development would represent a significant increase in massing, bulk and

height compared to the existing single storey bungalow, Officers do not regard that the outlook of 44 Holden Road would be significantly affected.

Privacy and overlooking

- 7.42 Officers consider the main potential impacts for overlooking are related to 44 Holden Road to the north and Vicarage Court to the south. On the northern elevation of the new build, it is proposed to install high level windows, which would remove any potential overlooking issue. On the southern elevation of the church building, again, windows which could overlook Vicarage Court are to be obscure glazed. This is secured by condition.

Noise and disturbance

- 7.43 The introduction of 29 additional residential units has the potential to cause harm to the amenities of neighbouring residents due to additional activity on the site and increased comings and goings. However in this particular case, given the existing church and community use, it is considered that the level of activity on the site overall is likely to decrease and would not cause unacceptable harm to the amenities of neighbours.

Conclusion

- 7.44 Having regard to the above, Planning Officers consider the development subject to conditions, would not result in an unacceptable impact on the residential amenity of the neighbouring properties.

Impact on amenity for future occupiers

- 7.45 In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings. The proposal would provide:

New build

- 4 x 1 bedroom units
- 2 x 2 bedroom units
- 3 x 3 bedroom unit

Church conversion

- 2 x studio units
- 11 x 1 bedroom unit
- 6 x 2 bedroom units
- 2 x 3 bedroom units

- 7.46 Planning Officers have assessed each of the proposed unit floorspaces and each would exceed the minimum spaces as contained within the London Plan and Barnet's Sustainable Design and Construction SPD. Each of the units contained within the new build would have dual aspect outlooks

- 7.47 Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that 5m² should provide per habitable room for flats.
- 7.48 Within the new build proposal each of proposed 9 units would have access to a private balcony or terrace area. Within the church conversion, the majority of ground floor units would have private amenity spaces and two flats would be served by internal amenity spaces provided at the second floor level. It is proposed to replace the existing windows in these areas with privacy louvres to avoid overlooking of neighbouring properties. There would be a large communal area of approximately 231sqm provided to the rear of the new build which would be open to the whole development and 411 sqm of private amenity space altogether when taking into account the areas surrounding the church and within the balconies for each unit of the building. Taking into account there are 79 habitable rooms giving a required provision of 395 sqm, the overall development would meet the SPD standard and comply with policy DM02 of Barnet's Local Plan.

Noise and disturbance

- 7.49 An Acoustic Report has been submitted with the application to assess the impact upon the development from two principle noise sources, traffic and train noise.
- 7.50 A baseline survey of the existing conditions was undertaken on 13 July 2016 and noted that existing ambient noise levels around the site are generally quiet. Road traffic was the main noise source at the church façade nearest to Holden Road. Tube trains were recorded at 5.27am and generally run every few minutes between 06.00am and 09.30am.
- 7.51 Internal noise levels within potential dwellings have been assessed both with windows open and with windows closed. The external noise levels were generally low and noise levels are expected to meet the internal noise levels with windows closed and exceed the criteria with windows open.

Conclusion

- 7.52 Having regard to the above, Planning Officers are satisfied that the proposed development would provide adequate levels of accommodation for future occupiers and is in compliance with Policies CS5 and DM02 of Barnet's Local Plan and the Sustainable Design and Construction SPD.

Transport and Highways

- 7.53 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 documents 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.

- 7.54 The proposals seeks to provide 30 new flats, comprising of 17 x 1 bedrooms, 8 x 2 bedrooms and 5 x 3 bedroom units.

Parking provision

- 7.55 The proposed development would require parking provision of between 13 and 36.5 parking spaces in accordance with the parking standards as set out in policy DM17. The Council's Traffic and Development team have advised that the proposed 30 parking spaces are acceptable to serve the development. It is noted that the applicant has undertaken a parking survey demonstrating that although there is high parking stress in some road in the vicinity of the development there are spaces available.

Accessibility

- 7.56 At present, there are 3 existing vehicular accesses to the site. It is proposed to revise the existing arrangement to form 2 vehicular crossovers, one at the north side of the side and the other from the south side of the site from Holden Road.

Conclusion

- 7.57 With regards to the above, the council's Traffic and Development team have recommended that subject to conditions, the proposed development would not have a detrimental impact on the surrounding area in highways impact. As such Planning Officers are satisfied that the proposed development complies with policies CS9 and DM17 of the Barnet Local Plan.

Landscaping

- 7.58 A report on the impact on trees has been submitted to take into account the conditions of all trees within the application site. The report confirms that the survey was undertaken in accordance with BS 5837: 2012 'Recommendation for trees in relation to construction (BS5837:2012). The associated survey was undertaken on 01 August 2016 and accounted for 21 trees in total. However it is noted that a few of these lie outside of the application site. There are no trees on the site included within a Tree Preservation Order, however one tree in the front garden of 44 Holden Road is protected. Conditions are proposed to ensure this, and other, trees are protected during the development process.
- 7.59 The survey records that there are no Category 'A' trees within the site, there are 3 'B' Category Trees, 16 Category 'C' trees and 2 Category 'U' trees.
- 7.60 The survey states that 10 trees would need to be removed. These are primarily located to the rear of the existing bungalow at 42 Holden Road. 11 trees located are to be retained. These are mostly located in the north-east corner.
- 7.61 There will be a condition attached to ensure that appropriate tree protection measures as detailed within the submitted tree report are fully implemented prior to the commencement of construction works and retained for the full duration of the works.
- 7.62 In terms of new landscaping, it is proposed to plant 2 new trees along the front, western boundary, as well as new shrub planting along all of the boundaries and within the middle of the site between the buildings.

Ecology

- 7.63 A Phase 1 Habitat Survey was undertaken on 13 July 2016 and submitted as part of the application documents. The survey consisted of an inspection for preferred habitat types and signs and evidence of protected species.
- 7.64 With regards bats, three buildings were surveyed; the modern portable cabins, the bungalow and the church building. The cabins and bungalow were considered to have negligible potential for roosting while the report found large enough gaps in the church roof tiles and eaves that would allow for access to bats and provide potential roosting opportunities.
- 7.65 The report also surveyed for signs or evidence of other protected species and concluded that there is a low suitability for protected species such as badgers, hedgehogs, reptiles and amphibians. No protected birds were observed or heard from the site.
- 7.66 The reports conclude that the application site was considered low to moderate in ecological value with potential for roosting bats and nesting birds. Further bat surveys are recommended to be undertaken during the months of March to August to determine the presence or absence of roosting bats and inform mitigation if required. Precautionary measures are also recommended for nesting birds and general ecological value. Proposed work to clear or reduce shrubs and trees and work to the church roof should commence outside of the main bird breeding season (March to end of August).
- 7.67 Having regard to the above, Planning Officers consider that subject to conditions requiring the recommended surveys and mitigation measures are carried out in accordance with the submitted Phase 1 Ecological Survey, the scheme would be acceptable.

Refuse and recycling

- 7.68 Refuse collection will be via Holden Road and two bin stores have been proposed, one for each of the new and existing buildings. These are located toward the front of the development.
- 7.69 The applicant has undertaken discussions with the Council's Collection Services, and the level of both general waste and recycling has been agreed.
- 7.70 Externally, dedicated waste stores are proposed for both the church and the new apartment block. The bins will be clearly labelled and / or colour coded to designate the type of waste they contain. It is anticipated that bins will be allocated as general and recyclables as follows:
- St Barnabas church conversion: 4 no. 1,100L bins (general) - 5 no. 40L bins (recycling)
 - No. 42 Holden Road: 2 no. 1,100L bins (general) - 3 no. 40L bins (recycling)

Sustainability

- 7.71 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

- 7.72 London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all major 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.
- 7.73 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).
- 7.74 The application is accompanied by an 'Energy and Sustainability Strategy' which advises that the proposed development will receive an overall on-site reduction of 43% in regulated emissions which meets the London Plan target. The sustainability of the scheme has been assessed by Council Officers against the London Plan Hierarchy and a summary is set out below:

Be Lean

- 7.75 The glazed areas in the residential element of the scheme are a key component. The church contains numerous large stained glass windows which are to be retained, but improved thermally with secondary glazing installed. Other windows within the church façade will be replaced with new double glazed units, as will all windows within the new build apartment block.
- 7.76 An improvement in terms of air tightness (air leakage through the fabric of a building) will be achieved within the church refurbishment, given the replacement of external components within the facade. Typical points with high air infiltration rates are joints between window/door frames and the walls, poorly sealed window panes/doors and roof lights, and via electrical sockets and switches. These items will be carefully considered during the refurbishment.
- 7.77 Low energy lighting has become an essential feature of building design. Advances in lamp and ballast design have led to higher efficiency luminaires with control measures having become standard in most new and refurbishment developments. Energy efficient light fittings such as LEDs or CFLs will be provided throughout the development to reduce the electrical load. Daylight sensors and timers will be installed to all external lighting (not including security lighting). High efficiency lamps will be installed in communal areas managed by the landlord and be controlled by infra-red occupancy control (PIRs).
- 7.78 A balanced mechanical ventilation strategy with heat recovery is proposed for the new build apartment block. This will ensure minimum fresh air requirements, moisture and odour removal from the kitchen and toilet areas are provided, with a boost option to allow for a purge ventilation, whilst minimising carbon emissions through the heat recovery mechanism. Given that air tightness levels will be lower

in the church conversion, the controlled ventilation system would be much less effective and therefore is not proposed.

- 7.79 It is proposed that the dwellings are not provided with mechanical cooling and that ventilation would be provided naturally through openable windows.

Be Clean

- 7.80 The development is located on the margins of an approximate area deemed to have decentralised energy potential. However, the main heating loads are concentrated along North Finchley high street where both residential and commercial buildings are in close proximity. This diversity of heat demand equates to a more suitable location for such a network.

- 7.81 Given the small scale of the proposed development, and distance from North Finchley High Street, the scheme is not considered suitable for connection to a future district heating network.

- 7.82 Connecting to a district heating network was the first option assessed. As this is not considered viable, the next priority in Policy 5.6 of the London Plan 2011 to be assessed is to install a Combined Heat and Power (CHP) unit. As the technology would be installed onsite, the transmission losses associated with larger district networks would be far reduced. Furthermore, for every unit of electricity generated, the heat can be captured and used for 'free' to contribute to a thermal base load.

- 7.83 However, given that the proposed development is not located in an area where firm plans exist for a future heat network, the Greater London Authority's (GLA) Guidance on Preparing Energy Assessments (April 2015, section 10.24) states that CHP is most suitable for developments of approximately 500 dwellings or more. Furthermore, CHP at the scale of the proposed development have lower electrical efficiencies and combined with small landlord electricity demands, can lead to CHP being installed but not operated. Therefore, CHP is not considered suitable for this refurbishment scheme.

Be Green

- 7.84 A renewable and low carbon technology feasibility study has been carried out to investigate the contribution that on-site generation from renewable energy technologies could make to further reduce the carbon dioxide emissions at the development.

- 7.85 The proposed development has an area of south facing roof on the new apartment block and thus with the appropriate mounting systems could be used for Photovoltaic panels. A PV array will contribute to a proportion of the electrical load of the scheme.

- 7.86 Following the review of renewable energy technologies it is concluded that a PV array system would be the most suited to the proposed development. It is estimated at this stage that up to 9m² PV array could be incorporated into the scheme although this is to be reviewed further at Detailed Design.

Water conservation

- 7.87 Showerheads and taps will be fitted with flow restrictors throughout. Dual flush WCs and white goods such as washing machines and dishwashers will be highly water-efficient.

A rainwater collection system will also be considered within the site's drainage strategy.

Air Quality

- 7.88 The accompanying Air Quality report prepared by PBA provides an assessment of the existing air quality at the Site and considers the impact of the Proposed Development on air quality in the surrounding area. The main air pollutants of concern are associated with road traffic emissions, and are nitrogen dioxide (NO₂) and fine particulate matter (PM₁₀).
- 7.89 Based on on-site pollutant concentrations, construction impacts, and the Proposed Development's impact on traffic levels, the Air Quality report concludes that there are no air quality constraints to the Proposed Development. The report recommends that during the construction phase, mitigation measures corresponding to a low risk site should be applied to reduce the potential for increased dust deposition and elevation. Overall, the report states that the green planting and landscaping within the site is considered appropriate mitigation, and as such the Site is considered suitable for residential use without the need for any further mitigation.
- 7.90 In respect of the above assessment, the Proposed Development is considered to be in accordance with London Plan policy 7.14 (Improving air quality) and Development Management policies DM04 (Environmental considerations for development) and DM17 (Travel impacts and parking standards).

Contaminated Land

- 7.91 The accompanying Preliminary Risk Assessment (PRA) prepared by the Environmental Protection Group Ltd (EPG) provides an assessment of the potential contamination risk on the Site. The assessment involved desk based research and a site visit to identify any harmful risks on site.
- 7.92 The PRA did not identify any potential for significant contamination on site, and as such the risk to human health and controlled waters is considered to be low. With the potential for contamination assessed as low, it is concluded that a watching brief should be maintained during construction work, to identify any potential contaminants as the development progresses.
- 7.93 In respect of the above assessment, the Proposed Development is considered to be in accordance with London Plan policies 5.3 (Sustainable design and construction) and 5.21 (Contaminated land), and Development Management policies DM02 (Development standards) and DM04 (Environmental considerations for development).

Flood risk and drainage

- 7.94 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".

7.95 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.

7.96 The Drainage Strategy confirms that the site is located within Flood Zone 1 which is considered to be an area least susceptible to flooding. Therefore no specific flood management measures are considered necessary to protect the development.

7.97 The Council's Flood Risk and Water Management team have reviewed the submitted information and have considered that the assessments undertaken provide a sufficient assessment of the flood risk at the site and proposed drainage arrangements. They have no objection to the proposed development subject to conditions being attached to any granted planning permission.

8. Response to Public Consultation

8.1 Objections received and Planning Officer's response:

8.2 **Parking and traffic congestion, proposal does not provide enough on-site parking** - Policy DM17 requires a provision of 13.0 to 36.5 car parking spaces. Taking into accounts site's PTAL rating of 3, the proposed 30 spaces is acceptable to the Council's Traffic and Development team

8.3 **Loss of valuable cultural and heritage asset** -The existing church building is to be retained and the asset will still remain.

8.4 **Considerable loss of amenity** - Officers have assessed neighbouring amenity in relation to sunlight, daylight, overshadowing, overlooking, outlook and consider the proposed development would not have an unacceptable impact on the amenity of the surrounding residents.

8.5 **Application is conditional on approval of 16/5639/FUL; the Council should consider the two applications together** - Officers are aware of the other application submitted to provide a re-provision of community use on an alternative site. Applications will be linked through S106 agreement to ensure that there is a re-provision of equal quantity or quality of community floorspace provided.

8.6 **Transfer of existing war memorials and other fittings should be treated with proper care and re-sited appropriately** - Applicants on both applications have stated their intention to treat and transfer the existing historical assets with care and these will remain available for public viewing at the alternative site.

8.7 **Non-viability of scheme to provide no affordable housing** - Applicant has submitted a financial appraisal which has been independently assessed. Report concludes that the proposal development with nil affordable housing is unviable and the reduction of affordable housing provision can be accepted. However the applicant has proposed a voluntary contribution of £400,000 towards affordable housing.

8.8 **Poor amenity provided for future occupiers in terms of daylight and sunlight received through the large use of obscured glazing** - Applicants have provided further detail on the submitted plans to illustrate how these would appear. Officers are satisfied that these units will receive adequate amenity levels and will have dual aspect outlooks for every unit.

9. Equality and Diversity Issues

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

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

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.

9.2 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.

9.3 The proposed development, although resulting in the loss of a church and associated community facility, would be linked to a separate application which will re-provide the space and enhance the provision as part of a phased development of the new site.

9.4 In terms of likely negative impacts, the application has attempted to address these through amendments to the scheme. It is suggested that the majority of these can be mitigated through conditions and that any impacts are unlikely to disproportionately affect any one group with a protected characteristic.

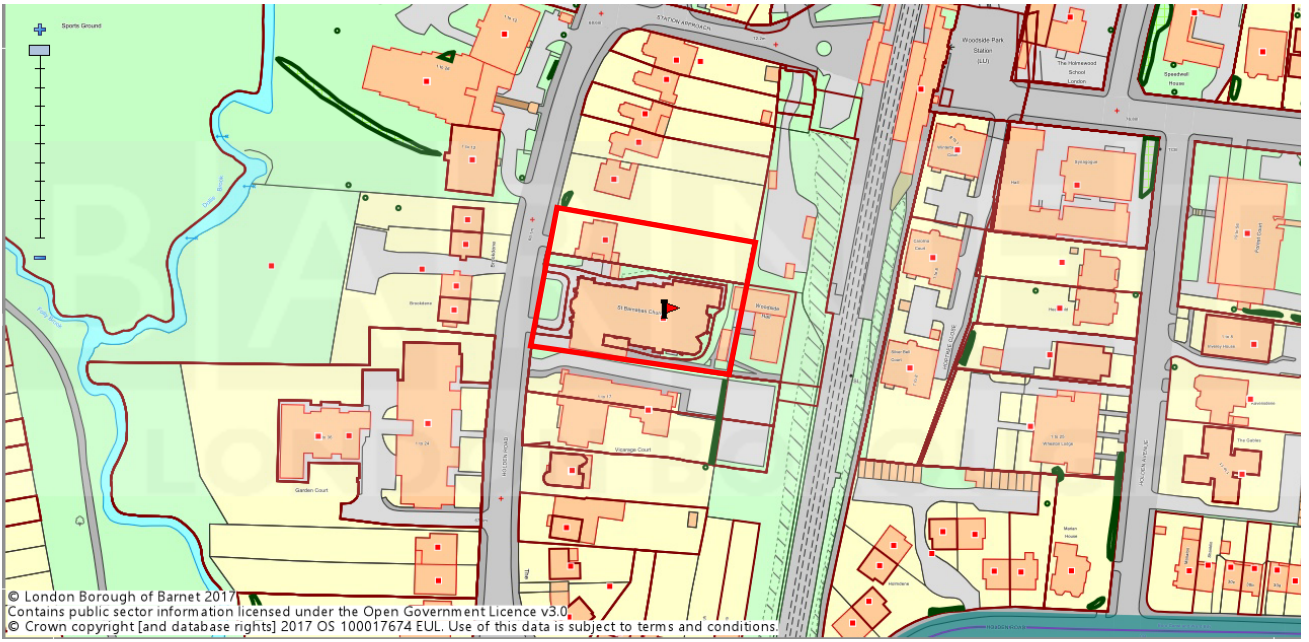
9.5 With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by

providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The development would therefore have a positive effect in terms of equalities and diversity matters.

- 9.6 It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

10. Conclusion

- 10.1 The application seeks permission to convert the existing church building into residential flats with redevelopment of the existing bungalow at 42 Holden Road to provide a total of 30 self-contained flats.
- 10.2 The loss of community space is proposed to be mitigated by seeking the provision of existing floorspace on an alternative site. Officers are satisfied that the floorspace can be accommodated within the proposed alternative site subject to that application being considered acceptable for new community use. A Section 106 agreement would be required to ensure that the re-provision is provided and that the release of this site could not happen until the church had moved.
- 10.3 Having regard to all of the above and making a balanced recommendation, Planning Officers consider that the proposed development is acceptable and as such approval of the application is recommended.
- 10.4 Having taken all material considerations into account, it is considered that subject to the completion of S106 agreement and compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene, the locally listed church building and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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Location

Reference:

15/03873/FUL

Received: 22nd June 2015

Accepted: 22nd June 2015

Ward:

High Barnet

Expiry: 21st September 2015

Applicant:

Mr Paul Grant

Proposal:

Recontouring of western boundary alongside St Albans Road to form safety banks between 1 and 4 metres high. Creation of driving range with six covered range bay and attenuation pond, short game academy course, minor modification to hole 10. Temporary construction access from St Albans Road

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. Submission and approval of a Landscape and Ecological Management Plan covering a 25 year period, to be implemented in accordance with details approved under Conditions 9 and 12;
4. Submission and approval of details for tree removal works and tree planting works prior to commencement of Development which shall include a phasing program to require the developer to submit to the Council proof of the contract for the tree planting works prior to the commencement of the tree removal works.
5. Monitoring Fee - £500.

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager/Head of Development Management approve the planning application 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 Planning Performance and Business Development Manager/Head of Development Management:

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

Drawing Nos. OFMGC-105.01, 02H, 03I, 04G, 05H, 06H, 07I, 8H, 9H, 10H, 11H, 12H, 13H, 14F, 15G, 16H, Ecoscope Tree Protection Plan Rev C September 16 Sheets 01 and 02.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies 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) The development hereby permitted shall be implemented only in accordance with the levels details as shown on the drawings hereby approved 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, DM16 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

- 4 a) Notwithstanding the details submitted with this application, 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 proposed 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 or Landscape and Ecological Management Plan which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development and to preserve the character and visual amenities of the site and the conservation area in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 and DM06 of the Development

Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016) and 7.21 of the London Plan 2016.

- 5
- a) No development shall take place until 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, along with the method of excavation and installation have been 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 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015).

- 6
- a) Notwithstanding the details hereby submitted, no development works in relation to the construction of the covered bays shall take place until details of the materials to be used for the external surfaces of the covered bays 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.

- 7
- a) Notwithstanding the details submitted with this application, no site works or development (including any temporary enabling works, site clearance and demolition) shall take place until 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) which includes details of development phasing and the construction of the temporary haulage road and method of removal of this road following completion of the development have been submitted to and approved in writing by the Local Planning Authority.
 - b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees to be retained on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature to the site and the wider area in accordance with Policy DM01 and

DM06 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 2016.

- 8 a) Notwithstanding the details submitted with this application, no site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling and pruning specification has been submitted to and approved in writing by the Local Planning Authority.
- b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition, and the Landscape and Ecological Management Plan, and all in accordance with British Standard 3998 (Recommendation for Tree Works).

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.

- 9 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.
- b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.
- c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

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

The plan shall provide for:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- iv. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vi. noise mitigation measures for all plant and processors;

- vii. details of contractors compound and car parking arrangements;
- viii. Details of a community liaison contact for the duration of all works associated with the development;
- ix. details of hours of construction activities detailing scheduling of deliveries, loading and unloading of plant and materials;
- x. a schedule of deliveries including maximum vehicle movements per day, and days within the months when deliveries will take place, over the life of the construction works.

b) The development shall thereafter be implemented in accordance with the measures detailed within the plan approved by this condition.

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 October 2016) and Policy 5.3 and 5.18 of the London Plan (2015).

- 11 No development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no 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 and 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.

Reason: In order to protect the heritage assets of archaeological significance within the application site in accordance with Policy DM06 of the Development Management Policies DPD.

- 12 Prior to the commencement of any works on site, a detailed Ecological Management Plan, along with a schedule of monitoring, shall be submitted to and approved in writing by the Local Planning Authority. These shall expand upon the outline principles set out in the submitted Ecological Impact Assessment and Habitat Management, Creation and Aftercare report and provide for the protection of species on the site, and for protection of existing and proposed habitats. The techniques, measures and monitoring shall be implemented in full during the course of construction and prior to the first occupation/use of the development hereby approved, and maintained as such thereafter.

Reason: In order to protect the habitats and biodiversity of the site, in accordance with Policy DM16 of the Development Management Policies DPD.

- 13 No development works shall take place until the means of vehicular access to the site from St Albans Road, the site compound and site haulage/access road have been constructed in accordance with any consents/permissions obtained from the relevant Authority.

Reason: To ensure the proposed development is implemented in accordance with the approved details and from a safe and useable access point from the public highway, to avoid danger to highway safety and to avoid damage to trees in accordance with Policies DM01, DM06 and DM17 of the Development Management Policies DPD.

- 14 The details required to be submitted pursuant to Conditions 5, 7, 8 and 10 imposed by this Planning Permission shall be submitted to the LPA for consideration at the same time.

Reason: To enable the proper consideration of matters relating to tree, hedgerow, protected species and habitat protection and areas of the site to be used for construction activities, in accordance with Policies DM01, DM15, DM16 and DM17 of the Development Management Policies DPD.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 29 April 2017, unless otherwise agreed in writing, the Planning Performance and Business Development Manager/Head of Development Management REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to provide for a long term landscape management plan and to ensure the proposed replacement planting is implemented in accordance with the terms of this application. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD, and the Planning Obligations SPD (adopted 2016).

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 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.
- 3 The applicant is advised that written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They

must be approved by the Local Planning Authority before any on-site development related activity occurs.

- 4 The applicant is reminded that as the owner of the land with a Public Right of Way (PROW), that the PROW must be kept clear of all obstructions and maintained open for public access.
- 5 The applicant is advised that, under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Kitts End Stream designated a 'main river'.

Officer's Assessment

1. Site Description

The application site relates to areas of land forming part of Old Fold Manor Golf Course. The golf course sits on the northern boundary of the London Borough of Barnet and abuts the boundary with Hertsmere (within the county of Hertfordshire). The site boundaries are demarcated by the A1081 St Albans Road to the west, Old Fold Lane, Kitts End Road, Hadley Highstone and Hadley Green West to the east, and Sunset View to the south. Immediately to the north of the site are open agricultural fields.

The entire site is within the Green Belt and the Monken Hadley Conservation Area and the central-eastern part is within an Area of Special Archaeological Interest. The site is traversed by two public footpaths. The site also contains part of the registered battlefield of the Battle of Barnet.

The site contains an 18 hole golf course, a club house (Grade II Listed), and three small sized outbuildings.

The application site is owned by the London Borough of Barnet, however the golf club signed a 125 year lease in September 2000.

2. Site History

None relevant to the current scheme.

3. Background to this proposal

The application site's western boundary is parallel to St Albans Road. This boundary is demarcated by a line of trees. Specifically, the line contains a row of poplar trees (up to 23 metres in height) and an understory of Oak and other species at a much lower height.

During previous visits to the site, the council's Greenspaces and Streets Arboricultural Officer has reviewed the current status of the poplar trees along this boundary. His comments are included at section 5.2 below. The Officer has noted that many of the poplar trees along the boundary are in very poor condition and therefore require treatment (which may comprise pollarding or removal). The tree survey submitted with this application (detailed below) includes a detailed assessment of each poplar tree in the row, and concludes that the entire group is unsustainable in the long term. Falling trees and limbs from trees would represent a risk both to highway users, and users of the golf course and the public footpaths which bisect it.

It is recognised that if the entire row of poplar trees has to be felled, the boundary with St Albans Road would be opened up. This would increase the risk of stray golf balls being able to exit the course and hit or interact with users of the public highway unless other measures are put in place. This would represent a considerable highway safety concern. It is also recognised that the main alternative to bring an immediate stop to this safety matter would be for the relevant holes parallel to St Albans Road to be closed. The closure of these holes, as the applicant explains below, would reduce the course to a 15 hole golf course and this would reduce how attractive the course would be for new and existing members, and be likely to adversely impact the viability of the business.

In order to address these problems, this application has been submitted. The proposed recontouring works, along with the proposed additional planting, are intended to form a new boundary enclosure to the golf course, in order to mitigate against the adverse impacts that could result both to highway safety and to the golf club as a result of the

proposed tree removals. The contouring works are also design to redirect the play lines to encourage play to take place in a direction away from St Albans Road.

4. The proposed development

This application seeks the removal of the remaining 44 Poplar trees which line St Albans Road (in September 2013 there were 74 Poplar trees, however in the intervening period 30 have been felled due to their condition. This matter is explained in detail in Section 5.3 below). The removal of the trees would result in the St Albans Road boundary of the golf course (and holes 6, 7 and 8 of the course) being exposed.

In order to mitigate against the safety implications of the mostly open boundary which would result (as discussed in detail below, the Poplar trees are to be removed but the Oak and other vegetation would be retained), this application proposes the re-contouring of the western boundary alongside St Albans Road to form safety banks between 1 and 4 metres high. The banks would be formed by material to be imported to the site. Replacement planting is then proposed on the raised bank. As well as forming a raised bank along the St Albans Road boundary, the landform would extend into the course, in order to shift the playlines of holes 6, 7 and 8 away from the road. The shape of the landform would be such that golf balls would roll off it and back toward the course rather than towards St Albans Road.

The importation phase of the scheme would be undertaken via a new temporary construction access from a point on St Albans Road to the north of the application site, within Hertfordshire. This temporary haulage road would be constructed through the adjacent fields and part of the golf course to provide access. This element would be subject to a separate application to Hertsmeare Borough Council as local planning authority.

Approximately 88,858 cubic metres of recovered soils would be brought to the site, by 3- and 4- axle rigid tipper wagons up to 10m in length. The duration of importation phase is likely to be around six to seven months. It is anticipated that the site will receive an average of around 75 deliveries per day, which equates to around 9 per hour.

In addition, the application includes the creation of a driving range with six covered bays, an attenuation pond, a short game academy course, and minor modifications to land levels at hole 10.

The proposed driving range covered bays would measure 19.5 metres in width, 5.6 metres in depth, and have a sloping roof 4.3 metres high. They would be located at the southern end of the proposed driving range, which in turn is located toward the north of the golf course and abuts its northern boundary. It would be approximately 330 metres from St Albans Road.

The proposed attenuation pond would be located to the north of the site, adjacent to the driving range. Water would drain from various points within the site to this pond. The short game course would comprise the creation of three short holes in a triangular area to the west of the driving range. The holes would be all created by moulding material which is to be imported into the site to alter the topography. The modifications to the 10th hole are required as a result of this hole being in a low lying depression which currently suffers from water pooling and poor drainage. The works would bring the depression flush with the surrounding playing surface.

Key points from the applicant's various supporting documents have been summarised below:

Design and Access Statement May 2015

- The club has experienced year on year loss since 2010. Over the past 5 years the club has lost 20% of its junior players and holds a continually aging membership profile. The club suffers from a lack of modern practice facilities. The club is also concerned with the unstable state of the Poplars to the western boundary.
- The scheme has been designed to rectify four existing problems with the golf facility - financial viability of the facility, aging membership profile of the club, unstable state of Poplar trees to western boundary, and non-EIGA (European Institute of Golf Course Architects) compliant safety margins.
- The club is experiencing the effects of structural changes in the golf industry. The traditional customer base is now an aging market. Management have followed a policy of diversifying the experience and functions of the facility in order to reduce losses. The club has been forced to implement cut-backs in maintenance and staffing costs. Membership fees have been frozen and the joining fee removed, with incentives for new members increased if they take out 12 months subscriptions.
- The Poplars along the St Albans Road boundary are unstable. The Lombardy Poplar is a fast-growing tree native to Italy which grows up to 50 feet tall with a spread of 10 to 15 feet. The tree is commonly found on golf courses as it can be used to quickly create a privacy wall, safety screen or hedge. It is notoriously susceptible to canker which causes lesions to appear on branches. The trees were pollarded 8-10 years ago and this has allowed water to ingress to the top of the trunks, leaving nearly all the trees with decay at the pollarding points. In some instances, water ingress has rotted the entire interior cavity, presenting the club with a serious safety risk. Since September 2013, 11 of the 72 over-mature Poplar trees have fallen. A further 11 have since been removed. During recent tree surgery work, the condition of two Poplars was such that the trunks were almost completely hollow and the trees categorised as dangerous. The club see little option other than the remove the entire row of Poplars.
- The Poplars are approximately 8 metres apart but due to the angle of play form an effective screen up to 25 metres in height along the boundary. Once removed, the boundary hedgerow retained would include mature Oaks up to 10 metres high, a far less effective screen in both height and density. Modern golfing technology means even novice golfers can hit the ball much further than the original design intent. Combined with the loss of the Poplars, there is a greater risk that golf balls could leave the golf course and strike vehicles or pedestrians using St Albans Road.
- The existing driving range is proposed to be reoriented, playing from south to north. This will improve the direction of play (away from the sun) and the walk to the range bays, provide a modern and exciting practice range, and provide a well-drained playing surface and all weather bays, meaning the range can be used throughout the year.
- It is proposed to introduce a three hole short game course, to provide a vital practice facility. To give this a sense of realism, the landscape will be used to separate and screen the holes from each other.
- The 10th hole consists of a low-lying depression which is heavily used and has poor drainage. Moulding will be used to improve drainage and allow golfers to avoid walking through boggy ground.
- Due to advances in golf club and ball technology, the golf industry has devised accepted safety models applied to golfing developments. When applied to holes 6, 7 and 8, the St Albans Road is too close and without the existing physical barrier there is a greater potential threat of vehicles being struck by errant shots. The Poplars form a functional barrier of 20-25 metres, and once removed only the 6m undercanopy will remain. To achieve protection, 20-25 metre nets could be installed. However, highly visible artificial

structures of this height would be considered by almost any Local Planning Authority to be harmful to the sensitive contribution of a Green Belt and Conservation Area designation. Once the Poplars are removed, the only alternative in reducing stray golf balls reaching the road is to limit lateral dispersion from each shot. The proposed mounding does not purport to be a physical barrier to stop every errant shot from existing the site, though it will form such for topped, thinned or snap hooked shots which tend to fly a lot lower. At the 6th hole the proposed landform will alter the terrain to create a reverse incline (*ie sloping down toward the course*) which will provide greater ball containment.

- The design proposal therefore increases safety in a more naturalistic, aesthetic and practical manner than having high netting. The appearance of the landform has been designed to blend in with the existing golf course topography which features irregular undulations. The works will also provide visual and audible screen benefits of the road, to create a more tranquil experience when playing the roadside holes.

- Seven options were considered in respect of the landform. (1) do nothing, which was unacceptable as works must be carried out to trees from a health and safety perspective. (2) Remove poplars and no further works - would increase the likelihood of balls striking vehicles on the public highway. (3) Remove Poplars and close holes 6, 7 and 8 - would create a 15 hole golf course, likely to result in the death of this historic sporting facility. (4) Remove Poplars and move holes 6, 7 and 8 - There is no free land on the course to relocate the holes, in part due to the siting of the significant mature trees. (5) Remove Poplars and provide netting - Netting would be a virtually failsafe solution but it can be difficult to obtain planning permission, especially in sensitive areas due to its imposing appearance and resultant harm to visual amenity. Netting is uncommon and would appear out of character with the tranquil and gentle landscape which the user of the recreational resource is expecting. Lower netting would provide a less effective screen. (6) Remove the Poplars and provide uniform 9 metre landform - this would overcome the issues of providing out of character netting, and could be grassed over to provide a softer solution but it would appear at odds with the character of the existing golf course. (7) Remove Poplars and provide undulating 1-4 metre landform with fairway interventions - this would better reflect the topography of the undulating and rolling golf course, is the minimum height necessary to have any reasonable safety benefit (would not provide a 100% effective safety barrier) and would have a decreased effect on the character of the existing landscape.

- Three options were explored for the short game course, with the preferred option using remodelling to maximise the quality of the course and create a stimulating facility.

- Four options were explored for the driving range, with the preferred option being to re-orient the range and use remodelling to engage users and contain most balls.

Design and Access Statement: Supplementary Addendum March 2016

- A further inspection of the trees was undertaken on 30 November 2015 in response to a significant limb falling onto the course during a storm. During the inspection, the rapid decline of the poplar trees was noted. The council's tree officer [Officer Note: The tree officer referred to was acting on behalf of the Greenspaces and Streets team of the London Borough of Barnet as landowner, and not advising in any capacity in respect of the Local Planning Authority] noted re-pollarding would not be advantageous in the future. He also noted that some of the 11 trees showing extensive decay have also had their root structure dynamics changed due to the loss of adjacent trees.

- This leads to the inevitable conclusion that the club must do something to ensure balls do not leave the site and hit vehicles and pedestrians on the adjacent public highway once the poplars are removed.

- Amendments have been made to the scheme in light of Historic England's comments.

- The proposed grading to the roadside landform has been reduced in height and gradients softened for a more natural and less complex landform. Contour lines are smoother.

- The high points of the mounding to the driving range have been reduced by between 1m and 3m, and the highest part of the range reduced by 2.1m from 6m.
- The high point of the central landform to the three hole academy course has been reduced by 2m and the gradient shallowed from 1:3 to 1:7. This creates a landform more sensitive to the surrounding landscape topography.

Archaeological Desk-Based Assessment April 2015

- Previously investigations into the Battle of Barnet include metal detector transects on the east and west sides of the Great Northern Road and to the north-east of the Old Fold Manor in the early 2000s. No conclusive evidence for the battle was found during the survey and it was concluded that any potential battlefield artefacts within the golf course may be poorly preserved.
- In 2005 The Battlefields Trust undertook a study of Barnet and this led to a reinterpretation of the battle site, moving the centre of the action 1km to the north-east of the current Registered Battlefield boundary.
- The medieval period is well represented within the study area. There are remains of the moated Old Fold manor. The partially infilled moat remains, close to the modern day clubhouse.
- Barnet (1471) was a decisive battle during the Wars of the Roses and ended with the death of the Earl of Warwick, popularly known as 'The Kingmaker' due to his vast wealth and powerful position at court. The battle was the climax of an impressive campaign by King Edward IV and his victory secured the English throne for the House of York until the defeat of Richard III at the Battle of Bosworth in 1485.
- The Battle of Barnet is a Registered Battlefield of national importance. Battlefields are considered to have four main areas of significance: as turning points in history; in the evolution of tactics and skills of war; as the resting place of soldiers; and for the topographical and archaeological evidence which can increase our understanding. Barnet represents a crucial turning point in the Wars of the Roses and as a result has considerable associative value.
- The construction of the road safety bund will involve the removal of turf and importation of graded material to construct earth mounds. Remodelling of the practice ground would involve topsoil stripping of up to 300mm over the area. In the absence of mitigation this has the potential to remove any archaeological deposits or artefact scatters within the topsoil. The introduction of imported material has the potential to introduce foreign objects which may mask or confuse the results of a future metal detector survey. However the application of an appropriate survey would mitigate these impacts.
- As the topography of the golf course has been substantially altered through a century of maintenance and development, it is unlikely that this matches the terrain during the late medieval period. There will be at most a negligible impact on the current appreciation of the topography of the battle site.

Flood Risk Assessment June 2015

- Flood risk is low and therefore flood risk mitigation measures are not required.
- Offsite impacts can be mitigated by the use of precautionary swales at the foot of slopes and management of runoff using an attenuation pond.
- Construction impacts can be mitigated using silt fences (generally a woven polypropylene geotextile used to protect water quality from sediment/loose soil).

Tree Survey Report June 2015

- Of the thirty individual, and groups of trees surveyed, two have been assessed as category A, 21 as category B and the remainder as category C or lower.
- The Poplar trees within G1 will be removed to facilitate the creation of a landform to reduce traffic noise to the golf club, create a visual screen and prevent stray balls entering

the carriageway. The trees have been topped in the past and are beginning to present a management issue for the golf club. Several of the trees are in poor condition, and are all overhanging a busy A-road. All would need topping again in the near future if they are retained. The trees are unsightly immediately following topping. Their removal will allow the trees beneath to thrive and the new woodland group of mainly oak will be more sustainable for the future.

- A detailed survey of the poplar trees in group G1 was undertaken as many are in a poor condition and their management will become an issue for the golf club regardless of the proposal.

- The trees are in excess of 20m in height and were last pollarded 8-10 years ago. If they were to be retained they would need to be re-pollarded in the next 6 months.

- The poplar trees are prominent on the St Albans Road, however there is a belt of young oak and other species growing beneath which will benefit from the removal of the poplar trees.

- Poplar trees are generally brittle and it is apparent several have been removed historically, presumably for safety reasons. The removed trees appear to show signs of decay and disease and it is suspected this is present in the bulk of the trees as they are all reaching the end of their potential safe useful life expectancy.

- A total of 51 poplar trees were surveyed in detail. Of these, five have been graded as category U [ie those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years] and the remainder category C2 [ie trees of low quality with an estimated remaining life expectancy of at least 40 years].

Construction Traffic Management Strategy April 2015

- Whilst the golf course lies within London Borough of Barnet's administrative boundary, a temporary haul road is proposed to be constructed to facilitate the proposed works, and this would be within the jurisdiction of Hertsmere Borough Council.

- Accident data for the A1081 St Albans Road shows 5 personal injury accidents in the 5 years to November 2014. Three occurred near the entrance to The Shires whilst the other two were closer to the roundabout north of the application site.

- The temporary haul road would run parallel to the main road, through adjacent fields. St Albans Road would be kept free of soil by the use of wheel cleaners.

- Recovered soils would be brought to the site by 3- and 4- axle rigid tipper wagons up to 10m in length. The duration of importation phase is likely to be around six to seven months.

- It is anticipated that the site will receive an average of around 75 deliveries per day, around 9 per hour. This equates to an increase of around 1% of the current average weekday flow of the A1081.

- Drivers of all delivery vehicles will conform to a routing plan whereby they must arrive at and depart from the site from/to the north via the A1(M) J1/M25 J23 at South Mimms. They will be instructed to not use the route via High Barnet or Trotters Bottom or Dancers Hill Road.

- Capacity assessments show the road has two way flows in the order of 1200 vehicles per hour, within the capacity of around 3000. The proposed junction, with 9 HGVs turning left into and right out of the access in each hour, would operate well within capacity.

Construction Noise Assessment February 2015

- Noise predictions indicate that the construction effects meet low threshold limits. For the majority of the construction period, works will be further away from noise sensitive locations. The construction noise is considered to be within acceptable levels for temporary construction activities at the nearest noise sensitive locations.

Ecological Impact Assessment June 2015

- The site is predominantly improved grassland. The overgrown hedgerows provide habitat for nesting birds and are of some wildlife value. Tall ruderal vegetation is present along field margins and is of low botanical value. Wetland habitat is limited to a small number of ditches.
- Trees on site have a low potential for use by roosting bats. The habitat present is suitable for foraging bats. No badger setts were discovered within the development area.
- There would be some unavoidable impacts upon habitats present within the site, however these impacts are considered to be short term and minimal. There would be an area of rough grassland lost, however this habitat is not rare throughout the locality and is of low conservation benefit. A small area of boundary hedgerow would be temporarily removed to provide access but would be replanted post-construction.
- A number of Lombardy poplar trees would be felled to provide space for a noise-reducing bund.
- There would be no anticipated operational impacts upon bird populations in the locality.
- Several trees due to be felled have crevices which are considered to have a very low potential for use by bat species. No evidence of use by bats was found.
- Site surveys identified the use of the site by a single grass snake. Based on the species, the number present and the presence of suitable alternative habitat elsewhere in the locality, any impact on grass snake is considered to be low.
- Great Crested Newts have been recorded in one pond which is outside the site works boundary and the number present indicated that the population is at the lower end of a medium sized population. The impact of the proposal without mitigation or enhancement is considered to be low on a national scale and medium on a local scale.
- Enhancement and avoidance measures are proposed which are expected to provide a net biodiversity gain. These include the creation of a 550 square metre seasonal pond managed specifically for amphibians, invertebrates and botanical diversity; the creation of 642 linear metres of open ditches sown with native marginal vegetation; the creation of 11250 square metres of wildflower grassland; the creation of 7500 square metres of native woodland habitat; 440 linear metres of native hedgerow; and the provision of 10 bat boxes; the creation of reptile and newt hibernacula.

Additional Ecological Information

- The majority of the habitat affected by the proposal is not considered optimal for amphibian or reptile species, as the improvements are largely concentrated on closely mown grassland. The proposed habitat creation is considered to provide an overall gain to reptile and amphibian habitat in the area.

Habitat management, creation and aftercare report June 2015

- Ecological enhancements and creations include 7500 square metres of deciduous woodland planting, 440 metres of hedgerow gapping up, the creation of 11250 square metres of wildflower meadow, 642 metres of ditch to be created to transport waters into a 550 square metre infiltration and wildlife pond, 5 bird and 10 bat boxes to be erected and two amphibian and reptile refugia to be created.

Archaeological Impact Assessment November 2015

- Recent and ongoing research has suggested that the actual location of the battle lies to the north/northeast of the existing designated area.
- The study site can be considered likely to have a generally low archaeological potential for all past periods of human activity prior to the later Medieval period. The potential of the study site can be categorised as high should it lie within the location of the Battle of Barnet
- the potential will be much lower should the battle have taken place elsewhere.

- Metal detector survey within a 2.5ha area within the centre of the northern boundary did not identify any artefacts associated with the Battle of Barnet and concluded that if the battle was fought across the golf course, this area played a peripheral role, if involved at all.
- The impact of the redevelopment proposals on the Battlefield comprises the introduction of fill material onto the existing topography. This can be mitigated against (by the use of archaeological monitoring during the ground works), and is therefore considered beneficial if it helps to identify the location of the Battle of Barnet.
- The creation of the golf course can be considered likely to have had a negative impact on the pre-existing landscape, including the removal of former field boundaries together with landforming associated with the creation of fairways, bunkers, greens and tees. The action of tree roots from the poplar trees along the western boundary can be considered likely to have had an additional localised negative archaeological impact.
- The proposed mitigation comprises archaeological monitoring (watching brief) during appropriate groundworks (including the removal of trees and undergrowth).
- For the works within the northern area, to the driving range and short game course, metal detector work did not reveal any remains associated with the Battle of Barnet and it is thought unlikely that this part of the study site played a role in the landscape of the battlefield; it would have been very peripheral to the battle if involved at all.

Archaeological Metal Detector Survey November 2015

- A total of 73 artefacts of potential archaeological interest were recovered during the survey, none of which were thought to relate to the Battle of Barnet. Instead they primarily represent accidental losses and artefacts spread by manuring in the post medieval period.

Amended Landscape and Visual Impact Assessment March 2016

- The central landform at the academy course has been reduced in height by 2m. The slopes of the landform have also been softened with gradients changed from 1:3 to 1:7. This creates a landform which is more sensitive to the surrounding landscape topography.
- The grading has been reduced to the landform adjacent to St Albans Road, with a reduced height and gradients softened for a more natural and less complex landform. Contour lines are now smoother. The average height of the landform has been reduced from 1.85m to 1.36m.
- The high points of the mouldings to the driving range have been reduced by between 1m and 3m. The highest part, along the northern boundary, has been reduced by 2.1 metres from the originally proposed 6m. The highest part is now 4.5m in height, in this limited area alongside the retained mature boundary hedgerow which is 5-6m in height.

Consideration of Safety Netting Alternative September 2016

- The Poplars currently extend to around 20-25 metres in height. To achieve a physical barrier matching this form and scale the only option would be to install safety netting at a height of 20-25 metres along the line of the trees.
- For nets about 10 metres, considerable stanchions are required consisting of a metal lattice tower structure to bear the load of the nets themselves. The towers would be supplemented with 28mm netting. This would comprise a much safer arrangement than the existing trees given the poplars do not provide a continuous and failsafe barrier in the same way netting does. A direct comparison to the trees is not wholly applicable.
- The use of a less impacting poled netting arrangement set at a height below 10m alongside the boundary has been considered. However this would not achieve the same safety objectives as the proposed landform, which are to screen the busy A1081 and thus reduce the psychological effect on the golfer's shot, alter the playlines on the course so the 15 degree safety cone is moved backward away from the road, alter the incline of the fairways so a greater amount of shots end up toward the centre of play, provide a

semblance of a physical barrier, and utilise pine and birch trees which are fast growing to provide a natural safety barrier.

- A lower net along the road boundary would not provide significant safety advantages over the retained existing understorey hedgerow.

- The most directly comparable alternative would be to install a lower 8 metre fence. This would provide the same level of protection to the proposed development as it would alter the playline back to a central position. It would not increase in height over time but does have the advantage of being under 10m.

- A fencing alternative was scoped during preliminary discussions with the club, however a preference was shown for the use of soft landscaping materials due to the ability of such materials to harmonise with the existing golf landscape.

- The application sets out a preference to undertake the soft landscape feature which seeks to screen the A1081, reverse the fairway incline, create a low level physical barrier with mounding and planting, alter golf playlines, and retention and growing on of understorey.

- The poplars present a safety issue to users of the course and highway, and provide a real safety benefit to the boundary. This benefit is being eroded over time as more trees are shown to be unsafe. Selectively replacing these trees will not provide a long term solution to the situation. Replacement planting alone would not benefit from the immediate elevation change the proposed landform provides. The proposal will provide a significantly greater degree of safety over the open boundary once the poplars are removed.

Additional information in respect of Covered Range Bays February 2017

- The building would be constructed of timber shiplap cladding and will be relatively small in relation to normal range buildings.

- Policy CS NPPF states that the council will seek 'to secure development that improves the economic, social and environmental conditions in Barnet'.

- Paragraph 89 of the NPPF states that new buildings for sports and recreation are permissible within the Green Belt provided they preserve openness. It is not therefore inferred within the NPPF that all new buildings for such purposes within the Green Belt harm openness, as there will indeed be circumstances where there are buildings that are appropriate, preserve openness, and do not conflict with the purposes of including land within the Green Belt.

- As testimony to this fact, it is notable that an accepted authority on this issue Ouseley J in *Europa Oil and Gas Limited v. SSCLG* [2013] EWHC 2643 (Admin) is referred to in the judgement, as follows: *"Secondly, as Green Belt policies NPPF 89 and 90 demonstrate, considerations of appropriateness, preservation of openness and conflict with Green Belt purposes are not exclusively dependent on the size of the building or structures but include their purpose. The same building, as I have said, or two materially similar buildings; one a house and the other a sports pavilion, are treated differently in terms of actual or potential appropriateness. The Green Belt may not be harmed necessarily by one but is harmed necessarily by another. The one is harmed by because of its effect on openness, and the other is not harmed by because of its effect on openness. These concepts are to be applied, in the light of the nature of the particular type of development."*

- Therefore, the provision of a limited timber structure to assist with sport and recreation within the Green Belt, when taken together with its clear appropriate nature as a permissible new building under paragraph 89, should not lead to an immobile position that openness is automatically being injured, harmed or destroyed.

- The application scheme seeks to rectify the club's existing financial situation, in part by the provision of an all-weather driving range with a playable, well-drained surface and all weather bays to enable the club to rely on steady takings from the range all year round.

- The covered bays would include a teaching area, which is essential for the requirements of the Golf Mark and the club's teaching programme. It would be unacceptable for the club to cancel coaching sessions due to bad weather.
- The driving range and covered bays would help attract and retain members.

5.1 Public Consultation

Consultation letters were sent to 13 neighbouring properties. A site notice was displayed, and a notice published in the newspaper. In response to the rounds of consultation, 38 responses have been received, comprising 3 letters of objection, 31 letters of support and 4 letters of comment.

The letters of **support** received can be summarised as follows:

- The added benefits to the local community (Old Fold is open to all Barnet residents) delivered from this project and the removal of risk currently associated with the situation regarding the tree line along St Albans Road should not be underestimated.
- Proposals will give better opportunities to juniors starting the sport.
- Proposal would address safety issues regarding the trees along St Albans Road.
- The proposal will cause temporary disruption but the long term benefits for members, local residents and the flora and fauna outweigh the short term upheaval.
- The existing Poplar trees are becoming unsightly and dangerous.
- The application has been five years in the making and seeks to balance the needs of the golf club to develop the areas referred to, its needs to meet its health and safety obligations, and the needs of the local residents by improving the conservation area and providing a legacy for future generations.
- If permission is not granted, the risk of decaying trees falling onto the road and onto the golf course will increase.
- If permission is granted, the risk of falling trees will be removed, the vista will be improved for golfers and residents, the tree population will be increased.

The **objections** received can be summarised as follows:

- Object to the trees along St Albans Road being removed. They form a beautiful natural entrance into the town and would be greatly missed if removed. They should be maintained and a suitable replacement program implemented to safeguard their future.
- Application should be refused.
- Application is contrary to Barnet's planning policies. Scheme would have a negative impact on visual amenity and openness of the golf course which is in the Green Belt. It would include the removal of a tree-lined vista along St Albans Road and have a detrimental impact on views from the 11th hole.
- Proposal does not comply with green belt policy and there are no very special circumstances. The alleged financial position is not explained or substantiated and is not a planning matter.
- Proposal does not protect a very important heritage asset - the site of the Battle of Barnet as listed by English Heritage. It would also have an adverse impact on the Monken Hadley Conservation Area.
- The aims and objectives of the Watling Chase Community Forest would be undermined by the proposals given the destruction of over 250 perfectly healthy trees as well as the negative impact on biodiversity.
- Scheme does not make reference to it being a waste management scheme. The description of the mound as a safety landform is misleading. Golfing would be more dangerous if the existing screen of mature trees were replaced by a lower mound of inert material.

- Trees are not falling regularly, only a few have fallen over the last 10 years and could have been avoided if the golf club respected their obligation to manage and pollard them regularly. The fact these trees have not been properly pollarded is not a reason for uprooting them. An independent report has shown the trees could live for another 50 years. A planting programme using native species could be used to supplement and maintain the existing screen. The row of trees form a visually important screen and their wholesale removal in one phase would be detrimental to the landscape.
- The submission fails to describe the impact of 8000 lorry movements on residents and the local environment. There would be a deterioration in air quality and would be noise pollution.
- The application fails to confirm the volume of material to be deposited, or the type of the inert material.
- The club claim removal of trees to 6th, 7th and 8th holes would make the holes safer to play. This is ridiculous - first shots from the 6th and 8th holes would be aimed down the left hand side to ensure the second shot is easier to play. The existing tree screen makes these shots safe and replacing the trees with a smaller mound of inert material increases the chance of golf balls being hit into St Albans Road.
- The submitted expert report assumes all golfers can control their shots but the majority cannot do this, so it is inevitable that a significant number of shots will fly left toward St Albans Road. The trees currently stop balls flying onto the road and the low level mound would not do this.
- The proposed mound would be at best only a quarter of the height of the existing trees, resulting in more balls flying onto the highway.
- The grounds cited in letters of support should not be taken into account because they are not proper planning grounds, and are either factually incorrect or disingenuous. Most matters are pleading of individual circumstances.
- Financially the club will only receive about £100,000. They have not explored any other alternative fund raising for example an appeal for loans.
- If the 3 hole academy close was needed for the support of the youth programme, why did the club permit the pre-existing short course to be abandoned and overgrown.
- The lease requirement for the club to construct building has never been enforced, suggesting this breach has been waived.
- Proposal would result in noise, dust, fumes and traffic disruption involved with heavy vehicle movements, a loss of wildlife habitats, loss of ancient trees, destruction of a classic golf course design by Harry Colt, loss of ancient field boundaries and topographical features, and loss of archaeological remains.

The **representations** received can be summarised as follows:

- Hendon and District Archaeology Society have requested any approval include an archaeological condition.
- The Council should consider a condition preventing construction vehicles from using Old Fold Lane.
- Request tight constraints to any works approved, due to previous experiences of HGVs in connection with a neighbouring golf course development using Barnet High Street despite a commitment to not use that route.
- The site junction with the St Albans Road should be redesigned so that vehicles can only enter from the South Mimms roundabout direction and leave in the direction of that roundabout. The number of permitted landfill deliveries should be limited to 13000 and this is based on the applicant's document which states an average daily rate of 75 over a period of 8 months. There should be a maximum limit of 100 deliveries a day and site records of deliveries should be available at all times. The developers should be liable for the cost of any road repairs.

A petition containing 154 signatures was received in July 2016, noting that "we the undersigned fully support the proposals at Old Fold Manor Golf Club with the provision of new practice facilities which will enable us to implement a structured youth coaching scheme and attract more junior players, and to create a modest planted earth bank along St Albans Road which is a necessary safety feature following removal of the unstable Poplar trees. We urge the Development Control Committee of Barnet Council to support the golf club in its endeavours to become the best golf facility in the area. The club has been open as a community sports facility since 1921 and the proposed development will ensure its longevity for many years to come".

A second version of the above petition was received in February 2017 containing 62 signatures.

Further to the formal consultation process, since 27 January 2017 the following have been received. Many were also copied to members of the Planning Committee and many from people who have already registered comments under the formal consultation process.

43 letters of support, making the following comments:

- This is an important and exciting scheme and it is vital that it goes ahead.
- As a member of the golf club I fully support the proposals to regenerate Old Fold Manor Golf Club.
- The redevelopment of the course will allow the club to play a major part in the community, offering facilities to all ages for people to come and learn golf, enhancing wellbeing.
- New academy and practice bays will allow individuals from all walks of life to learn and play the game, and will attract more people.
- The replacement and replanting of many trees is now a must as a number are very old and many are past their life span.
- The club is an important local amenity for the area.
- Proposal would provide ecological enhancements to the area.
- Roadside bund would provide a safety barrier to prevent stray golf balls reaching the St Albans Road.
- Driving range would be more useable and attractive than the existing.
- Without the proposed training facilities, the club cannot get Golf Mark Accreditation.

4 letters of objection, making the following comments:

- Cannot see the need for any trees or Green Belt land in any area of 7 or more courses being used to prop up a business. The business should be about supply and demand.
- All courses in the area will have plans to use their land to stay afloat.
- Young people will not be drawn to an elite sport as golf is.
- Object to loss of trees which provide counter-traffic-pollution measures, absorb noise from traffic and provide wildlife habitat.
- Extra traffic and HGVs will be harmful.
- Proposal would result in large increases of traffic once the status of the club is raised, and therefore an increased danger to local residents.
- Proposal may increase light pollution.
- No consideration has been given that this is a quiet residential area.
- The reasons given in support of the application are not proper planning grounds, and are factually incorrect or disingenuous.
- The club has not explored alternative fund raising.
- Proposal would result in partial destruction of a golf course design by Harry Colt.

The Hertfordshire Golf Union (HGU) have raised the following comments to endorse the proposal:

- Old Fold Manor was one of the HGU's initial member clubs upon its inauguration in 1924. Many of their members have represented the County.
- The course has been the venue for many county and national events over the years. In addition to holding the Open Championship pre-qualifying rounds 2006-2010 and the Faldo Series for a number of years, the club is to host the County Colts Championship this year and County Championship in 2018.
- This project entails improving the existing facilities available at the club for current membership and when completed is likely to attract a wide range of local golfing enthusiasts with an emphasis on the younger age ranges - essential not only for the well-being of any Golf Club at the present time but also as a means to ensuring its future.
- Woodland Environmental is an established and proven developer which has previously completed successful schemes, most recently at Letchworth.

The Rt. Hon. Mrs Theresa Villiers MP

- While the Barnet Society neither supports nor objects to the proposals, the 12 points made in their letter should be addressed and where applicable incorporated as conditions if the planning committee is minded to approve the application.
- The number of trees to be planted should be confirmed.
- Battle of Barnet investigations should be completed before any works are commenced.
- I cannot therefore support this application in its present form.

The Barnet Society:

- The Barnet Society supports the proposals in principle but this depends on guarantees that the works would be executed with proper care. Specific conditions must be attached.
- Landform - contours marked to place a limit on the total volume of material imported that must not be exceeded.
- New drain should follow proposed contours and connect via chamber to drainage system.
- Specify shrub, grass and flower mixes and reference tree and shrub sizes to plans.
- The Design and Access statement says approximately 3000 trees would be provided which is insufficient. The plans only show 2835.
- Hedging should be used to re-plant gaps and existing hedging should be thickened.
- Rights of way and stile should be marked on the plans and reprovided.
- Boundary fencing should be post and rail.
- Method statement should be provided. There is a risk of lorry and foot traffic damaging roots, foliage and earlier phases of work. Statement should include topsoil heaps, how stripping, moulding, sculpting and planning will proceed within the tight constraints of existing vegetation, and clarity about protection of all retained trees and hedges.
- The correct planning season will be critical. Battle of Barnet investigations should be completed before ground is stripped.

Hendon and District Archaeological Society:

If the council approve this application, it should include an archaeological condition on the lines of that suggested in the conclusions of the Archaeological Assessment among the papers attached to the application.

Monken Hadley and Wood Street Conservation Area Advisory Committee: No comment.

5.2 Consultees

Hertsmere Borough Council

No comments have been received.

LBB Traffic and Development

Comment that based on the positions of the holes and trajectory it is expected that any wayward balls will be at low level and low velocity and therefore be captured by the proposed safety bund and would not reach the highway boundary. The safety bund and existing low level vegetation suitably screen the course from the public highway to reduce any distraction and risks to highway safety. Although the existing poplar trees create additional screening for drivers of distant viewpoints the temporary openness created by the loss of the trees is within the drivers periphery and therefore not impacted on the drivers view. The amount of the course visible from the public highway will lessen over time as the trees mature. A similar bund and tree approach can be seen at the entrance to The Shires golf course directly opposite with no issues.

LBB Greenspaces October 2015

It was clear certain trees within the line were in a very poor condition and required removal. Several of these have fallen due to internal defects. Any remaining ones have been addressed and there may be a few more that have been identified recently since my last inspection. Some of those that fell were not identified with defects but did become apparent once they had fallen. This indicated that they were all reaching the end of their safe useful life expectancy.

However, pollarding works would be sufficient to address the maintenance issues required on the line of mature Poplar trees and a phased removal programme would be suitable. This was one of the options discussed during our meetings concerning the trees within this site.

Officer Note: Since the above, the following advice has been given by the LBB Greenspaces Officer (January 2016) to the applicant's agent in respect of the trees:

- Several Poplar trees along the St Albans Road were found to have been showing signs of significant defects. The majority exhibited signs of decay around the regrown pollarded stems with several branches having been lost recently due to the weakened state of the unions. All trees along this stretch are currently at a stage where remedial works are necessary to reduce the risk of further falling limbs or trees and therefore need re-pollarding before spring.

- From inspection, 11 trees showed extensive decay on major limbs that warrant removal. Due to the fact that this decay has progressed well past current pruning unions, re-pollarding would not be advantageous for the future. Some of the 11 have also had their root structure dynamics significantly changed due to the loss of adjacent trees. As these trees have grown together as a boundary defence against the winds, the open gaps left by some of those now lost has increased the stresses on the current root structure, increasing the risk of tree failure.

- The trees that are in need of pollarding should not be left to regrow for more than 3-5 years to reduce the increased stresses around the decay points. Further pruning will exacerbate the presence of decay which will need monitoring every two years.

- From my last three years of viewing these trees, it has become clear that these trees are in decline. Although pollarding removes the risk of tree failure, this will accelerate the process of decay within the Poplar species causing the current pollard points to decay and deteriorate further.

LBB Planning and Development Tree Officer

- Concerns were raised in respect of the accuracy and completeness of the submission, however further clarification has since been received.

- Concerns have been received in respect of the adverse impact of the proposed recontouring on the character and appearance of the area, and in respect of the impact of the drainage works on the roots of retained vegetation.
- These matters are all addressed within the main body of the report.

Environment Agency

The Environment Agency have not raised any objections to the proposal. They have confirmed that the development will require an Environmental Permit which is issued by and administered through the Environment Agency.

Historic England - Archaeology

OFFICER NOTE: Since the submission of this application, four advice notes/consultation responses have been issued by Historic England. The first three of these (dated August 2015, October 2015 and January 2016) all raised objections to the application scheme. However the fourth note, issued in April 2016 following the receipt of an amended scheme which is assessed within this report, commented as follows:

I am writing to comment on the amended scheme submitted to you by Stuart Downs on 29th March. This response covers both Historic England's role as a statutory consultee and the Greater London Archaeological Advisory Service (GLAAS) archaeological advice provided to boroughs in accordance with the National Planning Policy Framework.

We are pleased that the applicant has revised the landscaping proposals to take on board our comments. We agree that the proposed landform now follows the natural contours of the land and the use of shallower gradients and smoother contours to the earth modelling creates less intricate landform. Also the revised grading shows a more moderated approach to level changes whilst balancing the golfing aspirations

We note that in line with the tree officer's recommendation eleven trees have been felled and assume that re-pollarding of all remaining trees has now been carried out. We accept that in the long term the approach needs to be to fell the poplars and retain Oak species where possible.

The archaeological metal-detecting survey did not detect any battlefield remains so the necessary earthmoving is unlikely to cause significant harm to archaeological interest.

Recommendation: Historic England would not object to the amend landscape design and is now happy with the revised proposals. As a precaution against the possibility of battle related remains being revealed by the groundworks, and noting that the survey was not able to cover the entire application site, we recommend that consent is granted subject to conditions.

LBB - Lead Local Flood Authority

- The Flood Risk Assessment indicates that infiltration is not considered to be a suitable option. The London Borough of Barnet Surface Water Management Plan Infiltration SuDS Suitability Map indicates that a majority of the site lies within lands classified as 'Potentially Suitable' for infiltrating SuDS. As such investigation of infiltration SuDS would normally be advised. However, as use of an existing pond (expanding the pond) is proposed, this is considered to be an appropriate method of managing surface water as opposed to undertaking further ground investigations to verify the suitability of infiltrating SuDS. As such, the standard comment regarding adhering to the SuDS Hierarchy is considered to have been met by the applicant.

- Proposals indicate restricting runoff to the greenfield runoff rate plus allowance for climate change. As such the standard SuDS comment regarding adhering to S2 - S6 is considered to have been met by the applicant.
- Flood risk is considered to be low and flood risk mitigation measures proposed are considered to be adequate. No action is required regarding the Flood Risk Assessment.
- Details regarding the Adopting Authority have not been specified, however, it is assumed that the Old Fold Manor Golf Club will be the Adopting Authority. It is recommended that the applicant be asked to confirm that the Golf Club will be the Adopting Authority of the SuDS features and agrees to take on responsibility for the long-term operation and maintenance of the proposed SuDS.
- The use of precautionary swales and bunding to contain exceedance flow within the site is welcomed.
- Measures implemented for controlling run-off during the constructions period will require careful monitoring to ensure efficient and continued operation.

Thames Water

No comments.

6. Planning Considerations

6.1 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 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Relevant policies include:

Policy 3.19 - Development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Proposals that result in a net loss of sports and recreation facilities, including playing fields, should be resisted. Wherever possible, multi-use public facilities for sport and recreational activity should be encouraged. Where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt.

Policy 7.16 - The strongest protection should be given to London's Green Belt, in accordance with national guidelines. 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.

Policy 7.19 - Development proposals should make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7 and CS9.
- Relevant Development Management Policies: DM01, DM02, DM04, DM06, DM15, DM16 and DM17.

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.

Monken Hadley Conservation Area Character Appraisal

6.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the proposal comprises appropriate development in the Green Belt;
- Whether the proposal would preserve or enhance the character or appearance of the Monken Hadley Conservation Area and the locality as a whole;
- Whether the proposal would be harmful to other designated heritage assets;
- Whether the proposal would be detrimental to highway safety and the free flow of traffic;
- Whether the proposal would adversely impact on biodiversity;
- Whether the proposal would adversely impact on neighbouring amenity.

6.3 Assessment of proposals

Impact on the Green Belt

The NPPF (paragraph 89) notes that a local planning should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are 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. Development Management Policy DM15 reflects this, and the supporting text to the policy notes that potentially acceptable Green Belt development such as golf courses can have a considerable impact on local character, appearance, accessibility and nature conservation value of the countryside, and that in line with DM01 and DM15, they should demonstrate their harmony with the surrounding countryside and impact on biodiversity.

The six covered bays to the driving range would enable six individuals to use this facility under shelter. The covered bays would both encourage and facilitate greater use of the driving range, which is also being reoriented to ensure users have their back to the sun, rather than attempting to play into the sun. The applicant has advised in their submission

that the existing practice ground is only partly fit for purpose, comprising of little more than an open area of flat grass which cannot be used in wet weather, and located a long way from the clubhouse at the bottom of a poorly draining slope. The proposed covered bays could also be used to provide a teaching facility. Overall, the proposed bays would enable the club to rely on steady income from the driving range throughout the year, rather than only in dry conditions.

To add additional support for the covered bays, the applicant's agent has advanced the following arguments:

- In common with the decline of the golf industry since 2008 the club has suffered a decline in membership. Whilst the actual loss in 2016 was lower than projected, due to the implementation of a junior coaching program and a marketing drive, the level of loss remains unsustainable. The proposed all-weather driving range will enable the club to rely on steady takings from the range all year around.
- The all-weather ability of the driving range would assist the club in achieving Golf Mark status.
- The driving range building would form part of the enhancement of this local sports and community infrastructure and allow the club to cater for members of the public of all ranges of golfing skills.

The proposed driving range building would introduce new built form into a Green Belt site. However the NPPF makes it clear that 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 may constitute appropriate development in the Green Belt. Paragraph 81 of the NPPF states that "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". In this instance, having regard to the size and position of the driving range building, to its design, and to its proposed use and the justification submitted for its need, it is not considered that this building would constitute inappropriate development in the Green Belt. The building would not conflict with the purposes of including land in the Green Belt, and critically, the position and design of the covered bays preserves the openness of the Green Belt.

The NPPF (paragraph 90) confirms that certain [other] forms of development are [also] not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include engineering operations.

The development subject of this application includes various engineering operations around the site, to create the proposed bund alongside the St Albans Road boundary and the raised features within the course itself including the alterations to the driving range and the creation of the short course.

The bund alongside St Albans Road would run parallel to the road. It would have a curved, naturalistic profile and edging to provide a slope up to its highest part. It would include some incursions into the course, in order to change the playlines to encourage play to be directed into the course rather than toward St Albans Road. The bund would have soft landscaping provided on top and this would be secured by condition.

The works to form a short game area (three short holes) would involve raising the ground levels by up to 4 metres. This area is set away from the boundaries of the site and is not in close proximity to any public footpath or access point. Given the mounds would be planted

with grass and other soft landscaping, these would not appear as intrusive features in the landscape. The changes to hole 10 would increase the land height to remove an existing depression in the land. Again this would be sited fairly centrally within the application site.

Having regard to the height of the proposed alterations, and the resultant visual impact of the proposed bund and levels changes (which would be grassed or planted with trees to ensure they assimilate into the surroundings), it is considered that these would constitute engineering operations which would preserve the openness of the Green Belt and would not conflict with the purposes of including land in Green Belt.

Impact on the Monken Hadley Conservation Area and the locality as a whole

The Monken Hadley Conservation Area Character Appraisal notes that formal recreation facilities in the area include Old Fold Manor Golf Club. It notes this provides a pleasant visual contrast with the adjoining land uses. The course forms a large area of open space at the northern extreme of the borough.

As previously explained, the application has a number of components, each of which could have an impact on the conservation area and its significance. The main visual impact on the conservation area would result from the removal of the poplar trees along the boundary of the golf course and St Albans Road. The submission sets out in some detail how the poplar trees along this boundary are of a poor quality and are deteriorating in health. Many have been decayed to the extent that their trunks are entirely hollow, and this causes a considerable health and safety concern, both for users of the golf course and users of St Albans Road. This level of concern, and the poor condition of the trees has been ratified by the council's Greenspaces team. The applicant has concluded that given the poor quality of the trees, and their increasingly dangerous state, it is necessary for the entire line of poplar trees to be removed. A summary of the submitted Tree Survey Report is included within Section 3 above. The applicant has also commented that whilst pollarding would make the tree group safer in the short term, it is not the most appropriate long term option as the entire group of Poplar trees is at the end of its useful life.

St Albans Road is one of the main routes into the Borough of Barnet from the north, providing direct access from junction 23 of the M25. The road runs between agricultural fields and open countryside, with the boundary hedgerows replaced by thicker boundary vegetation and the tall poplar trees south of the borough boundary line. The trees either side of St Albans Road give the road a semi-rural and verdant ambience not typical of the entrance to a London Borough. The loss of the row of poplar trees on the golf course side will change the character of this part of St Albans Road considerably. However, it should be noted that the application does not propose the removal of all vegetation from the boundary. The lower height vegetation and trees will be retained as part of this application. The submitted tree survey report confirms that the removal of the poplar trees will enable these lower species to thrive. In addition, this application proposes a landscaping and planting scheme. New woodland planting is proposed on top of the bund which is to be constructed alongside the vegetation to the St Albans Road boundary. Over time, this would mature and reach a height and density which would enhance the verdant character of this part of St Albans Road. It is acknowledged that the loss of the poplar trees would have a temporary adverse impact on the character and appearance of St Albans Road, and this part of the conservation area. However, given that the life of trees is finite, and that these trees have been assessed as being in a poor condition and that the tree loss is proposed to be mitigated against by substantial new planting which would be secured by planning condition, it is considered on the whole that the proposal would in the long term preserve the character and appearance of the conservation area.

The proposed alterations to the driving range and the levels changes to form the short course would be set well within the application site, further from public viewpoints. The alterations would comprise levels changes which would reflect the grassed and vegetated character of the remainder of the site and would be complemented by additional planting. As a result these are considered to preserve the character and appearance of the conservation area and the wider locality.

The proposed driving range bays would be functional in appearance. The finished material and colour would be controlled by condition, to ensure that it assimilates acceptably into the wider landscape. The bays would be located well within the site and would be viewed in the context of the character of the site as a golf course. The range bays are not considered to be detrimental to the character or appearance of the conservation area or the wider locality.

It is noted that the site is also within the Watling Chase Community Forest. The aim of the Forest is to see the area under positive and appropriate management, including a substantial increase in trees and woodland. The current application includes the management of existing trees and the planting of new areas of woodland and these would not conflict with the aims of the forest

Impact on other designated heritage assets, namely listed buildings, area of archaeological significance and the registered battlefield

The application affects a designated heritage asset of archaeological and historic interest, the registered site of the Battle of Barnet. This is the only registered battlefield in London

When this application was originally submitted, Historic England (a statutory consultee) objected to the planning application. Their primary concern was that the proposal would substantially alter the existing landform, because the extensive re-contouring on the western boundary would be up to 4 metres high. In addition, concerns were raised at the intricate nature of the landform, which was considered alien to the general simple fall in the topography. Insufficient evidence had been submitted to demonstrate that the topography of the golf course had already been substantially altered. Concerns were also raised in respect of the impact of the proposal on archaeological potential. The submitted documents suggested that the soil may not be conducive to the preservation of artefacts but Historic England advised that this claim was unsubstantiated and simplistic. Following receipt of Historic England's objection, the applicant prepared a report "Archaeological Impact Assessment 2015) to address the outstanding matters. In April 2016, Historic England provided formal comments on the final scheme and report. Their comments are summarised at section 4.2 above. Subject to conditions, Historic England are satisfied with the report and research undertaken by the applicant. Historic England are satisfied that the landform now follows the natural contours of the land, with shallower gradients to better reflect the existing topography. On the basis of Historic England's advice, it is not considered that this scheme would be detrimental to the historic significance of the battlefield, or archaeological matters at the site.

The golf course contains two Grade II Listed Buildings - Old Fold Manor House, and the clubhouse building of the Old Fold Manor Golf Club. The proposed works are considered to be located sufficient distance from each building such that they would not result in any harm to the significance of these designated heritage assets.

Impact on Highway Safety

The council's traffic and development team have been consulted on this application and have raised no objections to the proposed development.

In respect of the impact of the landscaping works along the boundary with St Albans Road, as previously noted the removal of the Poplar trees is required from a health and safety perspective, given their poor structural state and the potential risks to highway users and users of the golf course.

As the trees stand within the boundary of Monken Hadley Conservation Area, if the applicant wished to remove the trees outside of the formal planning application process, it would first be necessary to give six weeks' written notice of intended treeworks to the Local Planning Authority (LPA), in accordance with s211 of the Act. It is not possible to grant consent subject to replacement planting nor refuse a s211 notice of intent; if the LPA wishes to control treatment of tree(s) subject of such notification, it must make a Tree Preservation Order (TPO). An application for TPO consent would then be required and would be determined in accordance with the provisions of the relevant legislation. In considering the appropriateness of making an Order, the LPA would take account of the public amenity value of the trees but also their condition, including the assessment made by the Greenspaces' arboricultural officer. If the applicant chooses to pursue this option, the Traffic and Development team would not have any power to comment on the removal, and therefore the permanent retention of the trees would not be secured. As the applicant explains in their submitted statement, the removal of the trees would result in a significantly increased probability of cars being struck by golf balls. The proposed mound and woodland planting has been designed to reduce this risk.

The Traffic and Development team have reviewed the specifics of the mound, and note that 'it is expected that any wayward balls will be at low level and low velocity and therefore be captured by the proposed safety bund and would not reach the highway boundary'. They also comment that the proposed bund would act as a screen to reduce any distraction by road users.

In respect of the proposed haulage road and its access from St Albans Road, this would take place within Hertsmere Borough and would need to satisfy the local highway authority, Hertfordshire County Council, that the arrangements are appropriate. The submitted documents note that delivery drivers would conform to a routing plan whereby they must arrive at and depart from the site from/to the north via the A1(M) J1/M25 J23. This would be secured by condition to ensure that the vehicular movements associated with the proposed development are not harmful to amenity or highway safety within Barnet.

Impact on biodiversity

The comments raised in the applicants' Ecological Assessment (summarised at section 3 above) are noted.

In respect of the removal of the trees, the submitted Ecological Assessment notes that trees on the site have a low potential for use by roosting bats. Of the trees on site which were found to have crevices of 'low potential for use by bat species', no evidence of use by bats (such as droppings or staining) was found. The applicant's ecologist also considers that the use of the site for foraging by bats is unlikely to be affected by the proposals as hedgerows will largely be retained and the structure of grassland with interspersed woodland will remain following completion.

In respect of the impact of the haulage road, re-contouring, drainage changes and increased intensity of use on protected species, the applicant has advised that the majority of the habitat affected by the proposal is not considered optimal for either amphibian or reptile species. This is because the works are largely concentrated on closely mown grassland. The haul route falls largely on arable farmland which is regularly disturbed. The proposal includes the creation of 7500 square metres of deciduous woodland, 440 linear metres of species rich hedgerow 642 square metres of open drainage ditches, 550 square metres of wetland habitat and 11250 square metres of wildflower grassland. This proposed habitat enhancement is considered by the applicant to provide an overall gain to reptile and amphibian habitat in the area. Having regard to the location of the proposed works, and the extent of proposed new habitat to be created, it is considered that the proposal would provide for the retention and enhancement of biodiversity, in accordance with Policy DM16.

Impact on neighbouring amenity

The proposed landform along the St Albans Road boundary, and levels changes within the site, would be sufficient distance from the neighbouring residential properties such that it would not harm the amenities of the occupants of these properties. It is acknowledged that construction works could have some impacts in terms of noise and associated disturbance, however such activities would be short term and would not cause any permanent harm.

6.4 Response to Public Consultation

The comments received are addressed in full as part of the appraisal above.

7. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities. It is not considered that any particular group with specific protected characteristics (as defined by The Equalities Act 2010) would be prejudiced by this application.

8. Conclusion

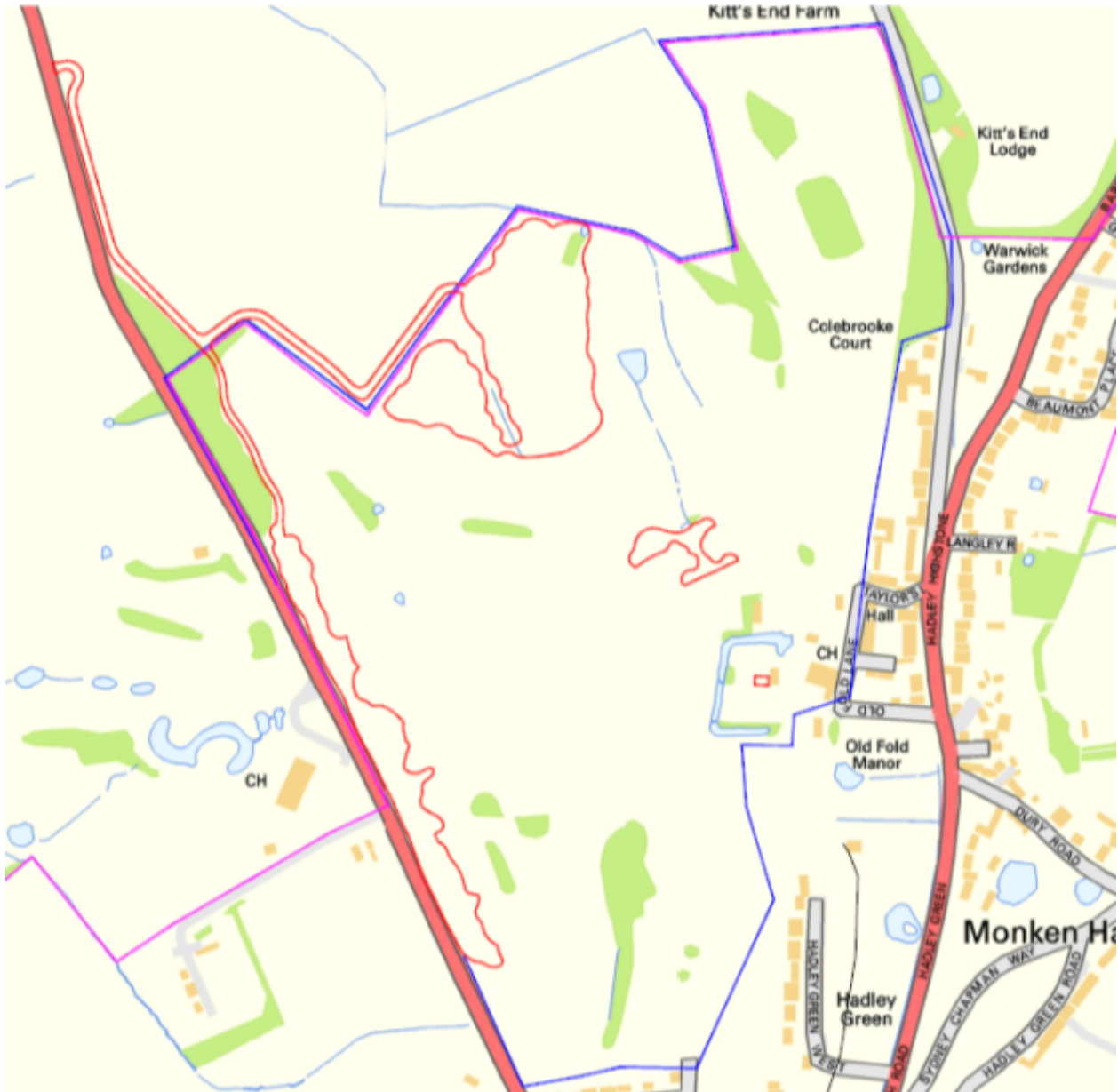
The application sets out the benefits it would bring to highway safety, as a result of the inevitable and necessary (as argued by the applicant) loss of the existing row of Poplar trees along St Albans Road. In addition, the potential benefits to Old Fold Golf Club as a business are noted, in terms of improvements to their existing facilities and the mound ensuring no long-term restrictions to the use of the course. Very limited weight is attached to the business benefits as a consideration in favour of the proposed development, as ultimately the development falls to be assessed under its compliance with the development plan.

In addition, it is noted that the loss of the trees alongside St Albans Road would clearly alter the appearance in the short term of this part of the road. However this planning application includes planting and in the longer term would preserve the character of the area.

Taking into account the overall gains that would be achieved as a result of this application, including the additional planting and resultant landscape and ecological mitigation against the loss of the row of Poplar trees, the highway safety benefits resulting from the mound and planting following the inevitable exposure of the St Albans Road boundary, the improvements to facilities the club is able to offer and the potential overall positive impacts on the viability of the club, it is considered that this application would comply with the

development plan, and overall not result in an adverse impact either on the Green Belt, the character and appearance of the conservation area, on trees and biodiversity, or on highway safety. The application is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

SITE PLAN



Location

Reference:

16/5606/FUL

Received: 24th August 2016

Accepted: 26th August 2016

Ward:

Brunswick Park

Expiry 25th November 2016

Applicant:

-

Proposal:

Application for the erection of a non-residential institution (Use Class D1) for use as a 420 place primary school for pupils aged 4-11 years, incorporating building and erection of a two storey academic building including outdoor play space, car/cycle parking areas and landscaping.

Recommendation: APPROVAL subject to obtaining the Secretary of State's respective decisions not to direct refusal of permission and/or to call in the application and upon completion of the above Section 106 agreement the Director of Planning and Development Management be instructed to APPROVE the application reference 16/5606/FUL under delegated powers and grant planning permission subject to conditions.

Recommendation 1

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

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:

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 Contribution of £5,000 towards the feasibility of providing crossing facility at the junction of Arlington Road and Summit Way in the vicinity of the proposed school.
- 4 Commitment to provide up to £120,000 towards the provision of crossing facilities;
- 5 Contribution of £10,000 towards undertaking the feasibility and approval for the proposed traffic calming measures;
- 6 Commitment to enter into S278 Agreement towards the implementation of the outcome of the feasibility for the provision of traffic calming following Council approval
- 7 £10,000 for School Keep Clear Markings and the provision of waiting restrictions if required;

8 £5,000 will be required towards the monitoring of the proposed School Travel Plan.

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 16/5606/FUL 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 begun within three years from the date of this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1065-04-P702, 1065-04-P656, 1065-04-P752, 1065-04-P652, 1065-04-P657, 1065-04-P00, 1065-04-P101 Topographical and Utility Survey dated January 2016, Flood Risk Assessment dated August 2016, Bream Assessment, Historic Mapping Legend, Ordnance Survey Plan, Noise Impact Assessment, Pers Report dated June 2016, Ecology Report., Travel Plan, Location Plan, Planning Report, Phase 1 Desk Study and Preliminary Geo-environmental Assessment (WML Consulting), Phase 2 Geo-environmental Assessment (WML Consulting), Preliminary Unexploded Ordnance Risk Assessment (Dyansafe BACRTEC Limited and FIND Mapping Limited), Explosive Ordnance Threat Assessment (Dyansafe BACRTEC Limited), Sustainability Statement, Flood Risk Assessment including Drainage Strategy, Highway Access Risk Appraisal, Transport Assessment, Planning Statement, Design and Access Statement, Energy Statement, Preliminary Unexploded Ordnance Risk Assessment.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies 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).

- 3 Notwithstanding details of materials submitted, all external surfaces of the buildings, means of enclosure (including fencing height and materials to MUGA), hard surfaced (Including that of the MUGA) areas and other structures which form part of this consent shall be implemented in full accordance with the details specified in the submission before the development is occupied or brought into use and retained thereof.

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 2012 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 4 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown on Drawing No. 6APFS/P/050.010 Rev. A

submitted with the planning application, shall be implemented. The parking spaces shall be used only as agreed including for drop-off and pick-up and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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.

- 5 Before the development hereby permitted is occupied cycle storage shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 which in turn refers to London Plan Parking Standards.

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

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and

DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 7 Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority. The approved details shall be implemented in full at all times unless otherwise agreed in writing.

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

- 8 No works on to the public highway shall take place prior to submission of technical details for approval to the Highway Authority. A separate application will need to be made to Highway Authority for the proposed highway works to be carried out under Section 278 Agreement of the Highway Act.

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

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

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

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

- 10 The development hereby permitted shall only be occupied or in use by pupils and visiting members of the public between the hours of 7.30am and 6.00pm on a Monday, Tuesday, Wednesday, Thursday or Friday and between the hours of 9.00am and 6.00pm on a Saturday, Sunday or Bank Holiday.

Reason: To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

- 11 Notwithstanding the provisions of Part 7, Classes M and N to schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that order) no extensions or alterations to the development hereby permitted shall be carried out without express planning permission first being obtained.

Reason: To enable the local planning authority to retain control over the development in the interests of controlling the intensity of the use and safeguarding the amenities of the locality in accordance with policy DM01 of the Barnet Local Plan.

- 12 The level of noise emitted from any air conditioning or any other plant installed on the site in connection with the development hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted from the air conditioning or plant 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 policy DM04 of the Barnet Local Plan and policy 7.15 of the London Plan.

- 13 The site clearance works and construction works associated with the implementation of the development hereby approved shall be carried out in full accordance with the nesting and breeding bird and bat protection measures identified in the Ecology Report submitted as part of this application.

Reason: To ensure that the development meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policy 7.19 of the London Plan.

- 14 Prior to occupation all extraction and ventilation equipment to be installed as part of the development must be 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 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 PolicyDM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 15 At no time shall the total number of pupils in the school hereby approved exceed 420 unless otherwise agreed in writing by the Local Authority.

Reason: To ensure that the proposed development does not exceed the parameters assessed under this application or prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies in the Barnet Local Plan and London Plan.

- 16 Prior to the first occupation of the development hereby approved a School Travel Plan (STP) that meets the most recent Transport for London School Travel Plan criteria shall be submitted to and approved in writing by the Local Planning Authority. The submitted STP shall set out the school's transport policy to incorporate measures to reduce trips to school by the private car and encourage non car modes such as walking, cycling and public transport. The School Travel Plan shall include the appointment of a School Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The development shall be occupied and managed in accordance with the STP approved under this condition. Monitoring of the approved STP shall be completed in line with Transport for London's 'standardised approach to monitoring' with consultation completed with pupils and their families, staff, Governors and other stakeholders within 6 months of the occupation of the development and an annual 'hands up' survey with staff and pupils completed within 3 months of occupation of the development and annually thereafter.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies CS9 and DM17 of the Barnet Local Plan.

- 17 Before the development hereby permitted is commenced temporary fencing shall be erected around existing trees at the site which are to be retained in accordance with details that have been previously submitted to and agreed in writing by the Local Planning Authority. The details shall conform with BS 5837:2012 Trees in relation to design, demolition and construction Recommendations. This fencing shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policies DM01 of the Barnet Local Plan and policy 7.21 of the London Plan

- 18 No construction work in relation to the development hereby approved shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

- 19 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.
b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

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

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

Reason:

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

- 22 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.)

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

Reason:

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

- 24 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.

- 25 Notwithstanding the submitted information a revised dropping off and collection strategy must be submitted to and approved in writing by the Local Authority when the school admits 150 children. The Strategy shall thereafter be permanently employed unless otherwise agreed in writing by the Local Authority.

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

- 26 Prior to occupation of the school hereby permitted a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement submitted shall include, but not be limited to, details of the following:
- (i) Hours of opening for the community facilities provided at the site.
 - (ii) Pricing policy on charging for use of the facilities provided at the site.
 - (iii) Policy on access and availability to the sites facilities for non-school users and non-members.
 - (iv) Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement.

(v) Parking arrangements for users of the site.

(vi) Code of conduct for users of the site.

The development shall be occupied in full accordance with the approved Community Use Agreement.

Reason:

To secure well managed access and appropriate availability to the community facilities provided by the scheme in accordance with policy CS10 of the Barnet Local Plan.

- 27 The premises shall be used as a school only and for no other purpose (including any other purpose in Class D1 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.

- 28 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.

- 29 a) The non-residential development is required to meet the BREEAM 'VERY GOOD' standard

b) Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

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 applicant is advised that any alteration to the public highway if necessary will require prior consent of the local highways authority. The costs of any associated works to the public highway including any fees or costs associated with the legal agreement; will be borne by the applicants. The Applicant may also be required to enter into Section 184 or 278 Agreement under the Highways Act 1980 for the proposed works on the public highway. You may obtain an estimate for this work from the Director of Environment and Transport, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 3 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.
- 4 Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.
- 5 Any proposal for traffic calming measures on public highway is contrary to the council's current policy therefore any proposal for traffic calming would be subject to approval by the Environment Committee.
- 6 The applicant is advised that any works on public highway required to facilitate the development will need to be included in the Council's agreed works programme and would be subject to priorities and the available resources therefore the time scales cannot be guaranteed.

Recommendation 4

That if an agreement has not been completed by 31 July 2017, that unless otherwise in writing, the Planning Performance and Business Development Manager should REFUSE the application 16/5606/FUL under delegated powers for the following reasons:

1. The proposed development does not provide a legal agreement to mitigate the impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy and policy DM17 of the Adopted Development Management Policies
DPD.

Officer's Assessment

1. Site Description

The application site comprises 0.865HA in a 'U' shape plot which is located within the south west corner of the larger Ashmole Secondary School site (11.2HA).

The immediate area is made up of a mix of predominantly residential uses. To the west of the site one can find the rear gardens of semi-detached properties located on Arlington Road. To the south of the site lies Summit Way, whilst the north and north east of the site is bound by the playing fields of Ashmole Secondary School. The site will be accessed of Summit Way.

2. Site History

Reference: 17/0820/FUL

Address: Ashmole Academy, Cecil Road, London, N14 5RJ

Decision: Approved following legal agreement

Decision Date: Pending

Description: The retention of existing single storey modular buildings (x2) which accommodate classrooms (x2) and offices. The erection of a single storey modular building accommodating classrooms (x2) and one two storey modular building accommodating dining, breakfast and afterschool club and small group teaching and learning space on the ground floor and staff room on the first floor. The resulting development would bring forward a 2 form entry temporary primary school accessed via Summit Way with associated covered play area, including car parking and the erection of boundary fence to provide 2 form entry primary school until September 2018

Reference: 16/1258/FUL

Address: Ashmole Academy, Cecil Road, London, N14 5RJ

Decision: Approved following legal agreement

Decision Date: 27 Jul 2016

Description: The erection of 2no temporary single storey administration blocks comprising offices, staffroom and WC, 1no temporary single storey educational block comprising two classrooms, lobby, WC and storeroom with improved access from Summit Way, canopy to provide covered play area, hard standing including car parking and the erection of boundary fence to provide 2 form entry primary school until 30th September 2017

Reference: N00665AF/02

Address: Ashmole Academy, Cecil Road, London, N14 5RJ

Decision: Approved following legal agreement

Decision Date: 5 August 2002

Description: Redevelopment to provide new Ashmole School with associated playing fields, car parking and hard and soft landscaping.

Reference: N00665AR/03

Address: Ashmole Academy, Cecil Road, London, N14 5RJ

Decision: Approved subject to conditions

Decision Date: 22 July 2003

Description: Erection of brick built electricity sub-station adjacent to the garage for plot 48.

3. Proposal

This application seeks permission for the construction of a 420 place primary school which would provide education from ages 4-11. The site of the proposed school is on the location of playing fields used by Ashmole Academy Secondary School.

The proposed new building would consist of the following:

- Basic Teaching and multi-functional open learning areas
- Small group rooms (including Special Educational Needs)
- Main Hall and Studio
- Staff and Administration
- Kitchen
- Toilets, personal care and storage, and
- Plant
- Multi use play area

The application would provide a permanent primary school from the site, with temporary permission for the school at site being granted under application 16/1258/FUL. Currently there are 2 classes of 30 reception pupils at the school, and it is the intention for 2 more reception classes to start in September 2017. The aim is then for the school to continue to grow in this way until it would reach its intended capacity in 2022, with 420 pupils. The school would also support 47 staff when in full occupation. Parking would be provided through 22no car parking spaces which would be located to the west of the proposed school building.

Access to the site would be proposed from Summit Way,

The school building would be two storeys in height would have a flat roof with a height of 7.9m. The building would extend adjacent the gable elevation of 56 Summit Way and would be approximately 70m in length.

The proposed siting of the school would be adjacent to Summit Way and would extend approximately 0.865ha in a 'U' shape. The school building would have an area of 2,072 sqm.

The proposed building would be sited on the playing fields and would be located approximately 25m from the gable elevation of the nearest residential dwelling at 56 Summit Way.

The application also seeks to improve drainage to 3 of the pitches on the site, including; the affected senior pitch and two others (Mini football and 9v9). The Applicant's statement confirms that 'the drainage to the remainder of the pitches is already suitable. In addition to these improvements the school will also include a new multi-use games area which will be fenced.

4. Public Consultation

Two rounds of consultation was undertaken on this application. The second round (March 2017) was taken so to consult on additional Highway Information. The original assessment undertook an assessment based current vehicular trips for the Ashmole secondary school. However the assessment was required to be undertaken using the mode split based on information held by the Council so to ensure the trip assessment was robust.

A total of 982 local residents have been consulted. The application has been advertised as a departure from policy in the local press and site notices have been erected outside the site. Representations received are noted to be:

Support: 309 plus a petition of 262 signatures

Objections: 172 plus a petition of 226 signatures.

These are summarised as:

Support:

- There is an established need for the new schools within the borough
- The temporary school insitu has brought forward a much needed facility in an ideal location.
- The Academy is outstanding teaching establishment and the new school will be an excellent facility.
- Highways restrictions would benefit the local residents
- The new school should be constructed as quickly as possible
- The school respects neighbouring amenity
- The new school will be a benefit to the area and the community
- Best possible solution for a new school location.
- Ashmole Trust and EFA have worked hard to address residents concerns
- Permission will lead to better traffic management
- Delivery of this excellent school Excellent school would disadvantage children
- Walker, Osidge and Monkfrith Schools are oversubscribed
- Financial contributions toward highway improvements will minimise inconvenience
- Given the benefits of the school, a concession should made on the location of the much needed new facilities.
- Walker, Osidge and Monkfrith will be oversubscribed in the new future
- This is a thriving community with the new school at the centre of it
- The development would be a significant benefit to local children
- Proposed site offers safe access and exit
- Two entrances could be installed. One from Summit Way and one from Blagden's Lane.
- D1 use clearly justified on a site already in use as a school.

Objections:

- New school much larger than temporary school
- Upper floor windows will result in overlooking into adjacent properties.
- Higher level of noise expected
- Congestion on Summit Way
- Risk to highway and pedestrian safety
- Blocking parking bays and driveways with school drop offs and pick ups.
- Transport Statement and Travel Plan is much lower in terms of car usage than reality
- The number of unrestricted parking spaces has been grossly exaggerated
- Letter from Osidge Head highlights that demand for the school might not be at the level suggested
- Proposed hours of operation would not be ancillary to school, hence D1/D2 should be applied for.
- The school should not be allowed to open on weekends as this will have a significant impact on residents
- The Highway Assessment is flawed.
- The transport assessment includes inaccurate and unreasonable traffic calculations, which underestimate the level of additional traffic. Based on LBB average trip generations would be more like 140 trips, compared to the 86 suggested
- The application has failed to assess the impact of additional car trips on the local highway
- Access via Blagdens Lane would provide a safe access point - this access point has not been fully assessed.
- Visibility is poor at access point from Summit Way - harmful to highway safety

- Pedestrian entrance to the school would be located at the bend, which is recognised as being dangerous
- The risks to pupils in relation to access have not been properly assessed by the applicant
- No assessments have been submitted which attain whether the highways network is capable of coping with the additional traffic
- The loop system proposed by the Applicant is inadequate and the road network will be unable to cope with the volume of traffic that will be generated by the scheme
- The driveways at 54 and 56 Summit Way would lead to concerns given the poor pedestrian access.
- Blagden's Lane a viable option for access
- The development would result in the loss of a football pitch
- No proof has been submitted that the tree would be retained as a result of the new gated access.
- Impact on Arlington Road would be greater
- Other locations for the school would lead to retention of athletics track
- 80th anniversary of Osidge Primary School - now school under threat
- Demand for places at Osidge has reduce
- New student numbers at Osidge have been reduced and this will lead to further funding reduction, jeopardising the sustainability of the school.
- Osidge School could cater for future demand
- Application has caused fractured in the community
- PTAL rating for the site too low for this use
- Left in - Left out system could not be enforced
- The use of the site as a MUGA does not fall within a D1 or D2 use
- The development would increase kerbside parking and create access an parking issues for existing residents.

Internal/Other Consultations

Highways:

The application is recommended for approval on highway grounds in conjunction with a Travel Plan, subject to conditions and contributions towards the monitoring of the School Travel Plan, and the proposed pedestrian and highway safety improvements.

Contributions

- o Contribution of £5,000 towards the feasibility of providing crossing facility at the junction of Arlington Road and Summit Way in the vicinity of the proposed school.
- o Commitment to provide up to £120,000 towards the provision of crossing facilities;
- o Contribution of £10,000 towards undertaking the feasibility and approval for the proposed traffic calming measures;
- o Commitment to enter into S278 Agreement towards the implementation of the outcome of the feasibility for the provision of traffic calming following Council approval;
- o £10,000 for School Keep Clear Markings and the provision of waiting restrictions if required;
- o £5,000 will be required towards the monitoring of the proposed School Travel Plan.

Transport for London:

The rear of the site is adjacent to Chase Side which forms part of the Strategic Road Network which TfL are the traffic authority for. The main vehicular access for the site is located on Summit way.

Cycle and car parking is provided at London Plan standards which is welcomed. Moreover. TfL do not expect the proposals to have any site specific impact on the traffic conditions in the area.

Highway England:

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN), in this case the M25.

Having examined the application, no objections to the proposal is offered

Sport England:

The proposed development will result in a loss of playing field (circa 0.5ha) land that is capable of forming part of a pitch. It is unlikely that the resulting land will be able to facilitate a full size playing field including football pitch.

Sport England therefore objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

Natural England:

No comment

Metropolitan Police:

No objection

Greater London Authority:

The GLA do not wish to comment on this proposal

Trees:

The application is recommended for approval subject to a condition requiring the works to be carried out in accordance with the submitted arb report.

Environment Health

No objection subject to conditions protecting neighbouring amenities from noise caused by deliveries and waste collection.

Comments of Thames Water

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage

should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

SuDS Review: No objection subject to conditions.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

Para 72 states 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."

Para 73 goes on to identify that planning authorities should only refuse planning permission for a new school if the adverse planning impacts on the local area outweigh the desirability of establishing a school in that area.

Para 74 states that:

"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."

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 (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 (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)

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)

- Relevant Development Management Policies:

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM13 (Community and education uses)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning 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.

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (2004)

Planning for Equality and Diversity in London (2007)

All London Green Grid (2012)
Shaping Neighbourhoods: Play and Informal Recreation (2012)
Sustainable Design and Construction (2014)
Accessible London: Achieving an Inclusive Environment (2014)

5.2 Assessment of proposals

Principle of Development

The application is within the grounds of Ashmole Academy Secondary School and associated playing fields. That being the case, the lawful use of which is as a School. Ashmole School currently accommodates 1500 secondary school students. The proposal would provide the accommodation and facilities for the site to support 420 primary school students.

This application follows the permission granted in July 2016 under application reference 16/1258/FUL which gave temporary permission for the following:

'The erection of 2no temporary single storey administration blocks comprising offices, staffroom and WC, 1no temporary single storey educational block comprising two classrooms, lobby, WC and storeroom with improved access from Summit Way, canopy to provide covered play area, hard standing including car parking and the erection of boundary fence to provide 2 form entry primary school until 30th September 2017

The temporary school is seen as the first phase of what is a two stage strategy, and has in its first year supported two classes of 30 reception age pupils. This application represents the second phase of the scheme, to provide a permanent primary school from the site.

The proposed development however will be located on a part of a playing field that is not capable of accommodating a playing field use by reason of drainage. The thrust of national, regional and local planning policy is to resist the loss of open space and playing fields unless it can be demonstrated that they are surplus to requirements or equivalent or better provision can be made within the area. In this instance the clear and strong protection given by planning policies to playing fields, sporting facilities and open space needs to be considered carefully alongside the significant support given by national planning guidance to the provision of new state funded schools.

These matters are therefore explored further below.

Principle of additional school

The Department for Communities and Local Government has published two documents which are of significance in the determination of planning applications for educational facilities such as this:

- Policy Statement - Planning for Schools Development (August 2011)
- National Planning Policy Framework (March 2012)

Each of these documents gives strong support to the provision of new, state funded educational facilities and they go as far as creating a presumption in favour of educational development.

The National Planning Policy Framework states at section 72 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."

It goes on to identify that planning authorities should:

only refuse planning permission for a new school if the adverse planning impacts on the local area outweigh the desirability of establishing a school in that area.

The policy statement 'Planning Schools Development' should be given weight in the making of planning decisions on relevant applications (such as this). It states that:

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools

It then identifies that:

'There should be a presumption in favour of the development of state funded schools, as expressed in the National Planning Policy Framework'.

It is clear that national policy is strongly in favour of providing state funded schools, and this is a material consideration in the determination of this planning application.

In principle Barnet's Local Plan policies are generally supportive of new school development proposals. The Council as the Local Education Authority (LEA) has a statutory duty to provide primary and secondary school places for children aged from 5 to 16 years. In order to meet the educational needs of Barnet's growing population the Council will seek to ensure that there is an adequate provision of education facilities in the borough and supports proposals for education facilities which will help meet an identified need.

Barnet Core Strategy policy CS10 identifies that the Council will work with its partners to ensure that schools and facilities for older and younger people are provided for Barnet's communities. It also promotes the role of schools as community hubs.

The policy goes on to state that in addressing educational needs in Barnet the Council will support proposals for parent promoted or free schools that:

- Conform with Department for Education guidance on becoming a new school; and
- Meet parental demand for school places; and
- Provide educational facilities that conform with basic school requirements as set out in relevant Department for Education guidance.

Policy DM13 of the Barnet Development Management Policies document identifies that new education and community uses:

- Should be located where they are accessible by public transport, walking and cycling, preferably in town centres.
- Should ensure that there are no significant impacts on the free flow of traffic and road safety.
- Will be expected to protect the amenity of residential properties.

This policy also states that the loss of community or educational uses will only be acceptable in exceptional circumstances where:

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

The Council's Education and Skills Service have confirmed their support for the application. They have also identified that the school is needed specifically to meet demand for school places in the local area and that children have already been registered to attend the school. The application is supported by the Education Funding Agency (EFA) which is the Department for Education's agency set up to deliver funding as part of the governments Free School Programme.

The Council published in 2015 their 'Planning for New School Places 2016/2017 to 2019/2020. This outlines that the Ashmole Primary School is supported by the Department for Education.

At this point the temporary school located on the site provides 60 school spaces over two reception classes. It is the intention for two new classes of 30 pupils of reception age would enrol at the school in September 2017. The aim is for the school to continue to grow at this rate until 2022 when it would reach its intended capacity.

It is recognised that concerns have been expressed that a new school would be more appropriately situated in one of the Council's growth areas to meet the demand for school places being generated. However, on the basis of the above information it is accepted that there is a clear local need for the places this school would provide.

The submission confirms that the facilities provided by the school have been developed through engagement with representatives of the Education Funding Agency and that the new school would meet the requirements of the Department for Education Building Bulletin 103 Area Guidelines for mainstream Schools.

It is concluded that there is a clear local need for the places which this school would deliver and that, having considered the relevant elements of planning policy and guidance, the principle of developing and continuing the use of the site for educational purposes is acceptable and compliant with development plan policies, subject to the need for careful consideration of the proposal against planning policies on the protection of open space, sporting facilities and playing fields. This is a matter of planning balance, and it is clear that there is an established need for a primary school in this area.

Other issues in relation to the open space and sports facilities, drainage, the accessibility of the school and the impact that it would have on parking and highway safety, the impact that the new school would have on residential amenity, biodiversity and design and character matters will be outlined in subsequent sections of this report. However, the principles of the school of the new school being provided from this site is acceptable and is supported by the Department for Education as part of the Free School Programme.

MUGA

The proposed MUGA does not introduce a new use or activity that would ordinarily occur within a school on an appropriate surface as an ancillary use to the school. Details of surfaces will be secured by condition. The new surface will however intensify the use as a play area. That said, given the fact that the school can operate at its leisure, the intensification of the play space is not considered to be reason in itself to warrant a reason

for refusal. The hours of operation of the MUGA will be restricted by condition and owing to this area not being flood lit, will in any case be self-regulated.

Impact on Open Space/Playing Fields

The schemes impact on playing fields, sporting facilities and open space Paragraph 74 of the National Planning Policy Framework (NPPF) states that: Impact on Open Space/Playing Fields

"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."

The Sport England document 'A Sporting Future for the Playing Fields of England' (1996) provides further guidance on development relating to playing fields. London Plan policy 3.19 states that proposals which result in a net loss of sports and recreation facilities, including playing fields, should be resisted. Policy 7.18 states that the loss of local 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.

Policy CS7 (Enhancing and protecting Barnet's open spaces) of the Barnet Core Strategy identifies that the council will:

- * Meet increased demand for access to open space and opportunities for physical activity by tacking deficiencies and under provision.
- * Secure additional on-site open space or other open space improvements in the identified growth areas.
- * Improve access to open spaces particularly in areas of public open space deficiency.
- * Securing improvements to open spaces including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space.

Policy DM15 of the Barnet Development Management Policies Document states that open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:

- (i) The development proposal is a small scale ancillary use which supports the use of the open space; or
- (ii) Equivalent or better quality open space provision can be made.

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

If approved the proposal would result in the change of the site from a playing field to an educational use which includes a new school building. The development would therefore result in a net loss of open space and playing field. The proposed school would be located on and displace approximately 0.5 hectares of useable playing field area which is currently used by the Ashmole Academy. As part of this application it is the intention to move the existing full size adult football pitch to the north and for the pitch to retain its existing dimensions.

The applicant has outlined that due to the drainage conditions of the pitch, certain areas of the playing field are not being fully utilised during a number of the months of the year, a fact that has been accepted by Sport England. The Application has outlined that as part of this application it is their aim to rectify the existing drainage issues, which will improve the usability of the pitch for sports for a greater period of the year, and as such this application would represent betterment to the facilities at the site.

The development must be considered in the context that it is contrary to national guidance and development plan policies on the protection and loss of open space, playing fields and sporting facilities.

Having acknowledged this position it needs to be evaluated if there are material planning considerations which would outweigh the harm caused by the schemes conflict with planning policies on open space, playing fields and sporting facilities. As the previous section of this report explores the provision of new school places for which there is an identified local need is a very important material planning consideration and significant weight is placed on this by Officers.

While it is accepted that the application is in conflict with national guidance and development plan policies on the protection of open space, playing fields and sporting facilities, in this instance there are considered to be factors which, to some extent, limit the actual harm caused by this conflict with policy.

Conclusions on the principle of the proposed development

Having evaluated the relevant development plan policies and material planning considerations in this case officers conclude that on balance, the improved drainage leading to the better use of playing fields and the provision of a MUGA for public use outweighs the harm of a loss of this limited area of playing field.

Design and character matters

The main school building proposed is a two storey flat roofed structure located towards the south east corner of the proposed 'U' shaped site. The building would extend west to east, and would be located directly to the north of the residential dwelling at 58 Summit Way.

Play areas would be located to the north and north east of the main building, the parking area for the school would be positioned to the west of the main building, to utilise the access proposed.

It is considered that the proposed design, which would be contemporary in nature, would complement the site and would ensure a good use of space for the site to accommodate the school alongside the requirement parking and play space, whilst ensuring that the proposal would satisfy the Council's privacy distances to residential dwellings.

It is considered the proposed design of the building would therefore be appropriate, and would comply with Council policy. Whilst issue is taken with the proposed materials, it is not considered to be reason in itself to refuse the application. Details of materials (external surfaces) shall be secured by condition. Overall it is considered that the proposed scheme would not result in any significant adverse visual impacts. Subject to conditions, It is found that the new school building would be provided with an adequate setting and is considered to be acceptable and compliant with the objectives of planning policies more widely (subject to the imposition of the conditions recommended).

Tree matters are considered more fully in subsequent sections of this report. However, the proposals would retain a group of trees located along the sites eastern edge. This is considered beneficial for the natural screening of the site that it would achieve for dwellings to the east of the site.

The refuse and recycling facilities proposed are also considered to be acceptable subject to the conditions recommended.

Parking, access and highway safety matters are addressed more fully in subsequent sections of this report. However, the design approach is found to be acceptable in all these respects.

The application is found to deliver an appropriate design solution in all regards which, subject to the conditions recommended, is found to be acceptable and compliant with development plan policies as they relate to design and character matters.

Impacts on amenities of neighbouring and surrounding occupiers and users

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

The site is bounded to the north west by a chain link fence which abuts residential gardens (Nos 61- 79 Cecil Road), to the north and east by a sports field, to the west by Summit Way. In terms of its siting the main school building proposed is positioned in the South East corner of the wider Ashmole School site. Play areas would be located to the north east of the proposed main building and the parking area for the school would be positioned to the south of the main building.

The proposed two storey school building proposed would be located in excess of 25m from the nearest residential property (58 Summit Way) and it is considered that the design, size, layout and siting of the proposed school building and associated spaces are such that they would not have an unacceptable impact in terms of outlook, privacy, light and overshadowing at the uses surrounding the site, including the adjacent residential properties.

The school is siting to ensure that it would not appear overly obtrusive, and the height of the school would not be significant to have a severe detrimental impact on outlook of neighbours.

Visually the proposed MUGA fencing would be 1.8m high. This height is not considered to be sufficiently high to prevent loose balls going astray. As such details of fence materials and height shall be secured by condition. The proposed MUGA will be screened by established trees, the new school MUGA and will be sufficiently far away from neighbouring amenity to minimise any potential impact. The area would be used during school hours and primarily utilised as a supervised area. Further the MUGA will not benefit from flood lighting, as such late night disturbance is not a concern here.

The application is therefore considered to be acceptable and compliant with development plan policy in these respects.

Noise Impacts

Local Plan policy DM04 identifies that proposals to locate noise sensitive developments (such as schools) in areas with existing high levels of noise will not normally be permitted.

Officers in the Council's Environmental Health Service have assessed the submission, including this report.

It is anticipated that a level of noise would be generated from the development during the hours of use of the school. However the site is already in use as a school and the portion of the site in question is already a playing field as such noise of this nature already exists.

In this instance it is therefore not considered to be such that it would be detrimental to the amenities of surrounding occupiers and users (subject to the imposition of the conditions recommended) and would not justify a refusal of planning permission.

A condition has been recommended limiting the hours of use of the new facility.

This would ensure that their use is kept within reasonable hours. A condition has also been included to ensure that any noise from plant installed on the site is kept within acceptable parameters.

Subject to the imposition of the conditions recommended Environmental Health officers have confirmed that they do not object to the proposal.

A condition requiring the submission of a Construction Management Plan has been included in those recommended. This would ensure that the construction of the development did not have an unacceptable impact on the amenities neighbouring properties in terms of noise.

Lighting Impacts

Local Plan Policy DM04 states that lighting proposals for developments should not have a demonstrably harmful impact on residential amenity. In this instance no new lighting has been proposed as part of the development sought.

Drainage

A preliminary drainage scheme was provided in the Appendices of the Flood Risk Assessment, however a sufficiently detailed drainage scheme (with accompanying plans, cross sections and calculations) is required. Details of which shall be secured by condition.

Trees

The site contains large playing fields with mature (and some protected) trees present around the boundary of the site and throughout the site as a whole. Having assessed the proposal the construction of the main building does not impact on trees and therefore acceptable in principle.

A short section of hedgerow will need to be removed to accommodate new access road into the school. There are minor impacts into the root protection area of trees T13 & T14 (applicant's plan) growing close to Summit Way. The arboricultural method statement provides sufficient measures to ensure that these impacts can be managed and will not significantly affect tree health.

The soft landscaping excludes the retained wooded areas (G2) around the proposed new building to the south and east. Within the red line boundary the soft landscape plans does

not show any planting to enhance the new built environment. Research shows that children's academic performance is improved by having high quality green spaces around a school and therefore additional soft landscaping shall be secured by condition.

No objections to the proposal on condition that the submitted arboricultural method statement and tree protection plan is strictly adhered to throughout all phases of the development.

Highways issues and access

Transport, parking and highways matters

Policy Context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network, take a comprehensive approach to tackling the school run, ensure that development is matched to capacity, deliver high quality transport systems in regeneration areas and town centres, seek more environmentally friendly transport networks 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.

Proposals with the potential for significant transport implications will be expected to be in locations which are, or will be made, accessible by a range of modes of transport and supported by a Transport Assessment that fully assesses the transport implications of the development across all modes. The occupiers of new schemes are also required to develop, implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Policy DM13 (Community and education uses) specifically identifies that new education uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres, and should ensure that they do not result in significant adverse impacts on the free flow of traffic and road safety.

Existing Conditions

The Public Transport Accessibility Level for the site using Transport for London model is calculated as 1a at the Summit Way entrance and 3 for the remainder of the site. This would be considered a poor to moderate accessibility level. The assessment has been made on the basis that this area benefits from a poor PTAL rating. Bus routes 184, 121, 125, 298, 299, 382, W6, W9, and school buses 616, 628/688, 692/699 and night bus 91 are within walking distance of the site. There are existing double yellow lines on the Summit Way junction with Arlington Road which will also serve to prevent people parking on the corners of the junction.

The Proposal

Key highway, access and parking related elements of the proposal comprise:

- 'School Keep Clear' markings are provided in the vicinity of the existing Summit Way access of the site
- The inclusion of 22 of the on-site parking spaces and 1 disabled standard parking space.
- The provision of 60 cycle parking spaces on the site.
- Vehicle and pedestrian access to the school will be provided from the existing disused access on Summit Way. The formation of the pedestrian access from Summit Way will be segregated from the vehicular access (in the interests of safety). This route also leads to the cycle parking facilities proposed.

The development proposal includes on-site drop off / pick up facilities at the school, with approximately 36 car parking spaces provided in parking bays located parallel to the onsite circulation roadway and around the MUGA sports facility to be located to the northwest side of the school building.

It is predicted that a total of 86 car trips are expected to drop-off and pick-up children at the school. During the AM peak hour demand for spaces in the on-site drop-off facility would be expected to largely cater for the expected demand, given that some pupils would be dropped off from 08:00 hours to attend the breakfast club while the general school starting time is to be 08:50 hours.

The earlier start time for the breakfast club is likely to attract parents who need to drop children on their way to work rather than making a special 'school run'. Given the very local catchment area for the school, the parents likely to use car travel for dropping off as part of a linked onward journey therefore occupying the on-site drop-off bays for short periods only. Therefore it is proposed that the 22 parking spaces located in the car parking for dropping off zone should be adequate to accommodate the demand. In general the morning drop-off tends to be made quite quickly with a short dwell time for parking.

In the PM peak hour the pick-up of pupils can create demand for more parking than during the morning drop-off because the dwell time for vehicles is generally longer than during the AM peak. It is therefore proposed that the school would operate after-school clubs from 15:30 hours to 16:30 hours and this would, as in the case of the AM peak breakfast club, help to spread the demand for parking spaces during the PM school pick-up period. The 36 on-site spaces would therefore be expected to provide parking for at least 70 cars collecting children from the school; 35 for the 15:30 pick-up and 35 for the 16:30 pick-up.

The TA states that due to the extended dwell times and arrival time for parents and carers, It is difficult to predict how many additional cars would be accommodated during these times. Notwithstanding these unpredictable circumstances, additional demand could be accommodated in the HGV turning head located at the northern end of the car park. This area could accommodate circa six additional cars.

The existing secondary school students are allowed on site from 8am (though some may arrive earlier from time to time), until 6pm (and leave later at school events).

On-Site facilities

60 cycle parking spaces are proposed. This quantum of cycle parking is in accordance with the London Plan cycle parking standards and is found to be acceptable.

Conditions have been recommended to ensure that the car and cycle parking facilities proposed are implemented prior to the school being brought into use. Subject to these the proposal is considered to be acceptable and compliant with the objectives of development plan policies in terms of the parking facilities proposed.

Trip Generation, Highway and Pedestrian Safety and Accessibility

The proposed development is predicted to generate approximately 142 pupil vehicular vehicle pick-ups and drop-offs associated with parents and pupils in the Peak Period (08:00-09:00 and 15:30-16:30). Staff will arrive before or after pick and drop off peak times. Therefore, staff trips (19) are unlikely to coincide with pupil trips and will spread the total vehicle demand.

Further, breakfast clubs and after-school activities will spread out pupil pick-up/drop off activity ensuring pupils travelling by car do not all arrive and depart at the same time.

The dropping off and departure trips to the site are expected to occur between 8:00 - 9:00 in the morning and 15:30-16:30 in the afternoon. The pick-up will be more staggered, owing to afterschool activities. After school clubs are expected to take place for up to an hour after school (assumed until 5:30pm). It is therefore considered the proposed facilities to be acceptable.

The submission has demonstrated adequate parking for staff and parents that miss their drop slots and require a waiting area. It is also pertinent to note that the staggered drop off- pick-up approach will be monitored. If the approach is found to be unsound it will amended accordingly. Monitoring fees will be secured by a Legal agreement.

A site drop off/collection Strategy and review will form a part of the legal agreement. The afternoon traffic generation would not coincide with the PM peak (17:00-18:00), and therefore not result in additional impact.

Given 71% (300) of students live within walking distance (500m as defined by the Institution of Highways and Transportation), public transport trips (rail and bus) during the peak period is unlikely to increase drastically. When viewed in the context of the current public transport facilities available in the vicinity of the site it is not considered that the proposal would have a material impact on public transport services. The application is therefore found to be acceptable in this regard. It is also concluded that the site is sufficiently accessible by public transport, walking and cycling to meet the objectives of development plan policy in this regard.

It is considered that the design and layout of the development proposed are such that it would provide suitable access arrangements for pedestrians and vehicles and that it would not raise any specific concerns from a highway and pedestrian safety perspective, subject to the conditions recommended. The application is therefore found to be acceptable and compliant with the objectives of development plan policy in these regards.

Delivery and Servicing Management

It is proposed that servicing takes place off-street via the Summit Way access. The nature of the school and its operations are such that deliveries are likely to be infrequent and undertaken by small to medium sized vehicles (e.g. transit vans). In the event the occasional delivery is made by a larger vehicle such as 7.5t box van, servicing would take place on-street on Summit Way.

Servicing activity would be managed to mitigate any potential impacts on the highway, with any deliveries scheduled to avoid school opening and closing times where possible.

A designated area for refuse storage is provided within the site. The applicant has commented that subject to agreement with the Council, it is anticipated that refuse collection will take place on-street, with bins transferred by school staff prior to collection.

Construction Vehicles

The conditions recommended include requirements for the submission and implementation of a Construction Management Plan, in order to ensure that potential construction logistical issues and highways impacts are adequately addressed. Subject to this the proposal is found to be acceptable in this regard.

School Travel Plan

In accordance with the requirements of planning policies an appropriate School Travel Plan will need to be provided and implemented in respect of the development to encourage shifts to more sustainable modes of transport. A condition securing this has therefore been recommended. Details of which will be secured by a Legal Agreement.

Sustainable design and construction matters

London Plan policies state that applications should demonstrate that sustainable design standards are integral to a proposal, including its construction and operation, and that they are considered from the beginning of the design process. Barnet Local Plan policy DM01 states that developments should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation.

The documents submitted with the application identify a number of ways in which the proposal would be constructed and operated in a sustainable way. These are discussed in more detail in the various relevant sections of this report, but include elements such as the creation of new education facilities for the community, the retention of trees, the provision of appropriate recycling storage equipment and the installation of facilities for cyclists.

The approach proposed is found to be acceptable and reasonable for the permission that is sought in this instance. It is considered that the details provided in the submission are acceptable and policy compliant in respect of sustainable design and construction matters and that, taken in the round, the application would result in a development which reaches an appropriate standard in respect of sustainable design and construction matters.

Refuse and Recycling

A designated area for refuse storage is provided within the site. The applicant has commented that subject to agreement with the Council, it is anticipated that refuse collection will take place on-street, with bins transferred by school staff prior to collection. A condition would be applied for the provision of a Delivery Service Plan on the application.

Ecology

The site was of limited value to wildlife. The amenity grassland contained only a small range of species, with forbs scarce throughout the sward, although the scattered trees did provide habitat for nesting birds.

There were no signs of Badger activity, and only low potential for significant invertebrate assemblages, in particular those species listed as a priority in the UK Biodiversity Action Plan and/or Local Biodiversity Action Plan.

None of the trees contained features such as decay cavities, woodpecker holes, fissures and exfoliating bark, that would be considered suitable for bat roosting and/or hibernation, whilst the site itself had limited value to foraging bats, as it was generally open, although the trees provided some cover for foraging.

Although there were damp areas within the grassland, there was no standing water on the site, even following recent prolonged periods of heavy rain. As such the site had negligible potential for reptiles and amphibians. Furthermore, there was only a single record of a Slow-worm and Common Lizard within 2.0 km, and no records of Great Crested Newts. The presence of reptiles or amphibians was therefore considered to be unlikely

The site clearance works and construction works associated with the implementation of the development hereby approved shall be carried out in full accordance with the nesting and breeding bird and bat protection measures identified in the Ecology Report submitted as part of this application.

Possible impacts of proposed work and recommendations

Since all in-use bird's nests and their contents are protected from damage or destruction, any tree or shrub removal or works which may affect a nest should be undertaken outside the period 1st March to 31st August inclusive. If this time frame cannot be avoided, a close inspection of the trees, shrubs or structures to be removed should be undertaken prior to clearance.

Despite the presumed absence of reptiles and amphibians, at all times care will be taken when carrying out earthworks, as small mammals could be present. Any small mammals disturbed or uncovered will either be caught by hand and relocated to a safe area, or left to vacate the work site in their own time.

Unexploded Ordnance

The site was formerly used as an allotment, and this was the use of the site during WWII. A preliminary study has been submitted as part of this application which outlines that the site is of medium risk of unexploded bombs. The study recommends that a further assessment should be undertaken at the site, and it is considered that this would be effectively managed through ensuring that this information is provided as a condition to any planning permission.

5.4 Response to Public Consultation

Access via Blagdens Lane:

Through the information that has submitted they have outlined that access from Blagdens' Lane would be hard to achieve due to the narrow nature of that street. Access from Summitt Way was considered to be the most appropriate means of access to the site.

Safety of the access of the site, and the impact that it would have on the surrounding highways.

A separate entry and exit gates for vehicles and a separate gate for pedestrians is proposed providing direct access to the proposed school arrival plaza. The site of the access is located nearby to a bend in the road, and concerns have been raised in relation to visibility. As part of the works 'School Keep Clear' signs are proposed which to the northern kerbside of Summit Way, so to improve visibility.

As outlined Highways Developments, a contribution would need to be submitted to allow the Council to amend the traffic order for the signs to be implemented. As a part of the amendment to the traffic order, consultation would have to take place prior to the agreement to install the signs, and therefore their installation cannot be guaranteed through this application. That being the case, as well as the intention to install the new sign, there are also double yellow lines at the corner of Summit Way and Arlington Road which restrict parking at this location. Based on the information that is provided,

amendments will need to be made to the width of the proposed access points, as at present they appear to be greater than the 6m which is recommended. Highways Development outline that in light of this and the above the application would have entered into agreement to submit to resolve the access and to enter in a S278 agreement to implement the approved work to the public highway. Taking this into account, it is considered that the applicant has demonstrated that the access point can be utilised in a safe way, and that visibility at the site can be maintained. It is considered that subject to the proposed agreement and the agreement of the works required to the public highways, the proposed access point would be acceptable.

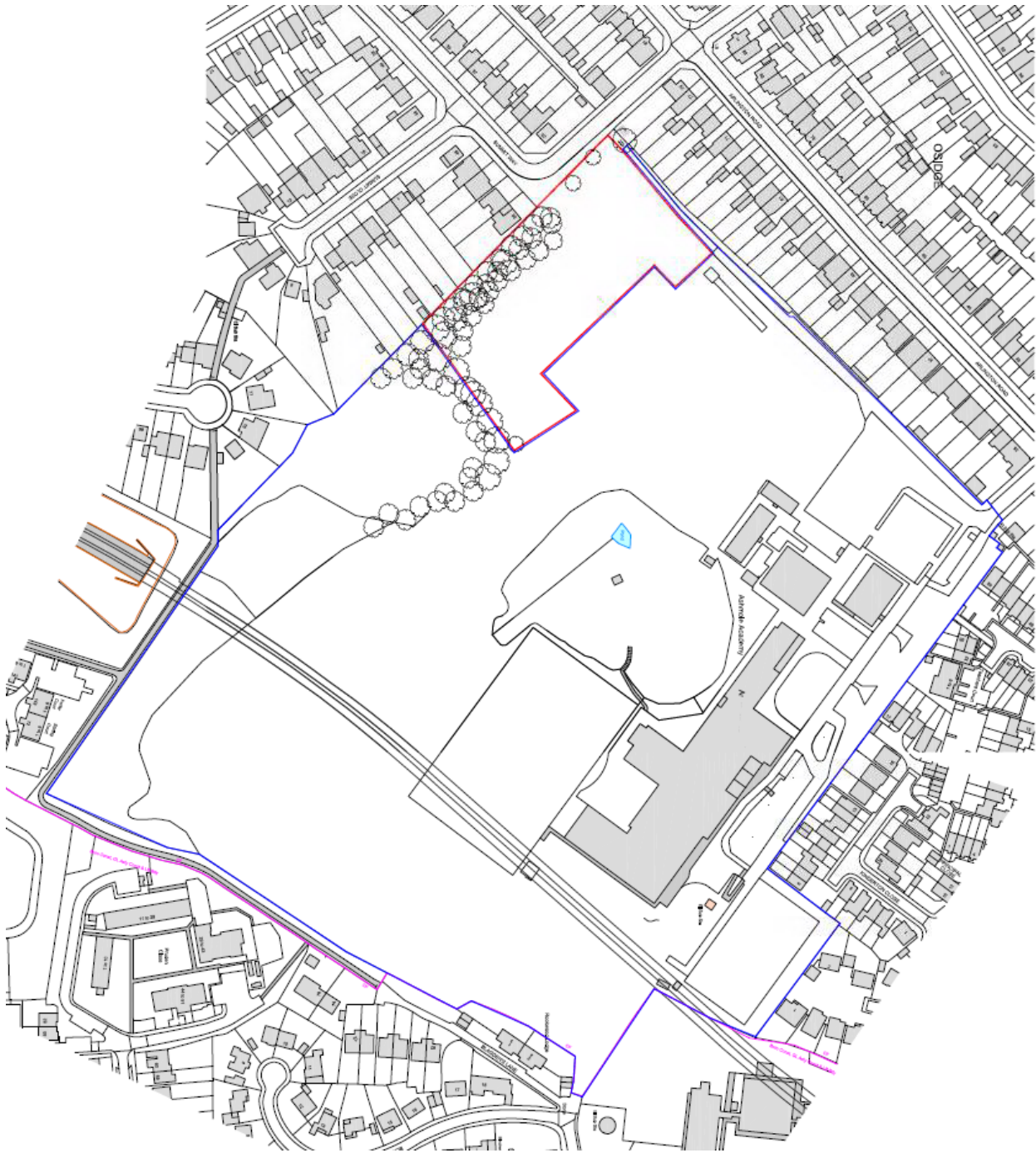
6. Equality and Diversity Issues

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

7. Conclusion

Whilst the proposal would result in the loss of limited and restricted area of the larger playing field, the development will also result in a much needed school and improved playfields and a MUGA. The impacts on highways and neighbouring amenity are noted to be at an acceptable level. Balancing these considerations, the proposed development is considered to be acceptable.

The application is therefore recommended for APPROVAL subject to obtaining the Secretary of State's respective decisions not to direct refusal of permission and/or to call in the application and upon completion of the above Section 106 agreement the Director of Planning and Development Management be instructed to APPROVE the application reference 16/5606/FUL under delegated powers and grant planning permission subject to conditions.



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12 Larkspur Grove Edgware HA8 9GB

AGENDA ITEM 12

Location

Reference:

16/6320/FUL

Received: 29th September 2016

Accepted: 22nd November 2016

Ward:

Hale

Expiry 17th January 2017

Applicant:

Ms Henry

Proposal:

Use of the existing dwelling for a children's home to accommodate 2 children

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:

Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;

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

And in accordance with a Section 106 agreement to secure the following:

That the premises shall only be used by the applicant Ms Andrea Henry as a residential care home for children and for no other purpose (including any other purpose in Class C2 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).

Monitoring of the Agreement £500.00

Contribution towards the Council's costs in monitoring the obligations of the agreement.

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:

The development hereby permitted shall be carried out in accordance with the following approved plans: 583-00-01 Rev A - Site Plan, 583-EX-00 Rev A - Existing Floor Plan, 583-EX-01 Rev A, Existing Floor Plan, Planning Statement, Location 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 The use hereby permitted shall be carried on for a limited period being the period of 3 years from the date of this letter.

Reason: To ensure that there is no undue loss of valuable housing stock and the residential care home for children meets local need that would not be detrimental to the amenities of the neighbouring occupiers.

3 The use hereby permitted shall be carried on only by Mrs Andrea Henry and shall be for a limited period being the period of 3 years from the date of this letter.

Reason: To ensure that there is no undue loss of valuable housing stock and the residential care home for children meets local need that would not be detrimental to the amenities of the neighbouring occupiers.

RECOMMENDATION III:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 28/04/2017, unless otherwise agreed in writing, the Head of Development Management REFUSE the application under delegated powers for the following reason(s):

1. The loss of single family dwelling house (C3) would harm the character of the surrounding area and would reduce the availability of general needs housing in the Borough. As such, the proposed development would be contrary to Policies DM01 and DM07 of the Adopted Local Plan Development Management Policies Document (2012) and Policies CS1 and CS NPPF of the Local Plan Core Strategy (2012).

Informative(s):

1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The site is located at the northern end of Larkspur Grove a cul-de sac, in the ward of Hale. The property is an end of terrace two bedroom dwelling house and it is currently occupied by the applicant.

The site is bounded by Edgware Way and nos.1 - 6 Iris Walk to the north; Aster Court (flatted development) to the north west; to the east are Nos 37 & 39 Magnolia Gardens, and to the south is No. 10 Larkspur Grove. The street and locality is dominated by single family dwellinghouses and flats. The application site benefits from a large rear garden.

The application site is not a listed building and does not lie within a Conservation Area.

2. Site History

n/a

3. Proposal

The proposed development includes:

- Use of the existing dwelling (C3) for a children's home (C2) to accommodate 2 children.

4. Public Consultation

Consultation letters were sent to 52 neighbouring properties.

1 letter of objection has been received.

A summary of the comments are as follows:

- o It's a private housing estate; regrettably do not want children with emotional problem living in close proximity.
- o Property values will be affected negatively
- o Noise and disturbance
- o Respondent has a similar experience and it was a nightmare. The children were moved after many complaints from all the neighbours.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 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 document. Both were adopted in September 2012. The following policy documents were consulted:

Core Strategy Policies:

- National Planning Policy Framework (NPPF) (2012)
- Relevant Core Strategy Policies: CS NPPF, CS1, CS4 and CS11.
- Relevant Development Management Policies: DM01 and DM07.

Supplementary Planning Documents

Residential Design Guidance SPD (Adopted 2016)

Sustainable Design and Construction SPD (Adopted 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- i. The principle of proposed use
- ii. The impact on the appearance and character of the area
- iii. The impact on the amenities of neighbouring occupiers
- iv. The impact on highways safety
- vi. Refuse and Recycling

5.3 Assessment of proposals

The principle of a Residential Care Home in this location

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings.

The Council recognises that Residential Care Homes can make an important contribution to housing provision. However, they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through; for example, the provision of car parking and refuse facilities and increased noise, and that can consequently have an unacceptable impact on the established character of an area.

In assessing whether a residential care home would be appropriate in this location, policy DM01 of Barnet's Development Management Policies states that consideration should be given to the character of the road and where proposals involve the loss of houses in roads characterised by houses, this will not normally be appropriate. Policy DM07 'Protecting housing in Barnet' expands further and states that the loss of residential accommodation will not be permitted unless where need can be demonstrated.

The application proposes a care home for 2 children which would involve the loss of a 2 bedroom end of terrace dwelling. There will be no alterations to the existing layout and external fabric would remain the same. The care home would provide short term accommodation to allow local authorities time to find an alternative placement provision.

The care home would provide 24 hours, with two staff on duty per shift.

Staff Shifts: 10am - 6pm - Housekeeping/Meal time x 2 staff
6pm - 10am - Waking Night staff x 2 staff

Children Services department was consulted to understand whether there was a demonstrable need for a care home for children in this location. The children's services stated that there are no privately run children's homes within the borough and there is a need to keep Looked After children in Barnet, close to their families and continue with education. In addition they indicated that currently Barnet two children's homes are currently full, although every effort would always be made to accommodate children and young people in foster placements however due to the need of the child or young person; they may be placed in residential children's homes. If there is need to place a young person in a registered children's home the Children services would look at the needs of the child and would typically place the child outside of borough.

Although there is local need for residential children's home, the Children services cannot make a determination if they would be commissioning the provider unless the property has planning permission and the quality of care that would be available has been assessed. Without a clear commitment from children services to use the facilities, it is considered that the need cannot be proved beyond reasonable doubt. In view of the above, if approved the application would be a departure from the plan.

To ensure that the proposal would meet Barnet's local need, a temporary planning permission for duration of three years would be imposed. The three years' time limit imposed would enable Children Services to assess the quality of provision and determine if the provider can fill a local need.

Furthermore the planning permission would be personal to the applicant and the property would have to revert back to residential if the applicant should cease operations. To continue the use after the end of the 3 years, an application for continued use would be required prior to expiry date of the planning permission.

Although it would involve the loss of a dwelling house, it is considered that the proposal to change the use of the property from residential (C3) to care home (C2) for 2 children would not have a detrimental impact upon the existing character of the street. The change of use would be a departure from the plan as the requirement to ensure it complies with policy DM07 cannot be fully justified, however given potential for the proposed use to meet a potential need within the borough, the change of use to a care home provision for 2 children in this location is deemed to be acceptable, in this instance.

If approved, the applicant would be required to enter into a s106 agreement to ensure that the requirement for granting planning permission is adhered to.

The Impact on the appearance and character of the area

The Barnet Local Plan Core Strategy (10.2.6) states that the main source of supply to meet demand is largely provided by suburban housing stock. Therefore there is a need to protect such housing within established residential streets which, because of their rhythm and cohesiveness, contribute to local character.

Although the street housing stock would be reduced, the proposed change of use would not have a significant impact on the existing character of the street as no change is proposed to the built form. In addition the activity of the proposed use would not be very intensive due to the number of children to be accommodated.

Overall, it is deemed that the proposed application would not have an impact on the established architectural character of the properties along Larkspur Road as there is no likelihood of the proposed use leading to increased vehicular and pedestrian activity.

The impact on the amenities of neighbouring occupiers

The use of no.12 as a residential care home would directly provide a care home for two 11 - 16 year olds with emotional, social and behavioural directly against the party wall shared with a residential dwellinghouse. Although there could be associated noise implications it is not anticipated that the disturbance would be continuous as the accommodation is for short term stay. Furthermore noise and disturbance can be controlled by Environmental health if it becomes significant and has an unacceptable impact on neighbouring residential properties.

The temporary permission would allow the effect of the proposal to be monitored and would be taken into account if an application is made to continue the use at the end of the three years.

It is deemed that the proposed change of use would not have an impact on neighbouring occupiers, due to the number of children.

Whether the proposal provides a satisfactory living environment for future occupiers

There are no changes proposed to the layout of the dwelling house. The proposal is therefore considered to be acceptable in this regard.

Amenity Space:

Table 2.3 of Barnet's Sustainable Design SPD (Oct 2016) outlines the amount of quality outdoor amenity space that should be provided for occupants. The site benefits from a large rear garden which exceeds the minimum outdoor amenity space standards and is deemed acceptable for the use of future residents.

The impact on highways safety

There would be 2 members of staff on duty daily with night time staff available. There are currently 2 parking spaces allocated to the property, which is in line with highways requirements for staff. There is no requirement for cycle parking provision.

There is no objections to the proposal on highways ground.

Refuse and recycling storage

Refuse and recycling provision and storage would remain as existing.

5.4 Response to Public Consultation

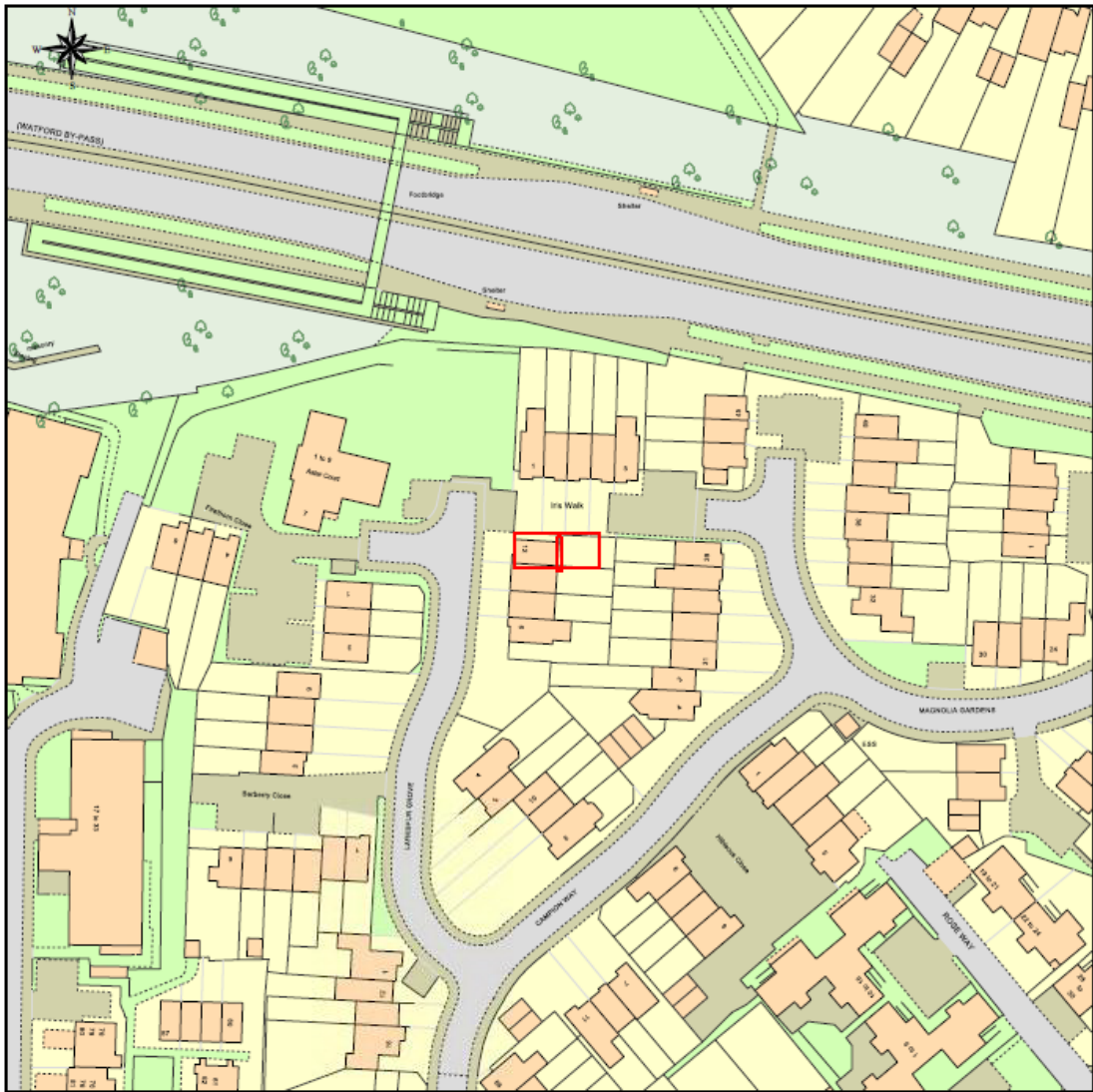
The impact of the proposed use on property values is not a planning issue and cannot form the basis of determining the planning application. All other comments have been addressed within the body of the report.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that the proposed development would not have an adverse impact on the character and appearance of the application site and the general locality. Information provided by Children services shows that there is a demonstrable need for a residential care home for children within the borough. To ensure that the development does meet a local need, it is considered that a temporary planning permission for three years should be granted. This would also enable the impact of the development on the locality to be monitored. This application is therefore recommended for approval



This Plan includes the following Licensed Data: OS MasterMap Colour PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production.

0m 20m 40m 60m 80m 100m

Location **Broadfields Primary School Roseberry Drive Edgware HA8 8JP**
AGENDA ITEM 13

Reference: **17/0428/FUL** Received: 25th January 2017
Accepted: 2nd February 2017

Ward: Edgware Expiry 30th March 2017

Applicant: Mr R Archibald

Proposal: Erection of single storey pre-school and nursery buildings. New boundary fence enclosure and tarmac path extension

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Sustainability Statement dated February 2017; Design and Access Statement dated January 2017; Drawing no. PLN 01; Drawing no. PLN 02; Drawing no. PLN 03; Drawing no. PLN 04 Rev A; Drawing no. PLN 05.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

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.

Officer's Assessment**1. Site Description**

Broadfields Primary School is on Roseberry Drive which is located just off Broadfields Avenue, the central road running through the Broadfields estate. There is one entrance to the school, which is from Roseberry Drive.

To the north, the site and part of the existing building falls within the Green Belt.

The site is surrounded by residential properties to the south and east. The properties are two storey terraced and semi-detached properties. Planning permission was granted at the site to the south for 112 residential units including houses and apartment blocks in 2016 under planning reference 15/03137/FUL.

To the north and west of the site is a large area of open space that extends further north; this area is designated as Metropolitan Green Belt and part of the land forms the playing fields for the school. Directly adjacent to the eastern boundary of the site is a footpath (Clay Lane), this footpath is designated as a Site of Local Nature Conservation Importance.

2. Site History

Reference: 16/7568/FUL

Address: Broadfields Primary School Roseberry Drive Edgware HA8 8JP

Decision: Withdrawn application

Decision Date: 13 January 2017

Description: Erection of two single storey pre-school and nursery teaching buildings. New playground fence enclosure. Erection of a freestanding canopy. Alterations to hard and soft landscaping including new access path

Reference: 15/03137/FUL

Address: Land At Broadfields Primary School Roseberry Drive Edgware HA8 8JP

Decision: Approved subject to conditions

Decision Date: 8 April 2016

Description: Development of site between Broadfields Primary School and Hartland Drive to provide 112 residential units (Use Class C3) comprising 52 houses (2-3 storeys) and an apartment block (3-4 storeys) of 60 flats. New vehicular access incorporating a mini-roundabout, and associated facilities including 137 car parking spaces (surface level and basement), cycle parking, refuse/recycling stores, landscaping, sub-station and external amenity space. Alterations to parking layout within Broadfields school (AMENDED PLANS

AND DESCRIPTION - amendments include alterations to layout and reduction in unit numbers)

Reference: H/02799/14

Address: Broadfields Primary School Roseberry Drive Edgware HA8 8JP

Decision: Approved subject to conditions

Decision Date: 18 July 2014

Description: Erection of 1no. single storey oak framed building including rooms in roof-space to provide classroom, office and storage space. Associated playground area.

Reference: H/01199/11

Address: Broadfields Primary School, Roseberry Drive, Edgware, HA8 8JP

Decision: Approved subject to conditions

Decision Date: 16 May 2011

Description: Erection of a 2 storey extension to facilitate expansion of the existing two form entry primary school to three form entry primary school. Provision of additional 7no parking spaces, new pedestrian footpath and associated landscaping

Reference: H/00695/11

Address: Broadfields Primary School, Roseberry Drive, Edgware, HA8 8JP

Decision: Approved subject to conditions

Decision Date: 11 April 2011

Description: Erection of a temporary single storey pre-fabricated structure to be used as a classroom for 1 year, and relocation of 3no parking spaces.

Reference: H/04494/08

Address: Broadfields Primary School Roseberry Drive Edgware HA8 8JP

Decision: Approved subject to conditions

Decision Date: 05 February 2009

Description: Demolition of existing junior school and erection of part single, part two storey replacement two form entry primary school, including playgrounds, access road, parking and multi use games area.

3. Proposal

The applicant seeks planning permission for the erection of single storey pre-school and nursery buildings with associated new boundary fence enclosure and tarmac path extension.

The building would have a footprint of 229sqm to accommodate two classrooms for up to 60 pre-school children between the ages of 2 to 5 years old. It is intended that the building would be occupied by the middle of 2017 to address the Council's requirement by Early Years Children's Services.

The proposed building would be sited within the Green Belt, to the northwest of the main school building. The building would run perpendicular to the existing nursery teaching facilities on the east section of the building and aligning with the existing straight extension wing of the school which is also sited within the Green Belt and was approved as part of application reference H/01199/11.

The building would be sited. It would have a maximum width of 27.9m and depth of 8.2m. The building would have a sloping roof with an eaves height of 3.1m (to the south) and a maximum height of 3.9m (to the north).

The building would be set a minimum of 3.8m from the boundary with properties on Meadfield, with the northern part of the building splaying further away to west

4. Public Consultation

Consultation letters were sent to 68 neighbouring properties.
0 responses have been received.

A site notice was erected on the 9th February 2017.

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, CS4, CS5, CS7, CS10, CS15.
- Relevant Development Management Policies: DM01, DM02, DM13, DM15.

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.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Impact on the Green Belt
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Impact on trees
- Whether harm would be caused to the living conditions of neighbouring residents.
- Impact Highways
- Sustainability

5.3 Assessment of proposals

Impact on the Green Belt

Paragraphs 87 and 88 of the NPPF advocate that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances... [which] 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."

In addition, Paragraphs 89 and 90 of the NPPF detail a limited number of scenarios to this general approach or certain other forms of development including mineral extraction, engineering operations and re-use of buildings provided which are exempted.

In accordance with National and Local green belt policy (DM15), new development within the green belt is inappropriate unless it is for the purposes of agriculture, horticulture, woodland, nature conservation, wildlife use, essential facilities for appropriate uses which preserve openness and do not conflict with the purposes and objectives of its designation. Development which is not for these purposes should not be permitted except in very special circumstances; as the proposed building would not meet these criteria, it is necessary to show very special circumstances for the development to be acceptable in policy terms.

Appropriateness of the building

The development based on its use is considered to be inappropriate within the Green Belt. However, the London Plan acknowledges that there is a short fall of pre-school age childcare facilities and this has been supported by the applicant in the submission including details of the Council's shortfall of provision for early years' education.

The applicant has specified that other locations were considered within the site but this form and siting is the one that most closely meets the needs of the school. In discussions, it is understood that these options were discounted due to greater impact on the Green Belt (western siting), safeguarding issues including visibility from the public realm, and proximity to residential properties. The location chosen was the most advantageous in teaching terms due to the existing siting of the nursery teaching spaces on the ground floor

of the eastern wing allowing for safe and accessible movement between the existing and proposed spaces.

As mentioned, when considering the NPPF and the exemptions specified, the building would be considered inappropriate. However consideration has been given to the approved extension to the school also sited within the Green Belt (approved under reference H/01199/11), the need for this facility and the special circumstances presented.

Visual impact

One of the key purposes of green belt is to prevent urban sprawl. Although this proposal would encroach into the green belt, its visibility would be restricted by the dense vegetation and due to its orientation, which would reflect the pattern of development of the existing extension which itself falls within the Green Belt, from public vantage points, the building would be barely visible. In addition, the hardstanding surrounding the building would be limited in width to a maximum of 2m around the building to reduce the impact on the green belt. Given the modest height and the siting, the building would not be considered to significantly compromise the open nature of the site as a whole and its harmful impact on the open character of the site is limited.

It is considered that the very special circumstances put forward in this particular case are sufficient to outweigh the harm caused to the green belt, by reason of harm to openness and conflict with its purposes and objectives and, as such, the proposal would be acceptable.

Impact on the character of the area

The design of the building is considered to be acceptable and reflective of the style of the main school building and other ancillary structures on the site. The modest height and siting of the building are acceptable and the building would not be visible from the streetscene and overall the building is considered to preserve the character and appearance of the host site and wider area.

As mentioned above, the level of hardstanding is relatively modest and in keeping with the general level of hardstanding on this section of the site.

The relocated metal fencing would match the existing.

Trees

The proposed building would not be sited within close proximity to the adjacent TPOs and therefore there is no deemed impact.

Impact on the amenities of neighbours

The building itself would be a considerable distance from neighbouring gardens. Due to this distance from the nearest neighbours on Meadfield (at least 3.8m) and the building's relatively modest height, it is not considered that the building would be detrimental to the amenities of the neighbouring occupiers or harmful to the enjoyment of these properties. There are no other neighbours other than those on Meadfield who would be able to see the building, therefore no harm has been identified.

Highways

Given the modest increase in school places and staff employed, it is not considered that the proposed building would have a detrimental impact on local highways.

The car park and vehicular drop-off area is currently managed in the morning by a permanent member of the school's site management team; this will continue with the proposal to ensure there is no detrimental impact on traffic flow.

The applicant has confirmed that the pedestrian access specifically for the pre-school building will be around the east side of the existing main school. The side gates will be attended to by a member of staff. Parents will then walk up to the main entrance door of the proposed building to drop off their child(ren). This route avoids having to use the main school entrance and therefore eases pedestrian congestion at the start and end of the school day.

Sustainability

The applicant has specified that the building would be of a high environmental performance standard and incorporate sustainable measures to achieve this. This considered to be in accordance with the requirements of the London Plan and as such is acceptable in this regard.

5.4 Response to Public Consultation

None received.

6. Equality and Diversity Issues

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

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



LOCATION: Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 5JE

REFERENCE: 16/7836/S73 **Received:** 9 December 2016

Accepted: 9 December 2016

WARD(S): Colindale **Expiry:** 10 March 2017

APPLICANT: Redrow Homes Limited

PROPOSAL: Minor Material Amendment to condition 1 (Approved Plans) of Planning Permission H/04753/14 dated 23/12/2015, as amended by S73 Application 16/5050/S73 dated 05.12.2016. Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 951 units in full detail and up to 1,949 units in outline in buildings ranging from 2-21 storeys, up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2), the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking.

Variations include (but not limited to): Amendments to Application Description increasing number of units in Stage 1 (from 951 to 1,061) and decreasing number of units in future phases Stages 2 and 3 (from 1,949 to 1,839); Blocks H, J and M are increased in height; Increase in number of units in Block H from 126 to 162, Block J from 66 to 87, Block K from 64 to 75 and Block M from 62 units to 104 units; Alterations to the building footprint for Blocks J and K; Alterations to the unit mix and parking distribution in Blocks H, J, K and M; and introduction of a basement level below Blocks J and K.

Background

Hybrid planning permission for the phased comprehensive redevelopment of the site was granted on the 23rd December 2015 (Ref: H/04753/14), with minor material amendments to Blocks P & Q granted on 5th December 2016. It allows the comprehensive redevelopment of part of the former Peel Centre site (now known as 'Colindale Gardens') for 2,900 homes and associated development, including the creation of new public open space and the provision of a new primary school. It was granted subject to 60 conditions and a Section 106 agreement.

The development was designed as part of a masterplan and will be constructed in three development stages, each comprising a number of 'phases'.

The application was granted in hybrid form. Full planning permission was granted for part of the development comprising Development Stage 1, with outline planning permission (with all matters reserved except access) granted for Development Stages 2 and 3.

The S73 Application

The current application is made under Section 73 of the Town and Country Planning Act 1990 (as amended). The principal purpose of this application is to seek approval for amendments to the wording of the description of development and planning condition 1 attached to planning permission 16/5050/S73 (dated 5th December 2016), as the mechanism for the approval of revised plans for Blocks H, J, K and M located within Development Stage 1.

The amendments to Blocks H, J, K and M of the approved scheme are as follows:

- i. The western wing of Block H has increased from 5 to 7 storeys and its south-western corner has increased from 10 to 14 storeys. An additional storey has also been added to the northern elevations of Blocks J and M meaning they will increase from 6 to 7 storeys. This translates into a typical increase in overall building height of 2.06 metres and approximately 2.1 metres, respectively.
- ii. The number of residential units accommodated within Blocks H, J, K and M will increase by a total of 110 units, including 36 in Block H, 21 in Block J, 11 in Block K and 42 in Block M.

However, the increase of units in these two blocks will be accounted for by an equal decrease in the total number of units in Blocks C and D in Development Stage 2 and Blocks V, W and X in Development Stage 3. This means the site-wide total of 2,900 residential units will be unchanged.

- iii. Minor changes to the residential mix
- iv. Five townhouses have been added to Blocks J and K (10 in total). The addition of five townhouses in Block K results in a reduction of two duplexes. In Block M, there will be five fewer duplexes replaced by two houses. The number of three or more bedroom units has risen from 17 to 20 units in Block H, 18 to 29 units in Block J, 24 to 27 units in Block K and 40 to 47 units in Block M.
- v. Reconfiguration of the internal layouts in all four blocks.
- vi. A basement level car park has been introduced below Blocks J and K to accommodate 157 car parking spaces.
- vii. The second floor podium to Block H is now an amenity space shared with the affordable rented units located in the tower. Furthermore, the roof on the seventh level of the southern wing is now an amenity area to serve the shared ownership units.
- viii. There will be an overall net increase of 153 car parking spaces across Blocks H, J, K and M. This will comprise:
 - Block H will decrease from 90 to 88 podium spaces;

- Block J will decrease from 36 to 24 spaces on-plot, with the abovementioned basement of 157 spaces under Blocks J and K;
- Block K will decrease from 40 to 24 spaces on-plot; and
- Block M will increase with from 26 to 52 spaces on-plot.

The increase in car parking spaces across these blocks will be offset by equivalent decreases in later phases.

- ix. There is an overall increase of 117 cycle spaces within Blocks H, J, K and M from 550 to 667 spaces. Again, the increase in cycle spaces within these blocks will be offset by decreases elsewhere in later phases meaning that site-wide cycle parking provision will remain unchanged.

The permitted tenure for all residential units in Blocks J, K and M is market housing units and this will remain unchanged. The permitted tenure for all residential units in Block H is affordable housing units. This will also remain unchanged, even though there are now additional units in Block H. Therefore, this proposal will involve an increase to the number of affordable housing units within Block H in Development Stage 1.

The proposed changes to the resultant buildings are not fundamentally or substantially different to the approved scheme. These amendments are minor in the context of the scheme as a whole and follow the same high quality design approach proposed under the original permission. The amended design is considered appropriate in scale, similar in architectural treatment and will have no impact on amenity, neighbouring properties or the surrounding road network or parking. All units meet the requirements set out in the Mayor of London's new Housing SPG and accord with all of the policies of the updated London Plan.

The proposed amendments are therefore considered acceptable and the proposal is recommended for **APPROVAL**

RECOMMENDATIONS

Approve subject to:

Recommendation 1

The applicant and any other person having a requisite interest in the site be invited to enter into a Deed of Variation varying the extant section 106 Agreement dated 23 December 2015 in accordance with the terms set out in the Application Summary section of this report.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, , the Head of Strategic Planning approve the planning application reference 16/7836/S73 under delegated powers subject to the following conditions and any changes to the wording of the conditions considered necessary by the , the Head of Strategic Planning.

Conditions

1. The development hereby permitted shall be carried out in accordance with the Primary Control Documents and detailed drawings, subject to the conditions in this permission and unless otherwise agreed in writing with the Local Planning Authority.

The outline components are set out in the following three Primary Control Documents:

- i. PC5 Revised Development Schedule, Revision 5 (December 2016)
- ii. PC6 Revised Parameter Plans Nos. Prefix: 1735-FCB-SITE: 0102-P2; 0103-P2; 0104-P2; 0105-P2; 0106-P3; 0107-P2; 0108-P5; 0109-P2
- iii. PC7 Revised Design Principles Document (June 2015)"

The detailed components are set out in the PC5 Revised Development Schedule, Revision 5 (December 2016) and the PC8 Detailed Drawings listed as follows:

PC8 Detailed Drawings

BLOCK H

BLOCK H LEVEL 00 (28/09/16) REF: 1606-P100-D

BLOCK H LEVEL 1 (28/09/16) REF: 1606-P101-E

BLOCK H LEVEL 2 (28/09/16) REF: 1606-P102-D

BLOCK H LEVEL 3 (03/11/16) REF: 1606-P103-D

BLOCK H LEVEL 4 (03/11/16) REF: 1606-P104-C

BLOCK H LEVEL 5 (03/11/16) REF: 1606-P105-D

BLOCK H LEVEL 6 (03/11/16) REF: 1606-P106-C

BLOCK H LEVEL 7 (03/11/16) REF: 1606-P107-E

BLOCK H LEVEL 8-13 (03/11/16) REF: 1606-P108-D

BLOCK H PROPOSED NORTH ELEVATION (12/10/16) REF: 1606-P200-E

BLOCK H PROPOSED EAST ELEVATION (11/10/16) REF: 1606-P201-F

BLOCK H PROPOSED SOUTH ELEVATION (07/10/16) REF: 1606-P202-E

BLOCK H PROPOSED WEST ELEVATION (07/10/16) REF: 1606-P203-F

BLOCK H PROPOSED EAST COURTYARD ELEVATION (12/10/16) REF: 1606-P204-D

BLOCK H PROPOSED WEST COURTYARD ELEVATION (12/10/16) REF: 1606-P205-D

BLOCK J

BLOCKS J AND K BASEMENT PLAN (DEC 16) REF: 537/PLJK/100 REV P1

BLOCK J GROUND FLOOR PLAN (DEC 16) REF: 537/PLJ/100 REV P1

BLOCK J FIRST FLOOR PLAN (DEC 16) REF: 537/PLJ/101 REV P1

BLOCK J SECOND FLOOR PLAN (DEC 16) REF: 537/PLJ/102 REV P1

BLOCK J THIRD FLOOR PLAN (DEC 16) REF: 537/PLJ/103 REV P1

BLOCK J FOURTH FLOOR PLAN (DEC 16) REF: 537/PLJ/104 REV P1

BLOCK J FIFTH FLOOR PLAN (DEC 16) REF: 537/PLJ/105 REV P1

BLOCK J SIXTH FLOOR PLAN (DEC 16) REF: 537/PLJ/106 REV P1

BLOCK J ROOF PLAN (DEC 16) REF: 537/PLJ/107 REV P1

BLOCK J NORTH ELEVATION (DEC 16) REF: 537/PLJ/200 REV P1

BLOCK J SECTIONAL ELEVATION A-A (DEC 16) REF: 537/PLJ/201 REV P1
BLOCK J SECTIONAL ELEVATION B-B (DEC 16) REF: 537/PLJ/202 REV P1
BLOCK J SECTIONAL ELEVATION C-C (DEC 16) REF: 537/PLJ/203 REV P1
BLOCK J SOUTH ELEVATION (DEC 16) REF: 537/PLJ/204 REV P1
BLOCK J EAST ELEVATION (DEC 16) REF: 537/PLJ/205 REV P1
BLOCK J SECTIONAL ELEVATION D-D (DEC 16) REF: 537/PLJ/206 REV P1
BLOCK J SECTIONAL ELEVATION E-E (DEC 16) REF: 537/PLJ/207 REV P1
BLOCK J WEST ELEVATION (DEC 16) REF: 537/PLJ/208 REV P1
BLOCK J SECTIONAL ELEVATION F-F (DEC 16) REF: 537/PLJ/209 REV P1
BLOCK J SECTIONAL ELEVATION G-G (DEC 16) REF: 537/PLJ/210 REV P1

BLOCK K

BLOCK K GROUND FLOOR PLAN (DEC 16) REF: 537/PLK/100 REV P1
BLOCK K FIRST FLOOR PLAN (DEC 16) REF: 537/PLK/101 REV P1
BLOCK K SECOND FLOOR PLAN (DEC 16) REF: 537/PLK/102 REV P1
BLOCK K THIRD FLOOR PLAN (DEC 16) REF: 537/PLK/103 REV P1
BLOCK K FOURTH FLOOR PLAN (DEC 16) REF: 537/PLK/104 REV P1
BLOCK K FIFTH FLOOR PLAN (DEC 16) REF: 537/PLK/105 REV P1
BLOCK K ROOF PLAN (DEC 16) REF: 537/PLK/106 REV P1
BLOCK K NORTH ELEVATION (DEC 16) REF: 537/PLK/200 REV P1
BLOCK K SECTIONAL ELEVATION A-A (DEC 16) REF: 537/PLK/201 REV P1
BLOCK K SOUTH ELEVATION (DEC 16) REF: 537/PLK/202 REV P1
BLOCK K SECTIONAL ELEVATION B-B (DEC 16) REF: 537/PLK/203 REV P1
BLOCK K SECTIONAL ELEVATION C-C (DEC 16) REF: 537/PLK/204 REV P1
BLOCK K EAST ELEVATION (DEC 16) REF: 537/PLK/205 REV P1
BLOCK K SECTIONAL ELEVATION D-D (DEC 16) REF: 537/PLK/206 REV P1
BLOCK K SECTIONAL ELEVATION E-E (DEC 16) REF: 537/PLK/207 REV P1
BLOCK K WEST ELEVATION (DEC 16) REF: 537/PLK/208 REV P1
BLOCK K SECTIONAL ELEVATION F-F (DEC 16) REF: 537/PLK/209 REV P1
BLOCK K SECTIONAL ELEVATION G-G (DEC 16) REF: 537/PLK/210 REV P1

BLOCK L & N (APPROVED UNDER NON-MATERIAL AMENDMENT APPLICATION 16/2646/NMA)

BLOCK LN GA PLAN – SITE PLAN BLOCKS L & N COMBINED GROUND FLOOR REV B (MARCH 2016) REF: 537/F001

BLOCK L GA PLAN – GROUND FLOOR REV B (MARCH 2016) REF: 537/F100
BLOCK L GA PLAN – FIRST FLOOR REV B (MARCH 2016) REF: 537/F101
BLOCK L GA PLAN – SECOND FLOOR REV B (MARCH 2016) REF: 537/F102
BLOCK L GA PLAN – THIRD FLOOR REV B (MARCH 2016) REF: 537/F103
BLOCK L GA PLAN – FOURTH FLOOR REV B (MARCH 2016) REF: 537/F104
BLOCK L GA PLAN – ROOF REV A (MARCH 2016) REF: 537/F105
BLOCK L GA ELEVATION – SOUTH REV B (APRIL 2016) REF: 537/F201
BLOCK L GA ELEVATION – NORTH REV B (APRIL 2016) REF: 537/F202
BLOCK L GA ELEVATION – EAST REV B (APRIL 2016) REF: 537/F203
BLOCK L GA ELEVATION – WEST REV B (APRIL 2016) REF: 537/F204
BLOCK LN GA SECTION – AA REV B (APRIL 2016) REF: 537/F301
BLOCK LN GA SECTION – BB REV B (APRIL 2016) REF: 537/F302
BLOCK N GA PLAN – GROUND FLOOR REV B (MARCH 2016) REF: 537/F106
BLOCK N GA PLAN – FIRST FLOOR REV B (MARCH 2016) REF: 537/F107
BLOCK N GA PLAN – SECOND FLOOR REV B (MARCH 2016) REF: 537/F108
BLOCK N GA PLAN – THIRD FLOOR REV B (MARCH 2016) REF: 537/F109
BLOCK N GA PLAN – FOURTH FLOOR REV B (MARCH 2016) REF: 537/F110
BLOCK N GA PLAN – ROOF REV A (MARCH 2016) REF: 537/F111
BLOCK N GA ELEVATION – SOUTH REV B (APRIL 2016) REF: 537/F205
BLOCK N GA ELEVATION – NORTH REV B (APRIL 2016) REF: 537/F206
BLOCK N GA ELEVATION – EAST REV B (APRIL 2016) REF: 537/F207
BLOCK N GA ELEVATION – WEST REV B (APRIL 2016) REF: 537/F208

BLOCK M

BLOCK M GROUND FLOOR PLAN (DEC 16) REF: 537/PLM/100 REV P1
BLOCK M FIRST FLOOR PLAN (DEC 16) REF: 537/PLM/101 REV P1
BLOCK M SECOND FLOOR PLAN (DEC 16) REF: 537/PLM/102 REV P1
BLOCK M THIRD FLOOR PLAN (DEC 16) REF: 537/PLM/103 REV P1
BLOCK M FOURTH FLOOR PLAN (DEC 16) REF: 537/PLM/104 REV P1
BLOCK M FIFTH FLOOR PLAN (DEC 16) REF: 537/PLM/105 REV P1
BLOCK M SIXTH FLOOR PLAN (DEC 16) REF: 537/PLM/106 REV P1
BLOCK M ROOF PLAN (DEC 16) REF: 537/PLM/107 REV P1
BLOCK M NORTH ELEVATION (DEC 16) REF: 537/PLM/201 REV P1
BLOCK M SOUTH ELEVATION (DEC 16) REF: 537/PLM/202 REV P1
BLOCK M EAST ELEVATION (DEC 16) REF: 537/PLM/203 REV P1
BLOCK M WEST ELEVATION (DEC 16) REF: 537/PLM/204 REV P1
BLOCK M SECTIONAL ELEVATION AA (DEC 16) REF: 537/PLM/205 REV P1
BLOCK M SECTIONAL ELEVATION BB (DEC 16) REF: 537/PLM/206 REV P1
BLOCK M SECTIONAL ELEVATION CC (DEC 16) REF: 537/PLM/207 REV P1
BLOCK M SECTIONAL ELEVATION DD (DEC 16) REF: 537/PLM/208 REV P1

BLOCK P

BLOCK P GA PLAN – GROUND FLOOR (JULY 2016) REF: 537/FP101 REV G

BLOCK P GA PLAN – FIRST FLOOR (JULY 2016) REF: 537/FP102 REV F

BLOCK P GA PLAN – SECOND FLOOR (JULY 2016) REF: 537/FP103 REV F

BLOCK P GA PLAN – THIRD FLOOR (JULY 2016) REF: 537/FP104 REV F

BLOCK P GA PLAN – FOURTH FLOOR (JULY 2016) REF: 537/FP105 REV F

BLOCK P GA PLAN – FIFTH FLOOR (JULY 2016) REF: 537/FP106 REV F

BLOCK P GA PLAN – SIXTH FLOOR (JULY 2016) REF: 537/FP107 REV F

BLOCK P GA PLAN – SEVENTH FLOOR (JULY 2016) REF: 537/FP108 REV F

BLOCK P GA PLAN – EIGHTH FLOOR (JULY 2016) REF: 537/FP109 REV F

BLOCK P GA PLAN – ROOF (JULY 2016) REF: 537/FP110 REV F

BLOCK P GA ELEVATION – EAST (JULY 2016) REF: 537/FP200 REV E

BLOCK P GA ELEVATION – SOUTH (JULY 2016) REF: 537/FP201 REV E

BLOCK P GA ELEVATION – WEST (JULY 2016) REF: 537/FP202 REV C

BLOCK P GA ELEVATION – NORTH (JULY 2016) REF: 537/FP203 REV E

BLOCK P GA ELEVATION – EAST COURTYARD (JULY 2016) REF: 537/FP204 REV C

BLOCK P GA ELEVATION – SOUTH COURTYARD (JULY 2016) REF: 537/FP205 REV B

BLOCK P GA ELEVATION – WEST COURTYARD (JULY 2016) REF: 537/FP206 REV C

BLOCK P GA ELEVATION – NORTH COURTYARD (JULY 2016) REF: 537/FP207 REV C

BLOCK Q

BLOCK Q GA PLAN – GROUND FLOOR (JULY 2016) REF: 537/FQ101 REV D

BLOCK Q GA PLAN – FIRST FLOOR (JULY 2016) REF: 537/FQ102 REV D

BLOCK Q GA PLAN – SECOND FLOOR (JULY 2016) REF: 537/FQ103 REV C

BLOCK Q GA PLAN – THIRD FLOOR (JULY 2016) REF: 537/FQ104 REV C

BLOCK Q GA PLAN – FOURTH FLOOR (JULY 2016) REF: 537/FQ105 REV C

BLOCK Q GA PLAN – FIFTH FLOOR (JULY 2016) REF: 537/FQ106 REV C

BLOCK Q GA PLAN – SIXTH FLOOR (JULY 2016) REF: 537/FQ107 REV C

BLOCK Q GA PLAN – SEVENTH FLOOR (JULY 2016) REF: 537/FQ108 REV C

BLOCK Q GA PLAN – EIGHTH FLOOR (JULY 2016) REF: 537/FQ109 REV C

BLOCK Q GA PLAN – ROOF (JULY 2016) REF: 537/FQ110 REV C

BLOCK Q GA ELEVATION – EAST (JULY 2016) REF: 537/FQ200 REV D

BLOCK Q GA ELEVATION – SOUTH (JULY 2016) REF: 537/FQ201 REV C

BLOCK Q GA ELEVATION – WEST (JULY 2016) REF: 537/FQ202 REV C

BLOCK Q GA ELEVATION – NORTH (JULY 2016) REF: 537/FQ203 REV D

BLOCK Q GA ELEVATION – EAST COURTYARD (JULY 2016) REF:
537/FQ204 REV C
BLOCK Q GA ELEVATION – SOUTH COURTYARD (JULY 2016) REF:
537/FQ205 REV C
BLOCK Q GA ELEVATION – WEST COURTYARD (JULY 2016) REF:
537/FQ206 REV B
BLOCK Q GA ELEVATION – NORTH COURTYARD (JULY 2016) REF:
537/FQ207 REV B

BLOCK R & S (APPROVED UNDER NON-MATERIAL AMENDMENT
APPLICATION 16/1668/NMA)

PLOT RS: COMBINED LEVEL 0 PLAN 15017-RS-00-100
PLOT R: PROPOSED LEVEL 0 PLAN 15017-R-03-100
PLOT R: PROPOSED LEVEL 1 PLAN 15017-R-03-101
PLOT R: PROPOSED LEVEL 2 PLAN 15017-R-03-102
PLOT R: PROPOSED LEVEL 3 PLAN 15017-R-03-103
PLOT R: PROPOSED LEVEL 4 PLAN 15017-R-03-104
PLOT R: PROPOSED LEVEL 5 PLAN 15017-R-03-105
PLOT R: PROPOSED LEVEL 6 PLAN 15017-R-03-106
PLOT R: PROPOSED ROOF PLAN 15017-R-03-107
PLOT S: PROPOSED LEVEL 0 PLAN 15017-S-03-100
PLOT S: PROPOSED LEVEL 1 PLAN 15017-S-03-101
PLOT S: PROPOSED LEVEL 2 PLAN 15017-S-03-102
PLOT S: PROPOSED LEVEL 3 PLAN 15017-S-03-103
PLOT S: PROPOSED LEVEL 4 PLAN 15017-S-03-104
PLOT S: PROPOSED LEVEL 5 PLAN 15017-S-03-105
PLOT S: PROPOSED LEVEL 6 PLAN 15017-S-03-106
PLOT S: PROPOSED ROOF PLAN 15017-S-03-107
PLOT R: PROPOSED SECTION AA 15017-R-04-100
PLOT R: PROPOSED SECTION BB 15017-R-04-101
PLOT R: PROPOSED SECTION CC 15017-R-04-102
PLOT R: PROPOSED SECTION DD 15017-R-04-103
PLOT S: PROPOSED SECTION AA 15017-S-04-100
PLOT S: PROPOSED SECTION BB 15017-S-04-101
PLOT R: PROPOSED ELEVATIONS SOUTH 15017-R-05-100
PLOT R: PROPOSED ELEVATIONS NORTH 15017-R-05-101
PLOT R: PROPOSED ELEVATIONS EAST 15017-R-05-102
PLOT R: PROPOSED ELEVATIONS WEST 15017-R-05-103
PLOT S: PROPOSED ELEVATIONS SOUTH 15017-S-05-100
PLOT S: PROPOSED ELEVATIONS NORTH 15017-S-05-101
PLOT S: PROPOSED ELEVATIONS EAST 15017-S-05-102
PLOT S: PROPOSED ELEVATIONS WEST 15017-S-05-103
PLOT R&S REFUSE AND RECYCLING STRATEGY 15017-PL (23)-005
PLOT R&S BICYCLE PARKING 5017-PL (57)-004

BLOCK T & U (APPROVED UNDER NON-MATERIAL AMENDMENT
APPLICATION 16/1683/NMA)

Block T

3520-PL (03)200 1:100 A0 GA – GROUND FLOOR PLAN
 3520-PL (03)201 1:100 A0 GA – 1ST FLOOR PLAN
 3520-PL (03)202 1:100 A0 GA – 2ND FLOOR PLAN
 3520-PL (03)203 1:100 A0 GA – 3RD FLOOR PLAN
 3520-PL (03)204 1:100 A0 GA – 4TH FLOOR PLAN
 3520-PL (03)205 1:100 A0 GA – 5TH FLOOR PLAN
 3520-PL (03)206 1:100 A0 GA – 6TH FLOOR PLAN
 3520-PL (03)207 1:100 A0 GA – 7TH FLOOR PLAN
 3520-PL (03)208 1:100 A0 GA – 8TH FLOOR PLAN
 3520-PL (03)209 1:100 A0 GA – 9TH FLOOR PLAN
 3520-PL (03)210 1:100 A0 GA – 10TH FLOOR PLAN
 3520-(PL) 200 1:100 A1 BLOCK T SOUTH ELEVATION
 3520-(PL) 201 1:100 A1 BLOCK T EAST ELEVATION
 3520-(PL) 202 1:100 A1 BLOCK T NORTH ELEVATION
 3520-(PL) 203 1:100 A1 BLOCK T WEST ELEVATION
 3520-(PL) 204 1:100 A1 BLOCK T NORTH COURTYARD ELEVATION
 3520-(PL) 205 1:100 A1 BLOCK T SOUTH COURTYARD ELEVATION

Block U

3520-PL (03)100 1:100 A0 GA – GROUND FLOOR PLAN
 3520-PL (03)101 1:100 A0 GA – 1ST FLOOR PLAN
 3520-PL (03)102 1:100 A0 GA – 2ND FLOOR PLAN
 3520-PL (03)103 1:100 A0 GA – 3RD FLOOR PLAN
 3520-PL (03)104 1:100 A0 GA – 4TH FLOOR PLAN
 3520-PL (03)105 1:100 A0 GA – 5TH FLOOR PLAN
 3520-PL (03)106 1:100 A0 GA – 6TH FLOOR PLAN
 3520-PL (03)107 1:100 A0 GA – 7TH FLOOR PLAN
 3520-PL (03)108 1:100 A0 GA – 8TH FLOOR PLAN
 3520-PL (03)109 1:100 A0 GA – 9TH FLOOR PLAN
 3520-PL (03)110 1:100 A0 GA – 10TH FLOOR PLAN
 3520-PL (03)111 1:100 A0 GA – 11TH FLOOR PLAN
 3520-PL (03)112 1:100 A0 GA – 12TH FLOOR PLAN
 3520-PL (03)113 1:100 A0 GA – 13TH FLOOR PLAN
 3520-PL (03)114 1:100 A0 GA – 14TH FLOOR PLAN
 3520-(PL) 100 1:100 A0 BLOCK U WEST ELEVATION
 3520-(PL) 101 1:100 A0 BLOCK U SOUTH ELEVATION
 3520-(PL) 102 1:100 A0 BLOCK U EAST ELEVATION
 3520-(PL) 103 1:100 A0 BLOCK U TOWER NORTH ELEVATION
 3520-(PL) 104 1:100 A0 BLOCK U NORTH ELEVATION
 3520-(PL) 105 1:100 A0 BLOCK U SOUTH COURTYARD ELEVATION
 3520-(PL) 106 1:100 A0 BLOCK U WEST COURTYARD ELEVATION
 3520-(PL) 107 1:100 A0 BLOCK U NORTH COURTYARD ELEVATION
 3520-(PL) 108 1:100 A0 BLOCK U EAST COURTYARD ELEVATION

S73 16/7836/S73: Supporting Documents (for information only):

- DESIGN & ACCESS STATEMENT ADDENDUM (PAGES 166-191) – BLOCKS J & K (DECEMBER 2016)
- DESIGN & ACCESS STATEMENT ADDENDUM (PAGES 206-229) – BLOCK M (DECEMBER 2016)
- COMPARISON DOCUMENT – BLOCK H (DECEMBER 2016)

- SCHEDULE OF ACCOMMODATION BLOCK H (DATED 06.02.2017)
- SCHEDULE OF ACCOMMODATION BLOCK J REV E (DATED 07.12.2016)
- SCHEDULE OF ACCOMMODATION BLOCK K REV D (DATED 07.12.2016)
- SCHEDULE OF ACCOMMODATION BLOCK M REV F
- ADDENDUM REPORT FOR THE REVISED LIGHT WITHIN ASSESSMENT – DESIGN AND ACCESS STATEMENT VOLUME III: MINOR MATERIAL AMENDMENTS TO BLOCKS H, J, K AND M (JANUARY 2017)
- TRANSPORT STATEMENT: MINOR MATERIAL AMENDMENTS TO BLOCKS H, J, K AND M (DATED DECEMBER 2016)
- PLANNING STATEMENT: AMENDMENTS TO BLOCKS H, J, K AND M (DECEMBER 2016)

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

2. The development hereby permitted shall begin no later than 3 years from the date of this permission and, in the case of Development Phases, no later than 2 years from:
 - i. the final approval of the last Reserved Matters Application pursuant to Condition 3, or
 - ii. The final approval of any pre-commencement condition associated with that Development Phase.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

3. Applications for the approval of the reserved matters (being scale, layout, appearance, landscaping and siting) for Stages 2, 3 and the school plot shall be made to the Local Planning Authority before the expiration of seven years from the date of this permission.

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

4. With the exception of Ground Works and Site Preparation Works, no development shall commence until a Phasing Plan identifying the Development Phases and associated infrastructure works (including highways works) has been submitted to and approved by the Local Planning Authority. This shall be in general accordance with the Construction Management Plan and Delivery Strategy (ref. PC30) unless otherwise agreed in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in appropriate phases and to allow the phasing plan to be amended to reflect changes to the phasing of the development that were not foreseen at the date when the phasing plan was approved.

5. Prior to Ground Works and Site Preparation Works, no development shall commence within a Development Phase until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the ES (ref. PC14) and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice
- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures

Demolition and waste management

- xix. Demolition Audit
- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management (including access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction)

of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution)

Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation to 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.

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

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

7. In accordance with the ES, and unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside the following times:

08:00 – 18:00 hours weekdays

08:00 – 13:00 hours Saturdays

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

8. Vegetation clearance should take place outside the bird breeding season (October to February). In accordance with the ES, any clearance of vegetation with the potential to support nesting birds during this period may only occur following a check by a qualified ecologist. If any active nests are found, works must cease, the area left in situ and an appropriate buffer zone established until such time as a qualified ecologist confirms that the nest is no longer in active use.

The clearance of vegetation within the gardens of properties that adjoin Rowan Drive must be undertaken according to a precautionary working method, with progressive clearance undertaken under the supervision of a qualified ecologist during the period that reptiles are active (April to September).

Reason: To avoid the potential for an offence under the Wildlife and Countryside Act 1981, as amended.

9. No works within 7m of a watercourse shall commence without first obtaining Watercourse Consent from the council in pursuance to the Flood and Water Management Act 2010.

Reason: To protect the waterway in accordance with LB Barnet Policies CS13 and DM04.

10. No development shall commence within a Development Phase (with the exception of Ground Works and Site Preparation Works) until a scheme of Advanced Infrastructure Works associated with that Development Phase is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Underground drainage details
- ii. Below ground energy infrastructure
- iii. Below ground services and utilities
- iv. Groundworks, earthworks, contouring and levels
- v. A statement of compliance with the site wide strategies (including the DAS Volume I and Addendum sections 6.19, 7.1 – 7.16, 8.1 – 8.3 and approved Primary Control Documents)

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure appropriate arrangements are made for servicing, utilities and infrastructure and to avoid potential conflicts between impacts upon the development as proposed and its servicing, utilities and infrastructure, in the interests of a sustainable development in accordance with the NPPF.

11.No Surface Infrastructure Works shall commence within the relevant Development Phase until a scheme of Landscaping Works for that Development Phase is submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the scheme shall include:

- i. Design and location of electricity sub stations, including surface treatment and means of enclosure
- ii. Vehicle parking and surfacing treatment (including petrol/oil interceptors)
- iii. Surface drainage details
- iv. Surface materials and finishes
- v. Cycle parking locations and details
- vi. Highways details (e.g. crossings and kerb heights)
- vii. Access and wayfinding strategy
- viii. Materials, types and siting of all fencing, boundary treatments, gates or other enclosures (including temporary arrangements to be in place until the site is completed in full)
- ix. Street furniture, lighting and signage
- x. Children's play spaces and play provision
- xi. Details of all proposed trees, hedge, shrub and other planting and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizing, density and arrangement
- xii. Ecological enhancements (in accordance with ES)
- xiii. The position of any existing trees and hedges to be retained or removed and the crown spread of each retained tree
- xiv. details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site
- xv. the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012
- xvi. means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use, referencing details approved under conditions 9 and 14 as relevant
- xvii. Details and specifications of all play, sport and recreational features to be included within the landscaped areas
- xviii. Details of all proposed hard landscape works, including proposed materials, samples and details of special techniques to minimise damage to retained trees and details of techniques to be used to provide conditions appropriate for new plantings
- xix. timing of planting

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Prior to completion of the development within the relevant Development Phase the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2015.

12. Discharge from the site shall be limited to a rate of 9.31/s/ha in accordance with the Flood Risk Assessment (PC25) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

13. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall be occupied until a Landscape Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and maintained in accordance thereafter.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2015.

14. If within a period of five years from the date of planting any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place in the next available planting season (unless otherwise agreed in writing with the Local Planning Authority).

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

15. A Site Wide Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment (ref. PC16), Transport Statement Addendum and section 8.1 of the DAS Addendum Volume I (ref. PC16).

The development shall be carried out in accordance with the approved Site Wide Car Parking Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (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.

16. The level of parking for all land uses shall be as set out in the Transport Assessment and for residential parking shall be forecast using car ownership demand according to the mix of dwellings using the methodology set out in the Transport Assessment and Addendum. Using this methodology the current indicative mix would result in an estimated average of 0.71 spaces per dwelling across the site and the following Development Stage averages (or as otherwise agreed with the Local Planning Authority), and some 2056 spaces:
- i. Development Stage 1 – 0.72 (644 spaces)
 - ii. Development Stage 2 – 0.68 (794 spaces)
 - iii. Development Stage 3 – 0.72 (618 spaces)

Temporary car parking shall be provided during the build-out of Development Stages to ensure that the forecast ratio for the Development Stage is provided close to the development areas. Plans of the temporary car parking layouts will be submitted for written approval by the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (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.

17. Private parking provision for residential units shall be used for the purpose of residential parking and servicing only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015).

18. Prior to first occupation of the relevant Development Phase a detailed Car Parking Management Plan for that Development Phase, demonstrating compliance with the Site Wide Car Parking Management Strategy (Conditions 16 and 17), shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

- i. Location and layout of car parking spaces
- ii. Allocation of car parking spaces
- iii. On-site parking controls and charges
- iv. The enforcement of unauthorised parking
- v. For Stages 2 and 3 only, monitoring of parking in the development including use of electric vehicle charging points and disabled spaces
- vi. 'Blue badge' space quantities in accordance with London Plan (2015) guidance
- vii. Community transport points and taxi drop-offs
- viii. Location of a minimum of 2 car club spaces per Stage with a minimum of 8 spaces by occupation of the first dwelling in Stage 3

- ix. Electric Charging Points: Location, specification and timing. For residential parking spaces, timing and delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces.
- x. Car parking reconciliation (evidence that the number of vehicular parking spaces proposed for each Development Zone is proportionate having regard to the Site Wide Car Parking Strategy and indicative levels in Conditions 16 and 17)

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan and the abovementioned provisions shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (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.

19. The Primary Route will be designed in accordance with Transport for London guidance BP2/05 in respect of speed table ramp gradients to accommodate the movement and turning of a London Buses double-decker bus.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety is not prejudiced in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012; and to ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015); and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

20. Residents of the proposed development will be excluded from obtaining resident and visitor parking permits from existing Colindale Controlled Parking Zones.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

21. The development shall provide a total of 10% of units across the site designed to be fully wheelchair accessible or easily adaptable for residents who are

wheelchair users unless otherwise agreed in writing by the Local Planning Authority.

Accessible parking bays shall be allocated to wheelchair accessible homes at 1:1 provision and where spaces are in undercroft areas ceiling heights shall meet the recommended height of 2.6 metres above wheelchair accessible spaces, unless otherwise agreed.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015); and to ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

22. Prior to the construction of any building, the following details for that building shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
- ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)
- iii. Details of the design and access controls for the car park gate(s)
- iv. Building lighting
- v. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- vi. Details of biodiverse roofs
- vii. Details of any building security measures including cctv

Thereafter the feature hereby approved shall be installed prior to occupation of the relevant phase and thereafter maintained in secure and good working order for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

23. Notwithstanding the details submitted with the application, prior to the construction of any building within the relevant Development Phase, the following details for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority:

- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. satisfactory points of collection; and
- iii. details of the refuse and recycling collection arrangements

The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

24. Prior to the construction of any building details of all extraction and ventilation equipment to be installed for that building shall be submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by a report carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and proposes mitigation measures for the development if necessary to reduce these noise impacts to acceptable level (as defined in the relevant British Standard). The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

25. The level of noise emitted from any plant including ventilation equipment hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

26. Prior to commencement on site a scoping assessment report identifying the need for overheating analysis in respect to that building (and the assumptions to be used in the analysis) shall be submitted to and agreed in writing by the local planning authority. Where the scoping report (based on SAP design

stage outputs) identifies a risk of overheating above 'slight', an overheating analysis shall be conducted and any resultant necessary additional passive measures identified. The analysis shall be undertaken using dynamic simulation software to show compliance with CIBSE overheating criteria (using CIBSE TM52 with weather files from TM49). A report providing the results of the analysis and any required mitigation proposals shall be submitted to the local planning authority for approval prior to construction of the building.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.2 and 5.6.

27. Part A:

Energy provision for the development shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed in writing.

Part B:

Prior to first occupation of Development Stage 1, details of the energy supply network shall be submitted to and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed and shall include:

- i. Details of connections available for each building
- ii. Proposals for the staged installation of plant within the energy centre and any temporary energy provision required
- iii. Details of safeguarded connections to an area wide heat network if found to be feasible following further engagement with the local planning authority and GLA.
- iv. Details of any potential future connections available to nearby buildings
- v. A statement of compliance with the site wide Energy Statement and Addendum (PC24)

Part C:

As part of Reserved Matters applications, details of the energy supply for each building in Development Stages 2 and 3 shall be submitted and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed and shall include:

- i. Details of the energy supply for each building connections, including a statement of compliance with the Energy Statement and Addendum (PC24)
- ii. Details of any temporary energy provision required
- iii. Details of the safeguarded provision for connections to an area wide heat network if feasible (as per Part A)
- iv. A statement of compliance with the site wide Energy Statement and Addendum (PC24)

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.2 and 5.6

28. CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the construction of Block H, evidence to demonstrate compliance with these emission limits will be required.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan 2015 in relation to air quality.

29. Prior to construction of any building, a rainwater and greywater feasibility study, investigating the potential for incorporating rainwater or greywater recycling into building across the site, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.13, 5.14 and 5.15.

30. Subject to limited exceptions (to be agreed in writing with the Local Planning Authority), roofs shall be used as amenity space or be biodiverse roofs.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015); and in the interests of protecting and enhancing biodiversity in accordance with policies CS7 and DM16.

31. The development shall achieve a water efficiency target of 105l/d in accordance with the Sustainability Statement (PC23) unless otherwise agreed in writing by the Local Planning Authority

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan 2015.

32. All commercial units shall achieve a minimum of BREEAM Excellent. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan 2015.

33. Prior to occupation of the relevant phase of the development hereby approved, an External Lighting Assessment of lighting proposed within that Development Phase shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to

species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

34. No building shall be occupied until a Delivery and Servicing Management Plan in respect of that building has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment and Addendum (ref. PC16). The development shall be carried out in accordance with the approved Delivery and Service Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

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

35. No building shall be occupied until an Estate Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the Outline Estate Management Strategy (ref. PC31) unless otherwise agreed.

The development shall be managed in accordance with the approved Estate Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the coordinated management and maintenance in good working order of the site not limited to an including its buildings, roads including the Peel Link, infrastructure including SUDs, parks, gardens, landscaping, street trees, public squares, energy centre and site network in the interests of sustainable development in accordance with the NPPF, London Plan 2015 and Barnet Core Strategy.

36. No residential unit shall be occupied until the access roads and highways works (on and off-site) associated with the block in which that unit is located (as defined by the approved phasing details) are made available for use.

Reason: To ensure there is adequate access available to all residential units.

37. No building shall be occupied until an Operational Waste Management Plan, setting out the measures for the management of operational waste across the site, has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the Waste Management Plan (ref. PC22) unless otherwise agreed.

The development shall be managed in accordance with the approved Operational Site Waste Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policy 5.3, and to ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with polices CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

38. No residential unit shall be occupied until the private and/or communal amenity space provision, (excluding public open space) for that unit is available in accordance with the Approved Plans.

Reason: To ensure there is adequate amenity space available for all residential units.

39. Prior to first occupation within the relevant Development Phase, unless otherwise agreed in writing as part of the phasing details approved in condition 4, the play space and sport and recreation features shall be provided in accordance with the approved details for the Development Phase to which the play space relates and thereafter maintained for the lifetime of the development.

Reason: To ensure there is adequate plays space available for all users in accordance with London Plan 2015 policy 3.6 and Barnet Development Management policy DM02.

40. The proposed flexible non-residential floorspace at ground floor hereby approved shall not be used for a nightclub, music venue, concert venue, bingo hall, or a place of worship or any equivalent uses within Classes D2 and D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), and the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

41. In respect of any future Class A3/4 occupation, no persons other than staff shall be permitted to be on the premises between the hours of 23.30 and 08.00 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

42. Prior to occupation, a scheme for the provision of communal/centralised satellite and television reception equipment shall be installed on all blocks unless otherwise agreed in writing by, the Local Planning Authority. The equipment shall thereafter be retained and made available for use by all occupiers of the development.

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

43. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

The installation of any structures or apparatus for purposes relating to telecommunications on any part the development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

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

44. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall commence until

- a) A scheme for air pollution mitigation measures in accordance with the Environmental Statement shall be submitted to and approved by the Local Planning Authority prior to the construction of the building to which the mitigation relates.
- b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

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

45. Prior to the construction of any building, details of mitigation measures in accordance with the Environmental Statement to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and

vibration shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

46. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of any acoustic walls, fencing and other acoustic barriers to be erected on the site (if identified as necessary mitigation pursuant to conditions 45 has been submitted to the Local Planning Authority and approved in writing.

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

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

47. Development shall be undertaken in accordance with the approved Drainage Strategy (PC27) unless otherwise agreed in writing by the local planning authority in consultation with the sewerage undertaker.

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

48. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent any damage to nearby underground sewerage utility infrastructure.

49. Prior to occupation, details and location on elevations of bat and bird boxes bricks for that Development Phase shall be submitted for approval in writing by the council.

Bat bricks and boxes in the fabric of new buildings and trees will be specified to meet the roosting preferences of species of bat recorded during the baseline surveys and those known to be present in the local area. These will be installed as an inherent component of new buildings to provide new and replacement roosting opportunities as soon as the first phase of development becomes operational.

Prior to completion the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: In the interests of protecting and enhancing biodiversity in accordance with Barnet Core Strategy policy CS7 and Development Management policy DM16.

50. Prior to occupation of the development a Waiver of Liability and Indemnity Agreement in relation to the non-adopted roads within the relevant phase shall be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

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

51. No site works or other works within a Development Phase shall be commenced before temporary tree protection measures to safeguard trees adjacent to the Development Phase have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed

and no material or soil shall be stored within any of the protected areas during the works associated with this development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

52. No site works or other works within a Development Phase shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the Development Phase, in accordance with British Standard BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2015.

54. Prior to construction of Blocks H and R/S, the proposed mitigation measures to achieved suitable wind conditions at testing points 43 and 110 respectively shall be submitted to and approved in writing by the council. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: In the interest of a the amenity of future occupiers and users in accordance with London Plan 2015 policies 7.7, and Barnet Development Management policy DM01, DM05.

55. No development shall take place within a Development Phase in Stages 2 and 3 (with the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works) until Reserved Matters Applications, with full details of the amount, layout, scale, appearance and landscaping of development within that Development Phase, are submitted and approved by the Local Planning Authority.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

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

56. Notwithstanding any additional requirements identified by the LPA, any other authority and the National List and Local List, Reserved Matters Applications shall be accompanied by the documents listed below unless the LPA considers and confirms in writing that the submission of any of such documents is not necessary.

Land uses

- i. A statement setting out the proposed land uses and mix of uses including Class C3 dwelling sizes and tenures
- ii. An explanatory statement demonstrating how the quantum of land uses proposed for the Development Phase are consistent with the parameters set out in the Primary Control Documents

Layout

- iii. Siting, design and external appearance of new building[s] and structures including elevations, sections
- iv. Detailed internal layouts including floorplans, sections and supporting details demonstrating compliance with relevant standards and guidance including standards for wheelchair accessible and adaptable units
- v. Private and communal amenity space
- vi. Means of access to new buildings
- vii. Details of the incorporation of accessible showers and toilets for the ground floor non-residential units
- viii. A phasing and reconciliation statement demonstrating how development of the phase is in accordance with the ES, Phasing and Delivery Strategy and how it relates to existing and future Development Phases
- ix. A reconciliation plan showing how the proposed detailed layout of roads, pedestrian and cycle routes and detailed layout of open spaces and public realm within that Development Phase are consistent with the Primary Control Documents
- x. Details of any temporary layout associated with boundary treatments and land and building conditions between Development Phases
- xi. A BRE assessment of daylight and sunlight for residential properties and an overshadowing assessment of private and communal amenity spaces, with the exception of private balconies
- xii. Details of compliance with Lifetime Homes Standards and details of the provision of 10% wheelchair housing

Scale

- xiii. Finished heights above original and finished ground levels of new buildings and structures
- xiv. Internal finished floor levels of new buildings and structures

- xv. A written statement and plans which explain how the details respond to and conform with the Primary Control Documents in terms of scale

Materials

- xvi. A materials strategy for that Development Phase
- xvii. Full details (including samples, where appropriate) of the materials to be used on all external surfaces
- xviii. Door, entrances and windows (including glazing specifications)
- xix. Basement ramps (details of the layout, gradient and design of any access ramp to the basement car parking areas and vertical clearances along the ramps and within the parking areas)
- xx. Building lighting
- xxi. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- xxii. A statement shall be submitted to and approved by the LPA, which demonstrates compliance with the Primary Control Documents in relation to the selection of new construction materials

Landscaping

- xxiii. Roads, vehicle and cycle parking, cycle and pedestrian routes
- xxiv. Open spaces, sports facilities and play space details, including hard and soft landscaping, surface treatments, street furniture, signage, lighting and play provision
- xxv. Boundary treatments and means of enclosure
- xxvi. Existing and finished ground levels of outdoor areas

A written statement and plans which explain how the details respond to and conform with the Primary Control Documents in terms of layout and access.

Other

- xxvii. A scheme of environmental mitigation measures to be incorporated into the scheme at construction stage and operational stage in accordance with the ES Mitigation Register hereby approved

Reason: For the avoidance of doubt and to ensure the development accords with the outline permission.

- 57. Cycle parking shall be provided in accordance with the minimum standards in the London Plan (2015) unless otherwise agreed in writing with the Local Planning Authority. Motorcycle parking shall be provided in accordance with the Transport Assessment and Addendum (PC16).

Prior to the construction of any building in Stages 2 and 3, plans identifying cycle and motorcycle parking locations shall be submitted and approved in writing by the Local Planning Authority for that building to demonstrate the provision of secure, convenient and accessible locations.

Cycle and motorcycle parking so designated by detailed approval shall be used for the purpose only and retained thereafter in accordance with the approved details.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

58. With the exception of the foodstore, the retail units hereby approved shall not exceed a floorspace of more than 300sqm (unless otherwise agreed in writing). Limited instances of units of up to 500sqm will be permitted subject to agreement in writing by the Local Planning Authority.

Reason: In support of smaller business and an enhanced neighbourhood centre in accordance with London Plan 2015 policies 2.7, 4.8 and 4.9.

59. The provision 70 school parking spaces, designated for pick up and drop off, shall be reduced if the School Travel Plan targets are not met. In addition, storage for 30 scooters at the primary school shall be provided.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

60. No works shall commence in Development Stage 2 unless and until all the title to the land within the application site has been transferred to the Applicant, or until all parties with any legal interest in the land have been joined as parties to the Section 106 Agreement on the basis of which this planning permission is granted.

Reason: At the time of this permission being issued the Applicant is not able to bind all relevant interests in the site to the terms of the planning obligations in the Section 106 Agreement.

INFORMATIVE(S):

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

2 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

3 Definitions adopted for the purposes of the planning conditions as follows:-
'Approved Plans'

The plans in the schedule Appended to the Decision Notice and any plans

subsequently approved under Reserved Matters Approvals.

'Primary Control Documents'

The detailed components of the Proposed Development are set out in the Development Schedule (PC5) and detailed drawings (PC8). The outline components are set out in three Primary Control Documents (PC5 Development Schedule, PC6 Parameter Plans, and PC7 Design Principles Document), which are submitted for approval.

'Development Phase'

A development component or components (which may include Ground Works and Site Preparation Works, Advanced Infrastructure Works, Surface Infrastructure Works, and construction of buildings) as identified in the Phasing Plan (to be approved). The Phasing Plan shall be in accordance with the Indicative Phasing set out in the Construction Management Plan and Delivery Strategy (PC30) unless otherwise agreed with the LPA.

'Ground Works and Site Preparation Works'

Include the following works:

Demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.

Removal of existing and surplus rubble from the site.

Removal of services on the site including service trenches.

Carrying out CAT scans on the site to confirm all existing services are clear.

The erection or re-establishment of a hoarding line for the construction site.

Providing piling matting.

Providing clear health and safety information on the site.

Piling works.

Substructure and underground drainage works.

'Advanced Infrastructure Works'

Infrastructure required to serve the site as a whole, including:

Installation of services and utilities.

Installation of energy infrastructure.

Construction of basement car parking and ground floor slab.

Ground levelling works.

'Surface Infrastructure Works'

Aboveground infrastructure required to serve the site as a whole, including:

Highways works.

Surface landscaping works to implement public routes/realm.

Surface landscaping works to implement public spaces.

'Construction'

Superstructure works above the ground floor slab.

'Development Zone'

Zones identified in the Parameter Plans in Development Stages 2 and 3 (outline components) within which new buildings may arrive.

'Development Stage'

Refers to the broad sequence of development and defines the components that are submitted for approval in full detail or in outline as part of the Hybrid Planning Application. Development Stage 1 refers to the components of the Proposed Development that are submitted for approval in full detail (Development Stage 1) as part of the Hybrid Planning Application. Development Stages 2 and 3 refers to the components of the Proposed Development that are submitted for approval in outline as part of the Hybrid Planning Application.

4 Please be aware that additional conditions may be imposed as part of reserved matters approval in the event that issues are encountered which are covered by conditions in this decision notice.

5 Should the landowner, Transport for London or Barnet Council identify a demand and funding for a bus service or bus services to enter the site to serve its occupants there shall be adequate notice of no less than four (months) to enable the parties to notify residents of the new service and bus stop locations.

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

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

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

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

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

8 Please supply the following information: 1. The proposed hours of use of the equipment. 2. The sound pressure levels of the ventilation/ extraction system to be installed in decibels dB(A) at a specified distance from the equipment. 3. Details of where the equipment will be placed i.e. within or outside of the building, marked on

to a scale map. 4. Details of silencers to be fitted, and other sound insulation measures to reduce any noise impacts on neighbours including their noise reduction in dB(A). 5. Distance away from noise sensitive premises and the nature of these premises e.g.: offices, housing flats or storage.

The following should be noted: Given the visual and amenity impacts associated with flues and ductwork, it is strongly recommended that ducting is contained in voids through the building and terminating outside above roof height. Flues should be sited to minimise effects of vibration transmission and noise to internal spaces and any adjacent façade. Flues must incorporate anti-vibration mounts, flexible couplings and silencers. The height of the flue (must be minimum 1.5m above the highest eaves of the building and adjacent buildings) and a reasonable distance approximately 20 metres from any open able residential windows unless there is suitable level of filtration and odour abatement equipment. The final discharge must be vertically upwards. There should be no Chinese hat or cowl on the top of the flue.

9 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

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

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

above list.

10 Prior to commencement of Stage 3 with particular reference to the construction of blocks Y and Z, Network Rail recommends that the applicant contact its Asset Protection Team at AssetProtectionLNE@networkrail.co.uk to discuss the proposed development and its interaction with the operational railway.

11 The following advice is provided by network rail regarding works which may affect their land and operation track:

Construction

Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Any cranes or other mechanical plant equipment involved during construction should be positioned so that their loads or jibs do not over-sail Network Rail's land.

Scaffolding

(Suggested condition) - Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

(Suggested condition) - Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Earthworks and Excavations

(Suggested condition) - Prior to commencement of works, full details of excavations and earthworks to be carried out within 10 metres of the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with approved details.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures

Drainage

Storm/surface water and effluent must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the

Developer to prevent surface water flows or run-off onto Network Rail's property. Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Roads and Parking

The Department of Transport recommends the provision of a safety barrier adjacent to the railway, alongside all roads, turning circles and parking areas where the railway is situated at or below the level of the development. The safety barrier should be designed to cater for specific loadings dependent on the road traffic anticipated and in a position to stop vehicles driving into or rolling onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged.

Landscaping

Any hedge planted adjacent to Network Road boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. A comprehensive list of permitted and no permitted species is available upon request.

12 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

13 The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage

utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

14 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

15 With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

16 Your attention is drawn to the need to provide facilities for the disabled, as set out in Building Regulation Part M Access & Facilities for Disabled Persons. A copy of Part M is available via the Planning Portal at <http://www.planningportal.gov.uk/buildingregulations/>.

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £9.45M payment under Mayoral CIL. The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £28.5M payment under Barnet CIL.

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy,

please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

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

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

Relief or Exemption from CIL:

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

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

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

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

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

Please visit

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

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

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

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

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

19 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

20 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Building 4 North London Business Park, Oakleigh Road South, London N11 1NP, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.

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

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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

22 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes

you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.

23 Prior to the commencement of each phase within the Outline element of the permission as shown on plan entitled 'Existing Site Plan - Application Boundary' drawing no. 2346_A_101 dated 25.01.2013, details of any highways within the relevant phase which require to be stopped up to facilitate the development shall be submitted to and agreed in writing with the Local Planning Authority.
Reason: To ensure that adequate public access is provided throughout the development.

24. RECONCILIATION OF CONDITIONS/NON-MATERIAL AMENDMENTS

Conditions

16/0122/CON

Submission of details of Conditions 51 (Tree protection measures); 52 (Arboricultural method statement) and 53 (Trees and service plan – Drainage Infrastructure Only) pursuant to planning permission H/04753/14 dated 23/12/15 in relation to Phase 1a only.

Approved on 19th February 2016

16/0121/CON

Submission of Condition 5 (Construction Environmental Management Plan) pursuant to planning permission H/04753/14 dated 23/12/15 (Site-Wide).

Approved on 1st March 2016

16/1949/CON

Submission of details of Conditions 22 (Details of Materials), 26 (Overheating Analysis) and 29 (Greywater/Rainwater Recycling) pursuant to planning permission H/04753/14 (23/12/2015) (Phase 1A).

Condition 22, parts (i-iii) and Condition 26 approved on 12th May 2016

16/1758/CON

Submission of details of Condition 4 (Phasing), pursuant to planning permission H/04753/14 dated 23/12/15 (Site-Wide).

Approved on 12th May 2016

16/1826/CON

Submission of details for Condition 10 (Advanced Infrastructure Works) pursuant to planning permission H/04753/14 dated 23/12/15 (Phase 1A).

Approved on 21st July 2016

16/1948/CON

Submission of details for Condition 11 (Landscaping) pursuant to planning permission H/04753/14 dated 23.12.15 (Phase 1A).

Approved on 21st July 2016

16/4177/CON

Submission of details of Condition 23 (Refuse and Recycling), in relation to Blocks L, N, R, S, T and U only, pursuant to planning permission H/04753/14 dated 23/12/15.

Approved on 10th August 2016

16/5749/CON

Submission of Condition 15 (Site Wide Car Parking Management Strategy) pursuant to planning permission H/04753/14 dated 23/12/15 (Site-Wide).

Approved on 13th October 2016

16/5507/CON

Submission of details of Condition 11 (landscape) for partial discharge of Phases 1b, 1c, and 1d, and Condition 13 (landscape management plan) for Stage 1 pursuant to hybrid planning permission H/04753/14, dated 23/12/2015.

Approved on 4th November 2016

16/7257/CON

Submission of condition 22 (Materials) pursuant to planning permission H/04753/14 dated 23/12/15 for Blocks L and N only.

Approved on 23rd January 2017

17/0392/CON

Submission of details of condition 26 (Overheating Analysis) pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 6th March 2017

16/7792/CON

Submission of details of conditions 24 (Extraction and Ventilation) 45 (Mitigation Measures) 46 (Acoustics) in relation to blocks: R, S, T, U, L, N, P, & Q pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 7th March 2017

16/8045/CON

Submission of details of conditions 11 (Landscaping) 51 (Tree Protection) 52 (Method Statement) 53 (Drainage), pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 7th March 2017

16/8046/CON

Submission of details of condition 10 (Infrastructure Works) in relation to phases 1b, 1c and 1d pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 7th March 2017

16/7938/CON

Submission of details of condition 29 (Rainwater Feasibility Study) pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 9th March 2017

17/0609/CON

Submission of details of condition 22 (Materials) pursuant to planning permission 16/5050/S73 dated 05/12/16

Pending a decision

17/0837/CON

Submission of details of condition 18 Phase 1A (Car Parking Management Plan) pursuant to planning permission 16/5050/S73 dated 05/12/16

Pending a decision

Reserved Matters Applications

16/5716/RMA

Submission of Reserved Matters Application within Phase 2A (i) of the Colindale Gardens development; relating to Layout, Scale, Appearance and Landscaping for Lismore Boulevard (West). Submission is pursuant to conditions 55 and 56 of planning permission H/04753/14 dated 23 December 2015 for the residential-led mixed use development of Colindale Gardens (the former Peel Centre). The hybrid planning application was accompanied by an Environmental Statement.

Approved on 22nd December 2016

Non-Material Amendment Applications

16/1683/NMA

Non-material amendment pursuant to planning permission H/04753/14 dated 23.12.2015 for "Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is

accompanied by an Environmental Statement." Amendments include "Proposed changes to the scale, footprint, layout, amenity space, external envelope, common areas, parking and the amount and mix of units"

Approved on 6th April 2016

16/1668/NMA

Non-material amendment pursuant to planning permission H/04753/14 dated 23.12.2015 for "Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement." Amendments include "Proposed changes to the scale, footprint, layout, amenity space, external envelope, common areas, parking and the amount and mix of units"

Approved on 7th April 2016

16/2646/NMA

Non-material amendment pursuant to planning permission H/04753/14 dated 23.12.2015 for "Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement." Amendments include "Proposed changes to the scale, footprint, layout, amenity space, external envelope, common areas, parking and the amount and mix of units"

Approved on 10th June 2016

16/5466/NMA

Non-material minor amendments to planning permission reference dated for 'Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry

primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement.' Amendments include alteration to the wording of part of condition 45 (Mitigation Measures) from 'This sound insulation shall ensure that the levels of noise generated from the (specify plant / equipment) as measured within habitable rooms of the development shall be no higher than 30dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.' to 'This sound insulation shall ensure that the levels of noise generated from the (specify plant / equipment) as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.'

Approved on 19th October 2016

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises The London Plan (published March 2016) and the development plan documents in the Barnet Local Plan.

These statutory development plans are the main policy basis for the consideration of this planning application. A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that the development will fulfil them to a satisfactory level, subject to the conditions (including reserved matters) and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

National Planning Policy

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

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF also states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan 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.

Relevant Local Plan Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11th September 2012.

Supplementary Planning Documents and Guidance

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

Local Supplementary Planning Documents and Guidance:

- Sustainable Design and Construction SPD (October 2016)
- Affordable Housing SPD (February 2007)
- Residential Design Guidance SPD (October 2016)
- Planning Obligations SPD (April 2013)

In addition, the following guidance is produced by the DCLG and GLA which is relevant:

DCLG

- Written Statement to Parliament: Planning Update March 2015

GLA

Strategic Supplementary Planning Documents and Guidance:

- Housing SPG (March 2016)
- SPG on Accessible London (October 2014)
- Sustainable Design and Construction SPG (April 2014)

Colindale Area Action Plan (CAAP)

The Colindale Area Action Plan (CAAP) was adopted in March 2010. This provides a planning policy and design framework to guide and inform the development and regeneration of Colindale up to 2021 in response to the London Plan's designation as an Opportunity Area.

The CAAP contains guidance on sustainable development and identifies a number of key infrastructure improvements needed to support the delivery of growth in Colindale. It identifies four character areas, the 'Corridors of Change', which identify

specific development sites and set specific policy objectives to be achieved from redevelopment.

The application site falls within the Aerodrome Road Corridor of Change and the Colindale Avenue Corridor of Change. It also sets out general policies and standards for new developments in the area.

Changes to the Policy Framework

Since hybrid planning permission 16/5050/S73 was granted, there have been no changes to the London Plan or the Barnet Local Plan.

Public Consultation and views Expressed

Letters were sent out to 549 addresses on the 18th January 2017. The application was also advertised by site notice on the 21st December 2016 and by press notice on the 29th December 2016.

As a result of this consultation, no letters of representation have been received.

GLA Comments

No comments in relation to the current application which does not increase total numbers.

Metropolitan Police

No Objections Raised

Highways

No Objections raised.

Drainage

No Objections Raised

Scientific Services

No Objections Raised

2. Description of the Site and Proposed Development

Background

Hybrid planning permission for the phased comprehensive redevelopment of the site was granted on the 23rd December 2015 (Ref: H/04753/14), as amended by an application under Section 73 of the Town and Country Planning Act 1990 on 5th December 2016 (Ref: 16/5050/S73). It allows the comprehensive redevelopment of part of the former Peel Centre site (now known as 'Colindale Gardens') for 2,900 homes and associated development. It was granted subject to 60 conditions and a Section 106 agreement.

The development was designed as part of a masterplan and will be constructed in three development stages, each comprising a number of 'phases'.

The application was granted in hybrid form. Full planning permission was granted for part of the development comprising Development Stage 1, with outline planning permission (with all matters reserved except access) granted for Development Stages 2 and 3. The Application Site is located within Development Stage 1.

Description of the Site

The application site is identical to that which formed that basis of hybrid planning permission 16/5050/S73. It comprises an area of 20.35 hectares and is located in Colindale within the Borough. It is located approximately 14.5 kilometres (9 miles) north-west from Central London and 17 kilometres (10.5 miles) south-east of Watford.

It was formerly occupied by the Metropolitan Police Service (MPS) and used for operational and training purposes. It was acquired by Redrow Homes in 2013 which is now in the process of redeveloping the site for residential-led mixed use redevelopment pursuant to hybrid planning permission 16/5050/S73.

Blocks H, J, K and M are centrally located within the site and form part of Development Stage 1 of the development for which full planning permission has been granted. These blocks face the MPS site to the north, Blocks P and Q to the east, Blocks E, F and G to the west, and the London Underground Northern Line to the south.

Description of Development

Development Approved under Hybrid Planning Permission 16/5050/S73

The approved hybrid planning permission (Council Ref: 16/5050/S73) comprises the following:

- Up to 2,900 new dwellings with a mixture of houses, duplexes and apartments;
- A Neighbourhood Centre on Colindale Avenue comprising up to 10,000m² of shops (including a foodstore), cafes/restaurants, community, and leisure uses;
- A three form entry primary school and nursery;
- A minimum of four hectares of public open space (including a 2.3 hectare park); and
- A network of new streets, pedestrian/cycle routes (Including a new pedestrian underpass connection to Colindeep Lane), associated car parking, and site preparation/enabling/landscaping/infrastructure works.

The Full (detailed) component of the extant consent is for development stage 1 which comprises blocks H, J, K, L, M, N, P, Q, R, S, T and U. Stage 1 has a total of 951 dwellings and 179sqm of non-residential floorspaces (Class A1, A2, A3, A4 and D2). Also included in Stage 1 is the provision of a 2.3ha neighbourhood park as well as site preparation/enabling works, landscaping, car parking and infrastructure works including the site access points onto Aerodrome Road. Full plans, elevations, sections and supporting details are provided for these blocks and related curtilage areas including amenity space.

The Outline component seeks approval for 'access' whilst 'appearance', 'landscaping', 'layout' and 'scale' are reserved for approval at a later stage under Reserved Matters applications.

The Outline component comprises the following stages:

- The remainder of Stage 1: School block – 3 form entry primary school and nursery
- Indicative Stage 2: Blocks A, B, C, D, E, F and G comprising up to 1,160 dwellings and up to 10,000sqm on non-residential floorspace (Class A1, A2, A3, A4, D1 and D2) including a food store of up to 3,000sqm GIA
- Indicative Stage 3: Blocks V, W, X, Y and Z comprising up to 852 dwellings
- Associated demolition and site preparation/enabling works and provision of landscaping, car parking and infrastructure

The Section 73 Application

The current application is made under Section 73 of the Town and Country Planning Act 1990 which seeks planning permission to vary the wording of the description of development and approved planning condition 1 attached to hybrid planning permission 16/5050/S73.

Amendments to the Description of Development

This application seeks approval to amend the description of development to read as follows (deletions struck through and additions in **bold**):

*Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with ~~954~~ **1061** units in full detail and up to ~~1,949~~ **1,839** units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a three-form entry primary school (including nursery provision) and a minimum of four hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement."*

Amendments to Condition 1 (Plan Reference Numbers)

This application seeks approval to vary the wording of Condition 1 to make reference to the amended plans, development Schedule and supporting documents arising out of the changes to blocks H, J, K and M.

Revised Development Schedule (dated December 2016)

The increase of units in Blocks H, J, K and M have been accounted for by an equal decrease in the number of units in the total number of units in Blocks C and D in Development Stage 2 and Blocks V, W and X in Development Stage 3. All of these changes have been accounted for in the revised Development Schedule (December 2016), which is submitted for approval.

Proposed Amendments

The effect of the change in wording to Condition 1 is for the approval of a revised set of approved plans for Blocks H, J, K and M, alongside a revised Development Schedule (which accounts for the changes). The revised plans for Blocks H, J, K and M comprise the following amendments:

Change in Scale/Massing

- The western wing of Block H has increased from 5 storeys to 7 storeys and its south-western corner has increased from 10 storeys to 14 storeys. The flue height on the top of Block H has been retained at a height of 3.6 metres above the parapet.
- An additional storey has also been added to the northern elevations of Blocks J and M meaning they will change from 6 storeys to 7 storeys. This translates into a typical increase in overall building height of 2.06 metres and approximately 2.1 metres, respectively.
- The storey height of Block K remains unchanged.

Redistribution of Residential Units

- The number of residential units accommodated within Blocks H, J, K and M will increase by a total of 110 units (in total).
- The number of residential units in Block H will increase by 36 units from 126 (as approved) to 162 (now proposed). This means an increase of affordable units.
- The number of residential units in Block J will increase by 21 units from 66 (as approved) to 87 (now proposed).
- The number of residential units in Block K will increase by 11 units from 64 (as approved) to 75 (now proposed).
- The number of residential units in Block M will increase by 42 units from 62 (as approved) to 104 (now proposed).

The increase of units in these blocks will be accounted for by an equal decrease in the total number of units in Blocks C and D located within Development Stage 1, and Blocks V, W and X in Development Stage 2. This means the site-wide total of 2,900 residential units approved under hybrid permission will be unchanged.

Residential Mix

The redistribution of units has a knock-on effect on the residential mix within Blocks H, J, K and M, as detailed in Table 1, below:

Table 1 – Revised Mix (Blocks H and J)

Unit Size	Block H (Approved)	Block H (Proposed)	Block J (Approved)	Block J (Proposed)
Studio	2 (1.6%)	2 (1.2%)	6 (9.1%)	12 (13.8%)
1 Bed	43 (34.1%)	89 (54.9%)	12 (18.2%)	24 (27.6%)
2 Bed	64 (50.8%)	51 (31.5%)	30 (45.5%)	22 (25.3%)
3 Bed	17 (13.5%)	20 (12.3%)	18 (27.3%)	27 (30.7%)
4 Bed	0 (0%)	0 (0%)	0 (0%)	2 (2.3%)
Unit Type	Block H (Approved)	Block H (Proposed)	Block J (Approved)	Block J (Proposed)

Flat	115 (91.3%)	151 (93.2%)	50 (75.8%)	68 (78.2%)
Duplex	11 (8.7%)	11 (6.8%)	6 (9.1%)	4 (4.6%)
House	0 (0%)	0 (0%)	10 (15.2%)	15 (17.2%)

For the avoidance of doubt, the permitted tenure for all residential units in Block H is affordable housing units and this will be unchanged. The permitted tenure for all residential units in Block J is market housing and this will be unchanged. Therefore, this proposal will involve an increase to the number of affordable housing units in Block H in Development Stage 1.

Table 2 – Revised Mix (Blocks K and M)

Unit Size	Block K (Approved)	Block K (Proposed)	Block M (Approved)	Block M (Proposed)
Studio	4 (6.3%)	9 (12%)	0 (0%)	0 (0%)
1 Bed	12 (18.8%)	21 (28%)	7 (11.3%)	32 (30.8%)
2 Bed	24 (38%)	18 (24%)	15 (24.2%)	25 (24%)
3 Bed	24 (38%)	25 (33.3%)	30 (48.4%)	41 (39.4%)
4 Bed	0 (0%)	2 (2.7%)	10 (16.1%)	6 (5.8%)
Unit Type	Block K (Approved)	Block K (Proposed)	Block M (Approved)	Block M (Proposed)
Flat	48 (75%)	56 (74.7%)	29 (46.8%)	74 (71.2%)
Duplex	6 (9.4%)	4 (5.3%)	5 (8.1%)	0 (0%)
House	10 (15.6%)	15 (20%)	28 (45.2%)	30 (28.8%)

For the avoidance of doubt, the permitted tenure for all residential units in Blocks K and M is market housing and this will be unchanged. Therefore, there will be no change to the approved tenure mix.

Typology

- Five townhouses have been added to both Blocks J and K (10 in total). These are broadly in the same location as the townhouses within the approved development.
- The addition of five new townhouses in Block K results in a reduction of two duplexes.
- In Block M, there will be five fewer duplexes and two houses added.
- The proposed redistribution of units enables 24 additional family sized units to be provided across these four blocks. The number of three or more bedroom units has risen from 17 to 20 units in Block H, 18 to 29 in Block J, 24 to 27 in Block K and 40 to 47 in Block M.

External Envelope

Reconfiguration of the internal layouts to all four blocks has resulted in subtle changes to the external envelope of the buildings including recessed elements at ground and first floor of Blocks J, K and M, in addition to a re-ordering of the balcony and window positions on the same blocks.

Basement Car Park

A basement level has been introduced below Blocks J and K to accommodate 157 car parking spaces, circulation space and plant. The total footprint of the basement will measure approximately 5,430m². Vehicular access to the basement is via a two-way ramp located within the dividing street located between Blocks J and K.

Private and Shared Amenity Space

- The second floor podium to Block H is now an amenity space shared with the affordable rented units located in the tower. Furthermore, the roof on the seventh level of the southern wing is now an amenity area to serve the shared ownership units.
- In Block H, private amenity areas to the duplexes at ground floor level are retained though modified to match the amended internal layouts.
- Private amenity provision has been reconfigured to match the internal flat layouts in Blocks J and K.
- The large single recessed balconies to the northern elevation of Block J and southern elevation of Block K have been omitted, and replaced with uniform balconies.

Car Parking Provision

- In addition to the introduction of the basement car park described above, car parking spaces on the ground floor of Blocks J and K will be reduced by 28 spaces from 76 to 48 spaces. These spaces have been lost to allow for reconfigured and increased refuse and cycle stores (see below).
- The number of car parking spaces associated with Blocks H, J, K and M in Stage 1 will increase by a total of 153 spaces as follows:
 - Block H will decrease from 90 to 88 podium spaces;
 - Block J will decrease from 36 to 24 spaces on-plot, with an additional basement of 157 spaces under Blocks J and K;
 - Block K will decrease from 40 to 24 spaces on-plot; and
 - Block M will increase from 26 to 52 spaces on-plot.

The increase in car parking will be offset by equivalent decreases in later phases to be determined in accordance with the approved site wide car parking management strategy.

Cycle Parking Provision

Although the site wide cycle parking provision will remain unchanged, it will be relocated within the site to reflect the additional units that are being brought forward into Stage 1. There is an overall increase of 117 cycle parking spaces within Blocks H, J, K and M from 550 to 667 spaces.

- Cycle parking for Block H is in a central cycle store accessed from the ground floor and from the car park. There is an additional external store adjacent to the main car park entrance.
- Cycle parking for Blocks J, K and M are provided through a combination of communal storage for apartments and private cycle storage for the townhouses which are accessed from the undercroft car park.

Visitor cycle parking for all blocks are to be provided at a ratio of 1 space per 40 dwellings in line with current London Plan policy with 56 cycle parking spaces proposed to be provided in the public realm to serve Blocks J, K, M, P and Q. Additionally there are 6 cycle stands in the road to the west of Block H.

3. PLANNING APPRAISAL

Principle of Minor Material Amendment (the s.73 application procedure)

The National Planning Practice Guidance (NPPG) advises that a minor material amendment *“is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.”*

Pre-application discussions were undertaken with the Applicant and consideration has been given as to the effect of the amendments to the approved development, including whether it would:

- Result in a change that is minor in terms of its scale;
- Result in a change that is minor in terms of its impact on amenity and visual impact;
- Would comply with material planning considerations.

It was judged that the proposed amendments were minor material and the submission of a Section 73 application was the appropriate route for this application.

Baseline Position

As stated above, hybrid planning permission 16/5050/S73 approved the Colindale Gardens development on 5th December 2016. In this context, and in accordance with the NPPG, the key considerations in the determination of the application are:

1. Whether planning policies (and other material considerations) have changed since the hybrid permission was granted; and
2. Whether the proposed amendments are acceptable (having regard to the Development Plan and other material considerations).

Changes to Planning Policy and Other Material Considerations

The planning policy framework affecting the site remains unchanged to that in place in December 2015, with the exception of minor changes to housing and car parking standards.

In order to account for these changes, the revised plans for Blocks H, J, K and M have been designed to accord with the revised housing standards set out in the 2016 London Plan (and associated Housing SPG), and therefore accord with this updated policy position.

The changes to car parking standards do not alter the requirements (relevant to this proposed development) that were in place under the former policy framework. Accordingly, this change in policy has no material effect to this application.

It is considered that there are no further relevant changes to any other relevant material considerations in the period since hybrid planning permission H/04753/14 was granted.

Assessment of Proposed Amendments

The main issues arising out of the current application concern the following:

- Urban Design
- Affordable Housing Provision
- Residential Mix
- Density
- Daylight and Sunlight Admission
- Residential Quality
- Car Parking Provision
- Cumulative Effect of Amendments

Each of these is discussed in turn below.

Urban Design

The approved detailed design for Development Stage 1 including the design for Blocks H, J, K and M represented a high quality development. The proposed amendments ensure that Blocks H, J, K and M remain in accordance with the general design principles for these blocks.

Block H

Additional height has been added to the western wing and the south-western tower section of Block H. The increase to the scale of the western wing enables its scale and massing to be comparable with the new internal road (Lismore Avenue) facing Blocks G, J and M. The height of the south-western tower section is consistent with other higher contrasting towers across Colindale Gardens, and provides a landmark facing the well landscaped gardens to the west.

The internal arrangement for each floor in this block has been reconfigured and rationalised to comply with Building Regulations meaning circulation space has been made more efficient and vertical height from the ceiling services zone between each floor can be taken to minimise an increase in height.

Block J

An additional storey has been added to the northern wing of Block J (facing the avenue) enabling its scale and massing to be similar to the avenue-facing elements of Blocks P and M.

Block M

Again, an additional storey has been added to the northern wing of Block M (facing the avenue) enabling its scale and massing to be similar to the avenue-facing elements of Blocks J and P. This building also assists to define and enclose the family dwellings facing onto the 'green street' to the east and west.

Block M has been designed as part of the family of buildings that centre around the family focused streets and houses to the south of the avenue. This provides a family focus that is reflected in a common architectural language between blocks.

The southern wing has been increased in height to have a formality that responds to the community gardens to the south and an informal face that addresses the podium.

Overall, it is concluded that the design changes are minimal and they do not materially affect the design of the blocks or the masterplan, and will continue to result in a high quality development in accordance with the key design principles of the approved DAS and London Plan policies 7.1 and 7.4.

Affordable Housing Provision

The permitted tenure for all residential units in Block H is affordable housing units. This will remain unchanged. On the basis that Block H will now accommodate an additional 36 units to provide a gross number of 162 units, this proposal will involve an increase to the number of affordable housing units provided within Development Stage 1.

The permitted tenure for all residential units in Blocks J, K and M is market housing units and this will remain unchanged.

Residential Mix

The proposed amendments do not alter the approved site-wide mix. There will be a greater number of studios (+10), one bedroom units (+92) and three bedroom units (+24), with a slight reduction of 17 two bedroom units.

The increase in the (gross) number of 3+ bedroom units (+24) and the number of wheelchair adaptable units (+12) in these blocks has the benefit of bringing forward much needed 'priority' housing sizes/typologies (from what otherwise would have been later phases). These blocks are considered particularly suited to family accommodation given their close proximity to Peel Park, the school and the 'green' home zone streets adjacent to Block M.

In summary, the proposed amendments to the residential unit size and typology mix accord with the existing approved position, and delivers benefits in terms of the acceleration of priority housing sizes/typologies and 36 affordable housing units from later phases. The Blocks maintain a genuine mix of unit types catering for housing need, including the provision of studios through to 4-bedroom 7 person units.

As such, the proposed amendments will maintain its contribution to a truly mixed and balanced community, in accordance with London Plan Policies 3.8 and 3.9, LBB Core Strategy CS4 and LBB CAAP Policy 7.1.

Density

The proposed amendments result in an increase in the amount of residential accommodation in Blocks H, J, K and M, which, in turn, has increased residential density for this part of the site from 143 dwellings per hectare/434 habitable rooms per hectare to 192 dwellings per hectare/584 habitable rooms per hectare. However

there will be no increase in density site wide as the total number of consented units remain unchanged.

As evidenced in the Design and Access Statement, the Applicant has adopted a design-led approach to determine the scale and massing of these blocks. In policy terms, such an approach is in accordance with the London Plan (paragraph 3.28) which makes it clear that it is not appropriate to apply the London Plan Density Matrix mechanistically, and that a rigorous approach to determining density should be adopted having regard to local context and character, the principles of good urban design, access to and the capacity of public transport and social infrastructure.

On the basis that the revised density for this part of the site is the result of a design-led approach and in the context of the site's high public transport accessibility (and accessibility to key on-site facilities such as the park and school), and broader policy objectives of optimising the output from housing sites, it is considered this slight increase in density is acceptable in planning terms, particularly in respect to London Plan Policy 3.4, and sits firmly in line with the approach taken for the hybrid planning permission.

Daylight and Sunlight Admission

The application is also accompanied by a Daylight and Sunlight Assessment, which concludes there will be an adherence rate ranging from 83%-92%. This is considered a good level of adherence with all of the blocks achieving over three quarters adherence to the habitable rooms tested.

For sunlight, all blocks obtain over 53% adherence to the BRE guideline target for annual sunlight and sunlight in the winter months. Blocks J and M see an increase in the number of windows which meet the BRE guidelines in comparison to the consented scheme, owing to an increased number of windows which face 90 degrees of due south.

Of the 16 amenity areas assessed for 2 hours of sun on March 21st, 8 (50%) meet or exceed the BRE guideline targets. When these same areas are assessed on June 21st, all 16 amenity areas exceed 50% two-hours of sun. Where sunlight levels are lower on March 21st, these generally relate to internal courtyards which are closely linked to well-lit open/communal space, such as Peel Park, which exceed the BRE guidelines.

The changes to the scheme do not affect any of the neighbouring properties, as they are too far away to be of concern and therefore do not change the daylight, sunlight or overshadowing effects.

In conclusion, the layout of the amended blocks within the design follows the BRE guidelines and will provide good daylight and sunlight conditions within the proposed accommodation, as well as the amenity spaces. For these reasons, the proposed amendments have been designed to maximise privacy and minimise overlooking, and meets acceptable standards in respect to daylight and sunlight admission.

Residential Quality

The Applicant's architects have demonstrated that the changes to the design of the residential units provide the highest residential quality by meeting policy requirements, and meet and exceed all of the baseline and good practice standards within the Mayor of London's Housing SPG (2016).

On this basis, the proposed amendments ensure the maintenance of a high level of residential quality.

Car Parking Provision

The proposed amendments result in an increase of 153 car parking spaces associated with Blocks H, J, K and M. This increase derives from the introduction of a basement car park underneath Blocks J and K, with the intention this increase will be offset with an equivalent decrease in later phases to be determined in accordance with the approved site-wide car parking management strategy. Notwithstanding, the overall site-wide car parking ratio will remain unchanged at 0.71 spaces per unit.

Although revisions to the dwelling mix and parking allocation has resulted in a negligible increase in car parking demand, there will not be any material effect on the site-wide car parking strategy or the car parking strategy for Blocks H, J, K and M.

Cumulative Effect of Amendments

When considered as a whole, the cumulative effects of the proposed changes to the approved development are minor in scale and nature, and will not result in a development that is substantively different to that already approved.

Environmental Screening

An Environmental Statement, the result of an Environmental Impact Assessment, was submitted with the hybrid application in August 2014 along with a Non-Technical Summary. Subsequent Statements of Conformity were submitted in May 2015 in relation to scheme amendments during the determination period of the original hybrid application and in August 2016 as part of the Section 73 application.

The Environmental Statement concluded that the Proposed Development would have an overriding beneficial effect on Barnet and Greater London and will, in many ways, regenerate and enhance the Application Site and contribute to the setting of the wider area. Whilst it was acknowledged that some temporary, short-term adverse effects would be experienced during the demolition and construction phase of the development, the benefits of bringing the development forward were considered to far outweigh any temporary adverse demolition and construction effects.

A Section 73 application is considered to be a new application for planning permission under the 2011 Environmental Impact Assessment Regulations.

Where an Environmental Impact Assessment was carried out on the original application, the local planning authority is required to consider if further environmental information needs to be added to the original Environmental Statement to satisfy the requirements of the Regulations.

The Applicant has submitted a 'Statement of Conformity' to support this application and concludes that the Environmental Statement remains valid and its conclusions and assessment of significance does not change.

Having reviewed the environmental information previously provided, it is not considered that the current Section 73 application would result in any significant change in circumstances to warrant a revised Environmental Statement.

Planning Obligations

The hybrid planning permission is subject to a Section 106 Agreement. This agreement will be carried over to this planning permission sought via means of a deed of modification. We have reviewed the agreement and consider there to be no need to amend the content of the agreement on the following grounds:

- The application proposals will allow a revised scheme to be delivered, but one which is not substantively different to that already approved under the hybrid planning permission. The site-wide quantum of development is unchanged meaning the amendments will not give rise to any different impacts which would necessitate any new planning obligations.
- There has been no change to policy to warrant changes to the scope of planning obligations necessary to make the proposed development acceptable.
- The proposed amendments maintain compliance with all of the obligations applicable within the existing Section 106 Agreement.
- There has been no material change to the viability position of the scheme and therefore there are no viability-related grounds to seek revisions to the existing s.106 obligations. It is noted that the existing Section 106 Agreement includes a trigger for viability review before the commencement of Stage 2 of the development enabling any changes in Development Stage 1 to be captured at that juncture.

Community Infrastructure Levy

This application does not result in an increase to the gross internal area of the floorspace within buildings liable to incur a Community Infrastructure Levy contribution.

5. EQUALITIES AND DIVERSITY ISSUES

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

“(a) eliminate discrimination, harassment, victimization and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

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

- Age;

- Disability;
- Gender reassignment;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex;
- Sexual orientation.

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

The proposed amendments do not affect the following:

- A provision of a minimum of 10% of flats as wheelchair adaptable across the development.
- The inclusion of level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.
- The provision of dedicated parking spaces for people with a disability in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local policy by establishing a high quality inclusive design, providing an environment which is accessible to all and which can be maintained over the lifetime of the development.

6. CONCLUSION

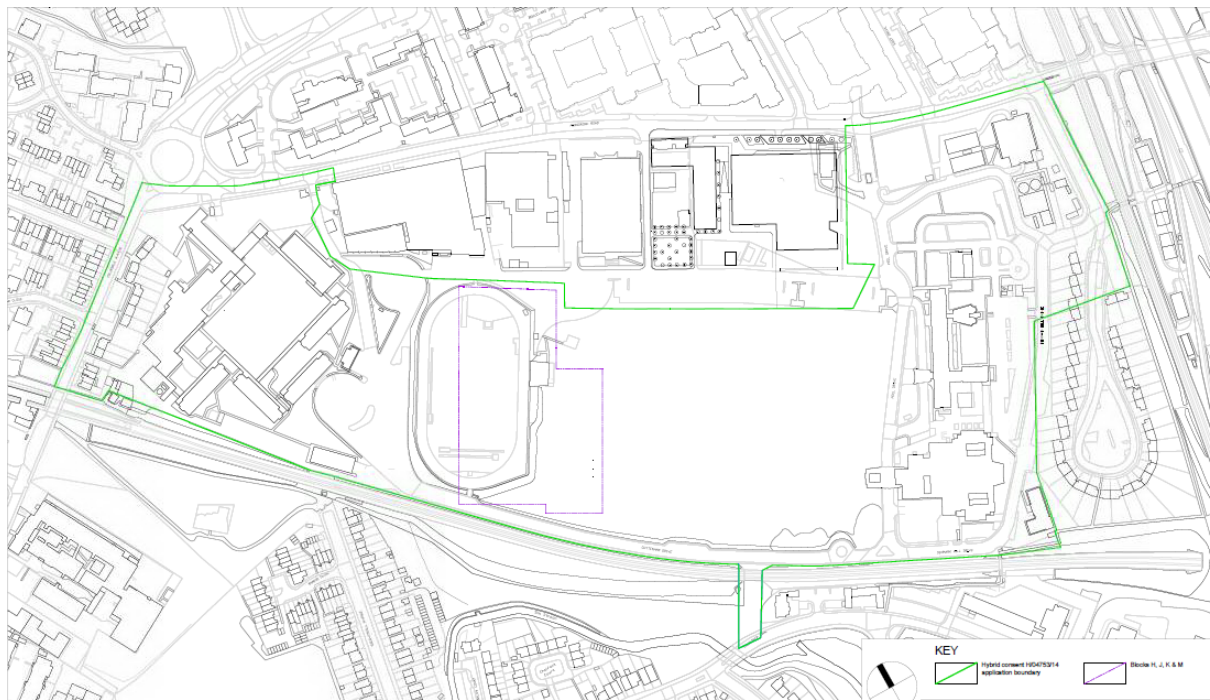
The application is made under Section 73 of the Town and Country Planning Act seeking planning permission to vary the wording of the description of development and planning condition 1 attached to hybrid planning permission 16/5050/S73.

National Planning Practice Guidance (NPPG) advises that a minor material amendment *“is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.”* In this case, it is not considered that the changes proposed would result in any significant change to the approved scheme.

The amendments proposed are considered acceptable in land use terms and do not raise any significant design, neighbouring amenity or highway implications. The proposed amendments generally and taken overall accord with the relevant development plan policies.

Accordingly, subject to the conditions set out in the recommendations section at the beginning of this report, the application is recommended for **Approval**.

APPENDIX 1: PROPOSED SITE LAYOUT PLAN



**Colindale Underground Station, Colindale Avenue,
NW9** AGENDA ITEM 15

- LOCATION:** Site to the rear of Colindale Station Plaza comprising land of Former Station House and part of Former Colindale Hospital Site, Colindale Avenue, London, NW9 5HG
- REFERENCE:** 16/5015/S73 **Received:** 28 July 2016
Accepted: 12 August 2016
- WARD:** Colindale **Expiry:** 11 November 2016
- APPLICANT:** Sainsbury's Supermarkets Ltd.
- PROPOSAL:** Variation of condition 13 (hours of use) of planning permission H/03131/14 dated 27/08/14 for 'Application to make minor amendments to the approved development (ref H/01110/13, approved 3rd April 2014 for 'construction of a part 7, part 18 storey mixed use building comprising 55 room Apart-Hotel (Use Class C1), 319 student accommodation units (Sui Generis), four commercial units (Use Class A1/A3) and gym (Use Class D2) along with associated car parking and landscaping') comprising: 1) Alterations to floor layouts to provide teaching rooms for student residents, reorganisation of student and hotel common areas and mezzanine retail floorspace; 2) Addition of second basement level; 3) Associated external alterations.' Variation to include extension of the opening hours of Unit 1 and to change the wording of the condition to 'The A1/A3 units on the ground floor of the building hereby permitted shall not be open to customers before 7 am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays apart from unit 1. Unit 1 shall not be open to customers before 7 am or after 11pm every day'

APPLICATION SUMMARY

Planning permission was granted on 3 April 2014 for the wider development at the site at Station House, Colindale Avenue (Application ref. H/01110/13).

A minor amendment application (Application ref. H/03131/14) was subsequently granted planning permission on 27 August 2014 for:

Application to make minor amendments to the approved development (ref H/01110/13, approved 3rd April 2014 for 'construction of a part 7, part 18 storey mixed use building comprising 55 room Apart-Hotel (Use Class C1), 319 student accommodation units (Sui Generis), four commercial units (Use Class A1/A3) and gym (Use Class D2) along with associated car parking and landscaping') comprising: 1) Alterations to floor layouts to provide teaching rooms for student residents, reorganisation of student and hotel common

areas and mezzanine retail floorspace; 2) Addition of second basement level; 3) Associated external alterations.

As such, planning permission H/03131/14 is now the operative planning permission.

In respect of opening hours, condition 13 of this permission states that:

The A1/A3 units on the ground floor of the building hereby permitted shall not be open to customers before 7 am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays

Reason: To safeguard the amenities of occupiers of adjoining residential properties, in line with policy DM01 of the Barnet Local Plan

Proposed Amendment

The proposal seeks to extend the permitted trading hours of the Sainsbury's unit (unit 1) only, and only in respect of Sunday's to bring the store's opening hours on this day in line with the rest of the week. In effect, the variation only seeks an additional hour in the morning and an additional hour in the evening on a Sunday. And it is proposed to amend the wording of Condition 13 to read as follows:

The A1/A3 units on the ground floor of the building hereby permitted shall not be open to customers before 7 am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays apart from unit 1. Unit 1 shall not be open to customers before 7 am or after 11pm every day.

Reason: To safeguard the amenities of occupiers of adjoining residential properties, in line with policy DM01 of the Barnet Local Plan

The proposed amendment to the wording of Condition 13, is not considered to result in any significant impact on residential amenity and is recommended for Approval.

RECOMMENDATION

Approve subject to:

Recommendation 1

The applicant and any other person having a requisite interest in the site be invited to enter into a Deed of Variation varying the extant section 106 Agreement dated 31st March 2013 in accordance with the terms set out in the Application Summary section of this report.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Head of Strategic Planning approve the planning application reference 16/5015/S73 under delegated powers subject to the following conditions and any changes to the wording of the conditions considered necessary by the Head of Strategic Planning.

COMMENCEMENT

- 1 This development must be commenced within three years from the date of this permission.
Reason:
To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

PLANS OF THE DEVELOPEMNT

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

140127-A(GA)P080
140127-A(GA)P090
140127-A(GA)P100
140127-A(GA)P110
140127-A(GA)P120
140127-A(GA)P300
140127-A(GA)P400
140127-A(GA)P401
130222 A(GA)P110
130222 A(GA)P160
130222 A(GA)P170
130222 A(GA)P260
130222 A(GA)P270
130222 A(GA)P280

Design and Access Statement

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

MATERIALS AND DETAILING

- 3 Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not proceed above basement level unless and until details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason:

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

- 4 Notwithstanding the details submitted in the drawings otherwise hereby approved the development is not to proceed above basement level unless and until details (necessary details specified in brackets) of the following features of the new buildings have been submitted to the Local Planning Authority and approved in writing:
- Glazing and window frame details/reveals (details at a scale of not less than 1:10 or a sample).
 - Projection of oriel windows (details at a scale of not less than 1:10 or a sample).
 - Terracotta, timber and mesh spacing (details at a scale of not less than 1:10 or a sample).
 - Window openings on the glazed elements of the building (details at a scale of not less than 1:10 or a sample).
- The buildings shall be implemented in accordance with the approved details prior to the occupation of the dwellings hereby approved.

Reason:

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

SITE LEVELS

- 5 The development shall be constructed in accordance with the levels details approved under reference H/02497/14. Site levels shall be thereafter retained in accordance with these details.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

SUSTAINABILITY

- 6 The development hereby permitted shall be constructed to achieve not less than BREEAM 'Excellent' in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The building shall be occupied until formal certification has been issued confirming that not less than Excellent has been achieved and this certification has been submitted to the Local Planning Authority.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan.

- 7 Prior to the development hereby approved proceeding above basement level, a strategy setting out how the development will connect to the single Energy Centre provided within the Colindale Hospital site under application H/00342/09 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved and shall not be occupied until the applicant has demonstrated that the development has been connected to the Energy Centre.
- Reason:
To ensure that the development is sustainable and complies with the requirements of London Plan policies 5.2 and 5.6.

RESTRICTIONS ON USE

- 8 The student accommodation hereby approved shall only be occupied as part of the overall use of this part of the building as "Sui Generis" student accommodation, and it shall not be used as independent and separate self-contained dwellings within the meaning of Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- Reason:
To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area, in line with policies CS4, DM01 and DM02 of the Barnet Local Plan.
- 9 Any hotel room shown on the approved plans shall only be occupied for the purposes of a hotel within Use Class C1 as defined in the Town and Country Planning (Use Classes) Order 2005, as amended.
- Reason:
To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area, in line with policies CS4, DM01 and DM02 of the Barnet Local Plan.
- 10 The maximum stay of any guest or person within the Aparthotel hereby approved shall be 90 consecutive days.
- Reason:
To ensure that use of the premises does not prejudice the amenity of the area and to prevent the units from being occupied as sub-standard residential accommodation and to ensure the Local Planning Authority can control the planning of the area, in line with policies CS4, DM01 and DM02 of the Barnet Local Plan.

- 11 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority:
- The change of use of any ground floor unit occupied under Use Class A3 to a use under Use Class A1 as defined in the Use Class Order 2005 (as amended).
- Reason:
- To ensure that the commercial floorspace approved does not have a detrimental impact on the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area, in line with policy CS6 and DM11 of the Barnet Local Plan.
- 12 The basement/mezzanine levels of the Use Class A1 units hereby permitted (as defined by the Use Classes Order 2005 (As Amended)) shall not be used as sales floorspace.
- Reason:
- To ensure that the commercial floorspace approved does not have a detrimental impact on the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area, in line with policy CS6 and DM11 of the Barnet Local Plan.
- 13 The A1/A3 units on the ground floor of the building hereby permitted shall not be open to customers before 7 am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays apart from unit 1. Unit 1 shall not be open to customers before 7 am or after 11pm every day.
- Reason:
- To safeguard the amenities of occupiers of adjoining residential properties, in line with policy DM01 of the Barnet Local Plan.
- 14 The bar/restaurant floorspace on the sixth floor of the building hereby permitted shall only be used for these purposes as an ancillary use for the student accommodation and not as a separate self-contained commercial use. This use shall not be open to customers before 7am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays.
- Reason:
- To safeguard the amenities of occupiers of adjoining residential properties, in line with policy DM01 of the Barnet Local Plan.
- 15 The student social area on the mezzanine floor shall be used only as ancillary space to the approved student accommodation and not as a separate self-contained commercial use.

Reason:

To ensure that there is no increase in commercial floorspace, in the interests of the vitality and viability of the area and to ensure the Local Planning Authority can control the planning of the area, in line with policy CS6 and DM11 of the Barnet Local Plan.

- 16 The classrooms, lecture rooms, seminar rooms and study rooms as detailed on the plans hereby approved shall only be used by occupants of the student accommodation hereby permitted, with the exception of teaching and support staff necessary to carry out the educational use. No other persons shall arrive at and/or occupy any part of the development for study or educational purposes at any time and the building shall not be used by any educational institution, other than the institution that occupies the development.

Reason:

To safeguard the amenities of occupiers of nearby residential properties and in the interest of highway safety in accordance with policies CS9, DM01 and DM17 of the Barnet Local Plan.

- 17 Notwithstanding the plans hereby approved, the proposed development shall not incorporate any Conference or Banqueting facilities.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area, in line with policies CS9 and DM17 of the Barnet Local Plan.

CONTAMINATED LAND

- 18 Part 1
The development shall be carried out and the site remediated in accordance with the details and method statement approved under reference H/02144/14.

Part 2

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

Reason:

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

- 19 Piling for foundations or other infrastructure using deep (approximately >15 metres below ground level) penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:

To protect groundwater quality in the deep aquifer. Piling to facilitate building foundations has the potential to penetrate impermeable geological formations and create a pathway between contaminated shallow soils and deeper geological formations. A Piling Risk Assessment is required to demonstrate that the chosen piling method does not increase the risk of near-surface pollutants migrating into deeper geological formations and underlying aquifers, in line with policy DM04 of the Barnet Local Plan.

WATER, DRAINAGE AND WASTE

- 20 The development hereby permitted shall not proceed above basement level until a drainage strategy detailing all on and off site drainage works to be carried out in respect of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. No discharge of foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works referred to in the strategy have been completed in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with Policies 5.13 and 5.14 of the London Plan 2011.

- 21 The only toilets to be installed in the development hereby approved shall be dual flush (6 to 4 litres) toilets and all taps fitted in the development shall be spray or flow restricted taps.

Reason:

To encourage the efficient use of water in accordance with policy 5.15 of the London Plan 2011.

- 22 Before the development hereby permitted is occupied a Refuse and Recycling Management Plan that includes: refuse/recycle collection arrangements, swept paths for collection vehicles, agreed points of collection and showing any required turnings of the refuse and recycle vehicles to facilitate the collection shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

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

- 23 Before the development hereby permitted is occupied, an indemnity agreement must be signed, submitted to and approved in writing by the Local Planning Authority. The agreement shall indemnify the Council and its contractors against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the development.

Reason:

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

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

- 24 No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

- 25 Before any of the proposed A1/A3 units hereby approved are occupied, details of any extract and ventilation systems shall be submitted and approved by the Local Authority. Details shall include measures to mitigate noise and vibration, such that the noise levels at the façade of any building are 5dB below the ambient background level. Details of odour abatement shall also be submitted and shall be designed for the type of food to be prepared.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise and odour from such systems, in line with policy DM01 of the Barnet Local Plan.

- 26 The level of noise emitted from the heating, ventilation and air conditioning plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of any neighbouring property which existed at the time of this decision notice.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of any existing neighbouring property at the time of this decision notice.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties, in line with policy DM01 of the Barnet Local Plan.

- 27 Before development proceeds above basement level, a report should be carried out by a competent acoustic consultant and submitted to the LPA for approval that assesses the likely noise impacts from the development of the ventilation/extraction plant to serve the building. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

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

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development, in line with policy DM01 of the Barnet Local Plan.

- 28 Prior to the first occupation of the development hereby approved full plans, details and specifications of all external lighting to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and thereafter be maintained as such.

Reason:

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

LANDSCAPING

- 29 Notwithstanding the details submitted and otherwise hereby approved, prior to the construction of the development proceeding above basement level a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- new tree, hedge and shrub planting including species, plant sizes and planting densities as well as planting for green roofs including herbaceous / climbers / grasses / ground cover plants;
- green and brown roofs;
- means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser;
- existing contours and any proposed alterations such as earth mounding;
- areas of hard landscape works including paving, proposed materials, samples, and details of special techniques to

minimise damage to retained trees and provide conditions appropriate for new plantings;

- timing of planting;
- all proposed boundary treatments, fencing or means of enclosure to be erected at the site.

Reason:

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

- 30 All work comprised in the approved scheme of hard and soft landscaping shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the development, whichever is sooner.

Reason:

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

TRANSPORT

- 31 Before the development hereby permitted is occupied the car parking spaces shown on the approved plans shall be provided in the development and shall not be used for any purpose other than the parking and turning of vehicles in connection with the development hereby approved.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies CS9 and DM17 of the Barnet Local Plan.

- 32 Before the development hereby permitted is occupied a Car Parking Management Plan detailing the allocation of car parking spaces, all on site parking controls and charges and enforcement measures to be put in place to deal with any unauthorised parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be managed in accordance with the approved Car Parking Management Plan from the first occupation of the building and in perpetuity thereafter.

Reason:

To ensure that parking is provided and managed at the development in the interests of highway and pedestrian safety and the free flow of traffic in the area and in accordance with policies CS9 and DM17 of the Barnet Local Plan.

- 33 Prior to the commencement of the development hereby approved a Construction Management and Logistics Plan shall be submitted to and

approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. This Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

Reason:

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

34

Before development hereby permitted is first occupied, a full Delivery and Servicing Management Plan shall be submitted to and agreed by the Local Planning Authority. The delivery plan should include details of size, number, times and frequency of delivery vehicles and swept paths for vehicles entering and using the site in association with the permitted use.

Reason:

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

September 2012.

- 35 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the approved parking spaces to be provided with active electric vehicle charging facilities and a further 20% to be provided with passive facilities for future fit out. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason:

To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

- 36 The development shall not be occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority and increased in numbers, if needed. All of the spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport, in line with London Plan policy 6.9 and policies CS9 and DM17 of the Barnet Local Plan.

- 37 The development shall be carried out in all respects in accordance with the approved Pringuer-James report 'Conceptual Design Statement (Basement Levels) Rev A', and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy 6.2.

- 38 The student accommodation hereby permitted shall not be occupied until a Student Pick-Up and Drop-Off Management Scheme is submitted and approved in writing by the local planning authority. This Scheme shall include details of a drop-off and collection schedule that will be set up by the student management company to stagger the pick-up and drop-off activity at

key times of year and how the parking spaces on the site will be managed during pick-up and drop-off periods. Student drop-off and pick-up activity shall thereafter be managed in accordance with the approved Scheme, or any variation that may be approved.

Reason:

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

Informatives:

1. With reference to Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended), this decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.
2. In complying with the contaminated land condition parts 1 and 2:
 - a) Reference should be made at all stages to appropriate current guidance and codes of practice at August 2012 this would include:
 - 1) The Environment Agency CLR model procedures;
 - 2) BS10175:2011 Investigation of potentially contaminated sites – Code of Practice;
 - 3) The Environment Agency “Guiding principles for land contamination (GPLC)”;
 - 4) Guidance for the safe development of housing on land affected by contamination, Environment Agency R&D Publication 66:2008.
 - b) Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
 - c) All raw data should be provided in a form that can be easily audited and assessed by the council. (e.g. trial pit logs and complete laboratory analysis reports).
 - d) Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made should be included. (e.g. the reasons for the choice of sampling locations and depths).
3. The London Plan promotes electric vehicle charging points with 20% active and 20% passive provision and should be provided. The parking layout should include provision of electric charging points for all elements of the development.
4. Where a developer proposes to discharge water to a public sewer, prior

approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

6. The applicant is advised that any occupiers of the site would not be able to purchase any type of parking permit, voucher or similar issued within a Controlled Parking Zone (CPZ) in the area that a property address might otherwise be eligible for as part of the councils ongoing management of the public highway.
7. The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.
8. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a total £799,448 payment under Mayoral CIL (£78,798 more than the original scheme (ref H/01110/13)).

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has been assessed at this time as liable for a £644,490 payment under Barnet CIL.

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

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

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site,

and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

Relief or Exemption from CIL

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

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

1. Charity

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

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

2. Residential Annexes or Extension

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

3. Self Build

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

Visit

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

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (published July 2011) and the development plan documents in the Barnet Local Plan (adopted September 2012). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other documents, including supplementary planning guidance and national planning guidance, are also material to the determination of the application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

The London Plan 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:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

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

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and

Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); and 3.18 (Education Facilities)

London's Economy:

4.1 (Developing London's Economy); 4.5 (London's Visitor Infrastructure); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector and Related Facilities and Services); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

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

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Lifetime Neighbourhoods); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location and Design of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes); and 7.19 (Biodiversity and Access to Nature)

Implementation, Monitoring and Review:

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

Barnet Local Plan

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

Core Strategy (Adopted 2012):

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

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

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall buildings)

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

DM09 (Specialist Housing – HMOs, student accommodation and housing for older people)

DM13 (Community and education uses)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

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

Local Supplementary Planning Documents and Guidance:

Planning Obligations (April 2013)

Sustainable Design and Construction (April 2013)

Residential Design Guidance (April 2013)

Colindale Area Action Plan (March 2010)

Strategic Supplementary Planning Documents and Guidance:

Draft SPG on Accessible London (April 2014)

Sustainable Design and Construction (April 2014)

National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

The NPPF is a key part of reforms to make the planning system less complex and more accessible.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

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

The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Officers have concluded that the planning obligations recommended are legitimate and appropriate under these regulations. The applicant has agreed the obligations set out in Recommendation 1.

1.2 Key Relevant Planning History

APPENDIX 1: KEY PLANNING HISTORY FOR THE SITE

App Ref.	Address	Description of Development	Decision and Date
H/01159/08	Colindale Hospital, Colindale Avenue, London NW9 5HG	Demolition of curtilage buildings to Listed Hospital Administration Block.	APPROVED 02/12/2008
H/00395/09	Colindale Hospital, Colindale Avenue, London NW9 5HG	Enabling works application for the provision of new site access, spine road with footpaths, emergency access to the health protection agency together with associated sub-surface infrastructure.	APPROVED 03/06/2009
H/00342/09	Colindale Hospital, Colindale Avenue, London NW9 5HG	Redevelopment of the former Colindale Hospital to include the erection of 714 residential units including the change of use and conversion of the listed former Administration building to residential, a new primary care trust facility (Use Class D1) of 1,132sqm, commercial units (Use Class A1/A2//A3/B1) and site management office (Use Class D1/B1), together with	APPROVED 20/11/2009 following completion of S106 agreement

		access roads, car parking and cycle parking, new public and private open space, children's play space and landscaping. Application includes the submission of an Environmental Statement.	
H/00343/09	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	The demolition of Station House and construction of a 293 bed, part 6, part 13 storey Aparthotel of up to 8965sqm, together with a 369sqm restaurant (Use Class A3) and three ground floor commercial units (Use Class A1/A2/A3) totaling 780sqm with associated access, car parking and landscaping, retention of and alterations to the Colindale Underground station building and the provision of a new public square and a transport interchange incorporating bus stops, taxi rank and associated landscaping.	APPROVED 20/11/2009 following completion of S106 agreement
H/00344/09	The Administration Building, Colindale Hospital, Colindale Avenue, London, NW9 5HG	Listed Building Consent application for works of repair and internal and external alterations to convert the former Colindale Hospital Administration Building into residential use.	APPROVED 20/11/2009
H/00041/10	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Section 73 application for amendments to wording of conditions 2 (Restriction to Hotel Use), 4 (Maximum Stay), 5 (A1/A3 Units Layout), 6 (A3 Specified Use), 8 (Details of Piazza), 10 (Materials), 12 (Refuse), 13 (Protection from Vibration), 14 (Land Contamination), 15 (Details of Ventilation and Extraction), 17 (Noise Report), 18 (Sound Insulation), 19 (Tree Protective Fencing), 20 (Services in Relation to Trees), 21 (Trees Method Statement), 23 (Landscaping Details), 26 (Construction Method Statement), 27 (Parking), 28 (Car Park Stacker Maintenance), 29 (Parking Management Plan), 30 (Cycle Parking Provision), 32 (Drainage Strategy), 34 (BREEAM Standard), 35 (Details of Green/Brown Roofs), 36 (Connection to Decentralised	APPROVED 05/05/2010 following completion of Deed of Variation to S106 agreement

		Heating Network), 37 (Details of Taxi and Coach Bays), 38 (PPG24 Noise Report) of approved planning consent ref. H/00343/09 and inclusion of new condition in relation to phasing plan.	
H/03982/10	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Construction of a part 7, part 18 storey building comprising a 374 bed Aparthotel (Use Class C1) together with a bar-club / restaurant (Use Class A3/A4), gym (Use Class D2) and four commercial units on the ground floor (Use Class A1/A3) along with associated car parking and landscaping.	APPROVED 24/12/2010 following completion of S106 agreement
H/00305/13	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Non-material minor amendment to planning permission Ref: H/03982/10 dated 24/12/2010 for the "Construction of a part 7, part 18 storey building comprising a 374 bed Aparthotel (Use Class C1) together with a bar-club / restaurant (Use Class A3/A4), gym (Use Class D2) and four commercial units on the ground floor (Use Class A1/A3) along with associated car parking and landscaping" to amend the wording of the conditions 10, 11, 13, 17 and 18.	APPROVED 18/04/2013
H/01110/13	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Construction of a part 7, part 18 storey mixed use building comprising 55 room Apart-Hotel (Use Class C1), 319 student accommodation units (Sui Generis), four commercial units (Use Class A1/A3) and gym (Use Class D2) along with associated car parking and landscaping	APPROVED 03/04/2014

H/03131/14	Land at Station House and part of Colindale Hospital, Colindale Avenue, London, NW9 5HG	Application to make minor amendments to the approved development (ref H/01110/13, approved 3rd April 2014 for 'construction of a part 7, part 18 storey mixed use building comprising 55 room Apart-Hotel (Use Class C1), 319 student accommodation units (Sui Generis), four commercial units (Use Class A1/A3) and gym (Use Class D2) along with associated car parking and landscaping') comprising: 1) Alterations to floor layouts to provide teaching rooms for student residents, reorganisation of student and hotel common areas and mezzanine retail floorspace; 2) Addition of second basement level; 3) Associated external alterations.	APPROVED 27/08/2014
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1.3 Public Consultations and Views Expressed

Public Consultation

A total of **359** local properties were consulted on the application by letter on 12th August 2016. The application was also advertised on site and in the local press on the 18th August 2016

Number of Responses from Residents

No responses have been received as a result of this consultation

Internal Consultation responses

Traffic and Development Team: No Comments Received

Metropolitan Police: No Comments Received

Environmental Health Querys raised regarding whether noise conditions were attached to the original consent.

Officer Comment: Conditions were attached to the original consent 24- 27 attached again above, which require noise mitigation measures in relation to the retail units.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site is irregular in shape and covers an area of 0.19 hectares on the north side of Colindale Avenue. The site is cleared and hoarded off, but comprised part of the former Colindale Hospital, which is currently being

redeveloped for housing, and Station House, a 5 storey office building that has now been demolished. Access is from Colindale Avenue via the main spine road (Charcot Road) and roundabout through the Colindale Hospital development.

The site is bounded to the east by the Northern Line with residential properties beyond. To the south is the public piazza adjacent to Colindale Underground Station, with Colindale Avenue and the British Newspaper Library site and Colindale Park beyond. To the north and west are the recently constructed residential properties in the former Colindale Hospital development and the older 2 storey houses fronting Colindale Avenue.

The area around the site is mixed in character, consisting of modern developments ranging from 5 to 14 storeys, traditional 2 storey houses and employment/institutional buildings with larger footprints. The site lies within the wider Colindale Opportunity Area as identified in the London Plan and is earmarked for significant regeneration, along with a number of other sites in the area.

2.2 Description of the Proposed Development

The proposal seeks to extend the permitted trading hours of the Sainsbury's unit (unit 1) only, and only in respect of Sunday's to bring the store's opening hours on this day in line with the rest of the week. In effect, the variation only seeks an additional hour in the morning and an additional hour in the evening on a Sunday. And it is proposed to amend the wording of Condition 13 as attached to planning permissions H/01110/13 dated 3rd April 2014 and H/03131/14 dated 27 August 2014 to read as follows:

The A1/A3 units on the ground floor of the building hereby permitted shall not be open to customers before 7 am or after 11pm on weekdays and Saturdays or before 8am or after 10pm on Sundays apart from unit 1. Unit 1 shall not be open to customers before 7 am or after 11pm every day.

Reason: To safeguard the amenities of occupiers of adjoining residential properties, in line with policy DM01 of the Barnet Local Plan

3. PLANNING CONSIDERATIONS

3.1 Principle of the amendments to the uses proposed

The proposed change in the opening hours of the Sainsbury Unit does not alter the uses approved under the original consent and can be approved subject to an assessment of the proposed changes in relation to residential amenity.

3.2 Impacts on amenities of neighbouring and surrounding occupiers and users:

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design in new development. More specifically policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. Policy DM04 identifies that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Noise

The earlier applications on the site were supported by a PPG24 assessment which demonstrated the appropriateness of the site for the development. The noise assessment concluded that during the development's construction period, the effect of noise and vibration on the surrounding area will be negligible and various measures such as site hoardings could be implemented to mitigate against any impacts that may arise. It is also recommended that a Construction Management Plan be required by condition, which would deal with issues such as construction methods and hours.

The noise assessment also concluded the operational impact of the hotel and commercial uses on the surrounding area (i.e. plant and vehicular movements) would be minimal and can be mitigated through the implementation of appropriate planning conditions.

The proposed change to the opening hours of the Sainsbury Store effectively bring the opening hours on Sunday in accordance with the other days of the week, opening an hour earlier and closing an hour later than allowed under the existing permissions. It is increasingly common for express store supermarkets to maintain the same operating hours throughout the week and in the context of the location of the unit, fronting Colindale Station is unlikely to result in any significant noise impacts upon neighbouring residential properties, with the limited noise disturbance which would occur as a result of people entering and leaving the store being no different to persons entering and leaving the tube station which would also be open at these times.

3.3 Planning obligation matters:

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

It is recommended that a deed of variation be entered into with the developer that links the s.106 agreement relating to the previous approval (ref H/01110/13) to this amended approval. This is necessary since the outcome of this application will be a new planning permission. Details of the obligations previously agreed are set out below:

Public Transport Improvements Including Step Free Access at Colindale

Underground Station (£75,000)

A feasibility study for Step Free Access at Colindale Underground Station has been undertaken by TfL using allocated s.106 money from the Colindale Hospital development. This study will set out the cost for providing step free access at Colindale Underground Station as well as other station upgrades including additional gates, a new entrance into the Piazza and new ticket booths.

Given the low level of car parking proposed for the development and the fact that the majority of students and guests using the facility are expected to travel by public transport, a contribution of £75,000 is required. This also accords with the s.106 priorities set out the Colindale AAP.

A £50,000 contribution formed part of the legal agreement for the extant permission and it is considered reasonable to allocate the £10,000 previously secured towards highways improvements towards this, given that the A5/Colindale Avenue junction improvements already have the necessary funding. An uplift in this contribution to an overall figure of £75,000 would be appropriate, given the student accommodation now proposed is expected to be heavily reliant on the tube station. It would be reasonable to require this, particularly given that the majority of trips associated with the student accommodation now proposed would be made by public transport.

Travel Plan/Travel Plan Monitoring (£10,000)

In line with Barnet Local Plan policy DM17, the Planning Obligations SPD and TfL thresholds, the development requires a Strategic Travel Plan to deliver sustainable transport objectives for occupants of the aparthotel and student accommodation. A minimum figure of £10,000 is also required for the monitoring of the Travel Plan, in line with the SPD.

CPZ Contribution (£30,000)

In order to mitigate against potential parking displacement into surrounding streets, particularly as a result of the introduction of the student accommodation into the proposal, a contribution of £30,000 towards the provision of a Controlled Parking Zone in the vicinity of the site has been agreed.

Parking Permit Exemption (£5,000)

It is necessary to restrict residents of the scheme from applying for parking permits, in order to not disenfranchise existing residents when CPZ controls are put in place. A contribution of £5,000 is needed in order to facilitate a parking permit exemption scheme for residents of the development.

Restricted Student Occupation

It is necessary for the applicant to ensure that the student accommodation is occupied only by students on a full-time course or summer course and provide documentary evidence in accordance with timescales to be agreed.

Therefore the total additional S106 Contributions required to facilitate the increased size of the development is £120,000. An appropriate monitoring

contribution is also sought in line with the Planning Obligations SPD.

The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

3.4 Community Infrastructure Levy

Under the CIL Regulations, s.73 applications must be assessed for any additional CIL payments beyond the original permission. As the floorspace is not increased by the current proposal the amount of CIL payable is unchanged from the previous S73 approval (Planning Reference H/03131/14).

Mayoral CIL: £799,448 (+£78,798)

Barnet CIL: £592,607 (-£51,883)

4. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

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

5. COMMENTS ON GROUNDS OF OBJECTIONS

N/A

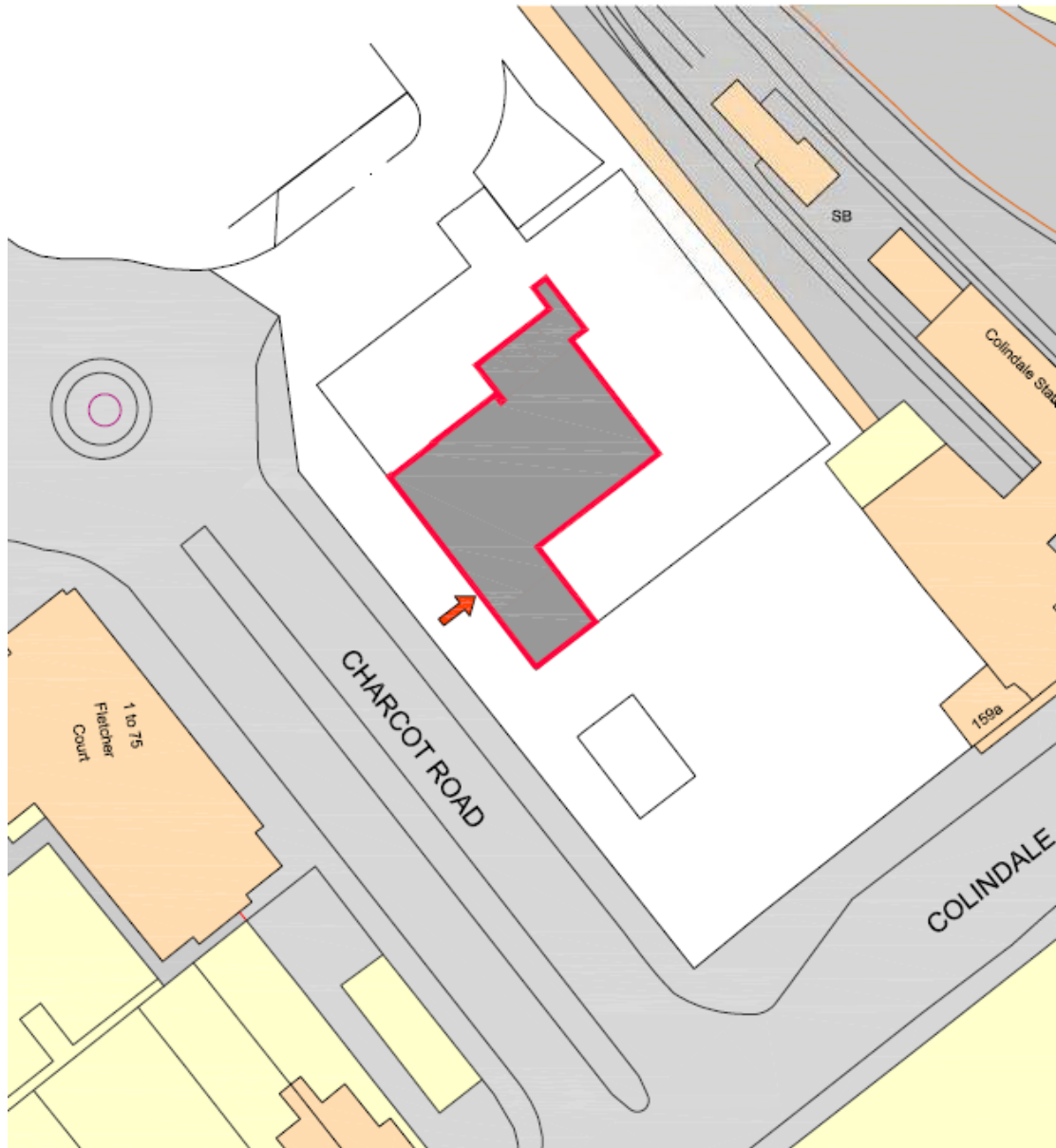
6. CONCLUSION

The proposed amendments would not have a significant impact on neighbouring residents, the character of the area or the local highway network beyond that of the original proposal. The same conditions and s.106 obligations imposed on the original consent have been carried forward onto this permission.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission.

Accordingly, subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** subject to conditions is recommended, as set out in the recommendations section at the beginning of this report.

APPENDIX 1: PROPOSED SITE LAYOUT PLAN



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