

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 26TH JULY, 2017

AT 6.00 PM

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

Maureen Braun

Claire Farrier

Eva Greenspan

Tim Roberts

Agnes Slocombe

Stephen Sowerby

Mark Shooter

Laurie Williams

Jim Tierney

Substitute Members

Anne Hutton

Reema Patel

Dr Devra Kay

Gabriel Rozenberg

Sury Khatri

Hugh Rayner

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

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

Andrew Charlwood – Head of Governance

Governance Service contact: Faith Mwende faith.mwende@barnet.gov.uk 020 8359 4917

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.	Montrose Playing Fields, Montrose Avenue, Colindale, NW9 5BY - 17-1713-FUL (Burnt Oak)	11 - 46
7.	Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 5JE - 172564RMA (Colindale)	47 - 72
8.	Land Adjacent To 106 -128 Mount Pleasant And 27-37 Langford Road Barnet EN4 9HG - 17/2739/CON (East Barnet)	73 - 78
9.	Land At Moreton Close, Moreton Close, Mill Hill, London NW7 2PH 0 -17-2105-S73 (Mill Hill)	79 - 100
10.	Garages At Basing Way Land Between 98-108 And 182-192 Basing Way London N3 3BP - 17/3721/S73 (Finchley Church End)	101 - 120
11.	Elmshurst Crescent Garages Land Adjacent To 90-100 Elmshurst Crescent And 35 Pulham Avenue London N2 0LR - 17/3722/S73 (East Finchley)	121 - 138
12.	Adamson Court 7 Hertford Road London N2 9BW - 17/2417/FUL (East Finchley)	139 - 158
13.	Land Behind Sheaveshill Court The Hyde 16-6222-FUL (Colindale)	159 - 186
14.	Land Formerly known as British Gas Works, Albert Road, Barnet EN4 9SH (East Barnet)	187 - 268
15.	12 - 18 High Road London N2 9PJ -16/2351/FUL (East Finchley)	269 - 342

16.	164 Brunswick Park Road London N11 1HA - 17-3720-FUL (Brunswick Park)	343 - 364
17.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

22 June 2017

Members Present:-

AGENDA ITEM 1

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

Councillor Maureen Braun	Councillor Agnes Slocombe
Councillor Claire Farrier	Councillor Stephen Sowerby
Councillor Eva Greenspan	Councillor Laurie Williams
Councillor Tim Roberts	Councillor Jim Tierney
Councillor Sury Khatri	

Apologies for Absence

Councillor Mark Shooter

1. CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting and explained that the running order had been changed, 12-18 High Road had been withdrawn from the agenda at the applicant's request to allow further negotiations with residents and that the meeting would be recorded.

2. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 22 May 2017, be agreed as a correct record.

3. ABSENCE OF MEMBERS

Councillor Shooter had sent his apologies, with Councillor Khatri acting as his substitute.

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

Councillor	Item/interest
Melvin Cohen	Hasmonean –Former pupil (non-pecuniary)
Eva Greenspan	Hasmonean – Governor 15 Years ago (non-pecuniary)

5. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

6. ADDENDUM (IF APPLICABLE)

Items detailed in the addendum were considered under individual agenda items.

7. 12 - 18 HIGH ROAD LONDON N2 9PJ (EAST FINCHLEY)

Withdrawn.

8. NORTH LONDON BUSINESS PARK, OAKLEIGH ROAD SOUTH, LONDON, N11 1GN. (BRUNSWICK PARK)

The Committee received the report.

Representations were heard from Yvette Hartland, Mr Ahearn, Councillor Levine, Councillor Rutter, Teresa Villiers MP and the applicant's agent.

A vote was taken on approving the application:

For (approval)	0
Against (approval)	11
Abstained	0

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

The proposed development, by virtue of its excessive height, scale and massing would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in its context, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore not constitute a sustainable form of development and would be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014).

For (refusal)	11
Against (refusal)	0
Abstained	0

RESOLVED that

- 1. The application be refused for the reasons detailed above;**
- 2. Councillor Greenspan be nominated to represent the Committee at any hearings called by the Mayor or an appeal in relation to this matter.**

9. BRENT CROSS CRICKLEWOOD REGENERATION AREA NW9 (GOLDERS GREEN, CHILD'S HILL, HENDON)

The Committee received the report.

Representations were heard from Mrs Naila Choudry and the Applicant.

A vote was taken with regard to approval:

For	10
Against	1
Abstained	0

RESOLVED that delegated powers be given to the Brent Cross Planning and Transport Manager to **APPROVE** the Conditions Application subject to Part 1 and Part 2 detailed on pages 171-172 of the agenda.

10. VICTORIA PARK BALLARDS LANE LONDON N3 (WEST FINCHLEY)

The Committee received the report.

It was noted that with regard to condition 5, page 162 of the agenda the words 'and on no other day' should be deleted and replaced with 'or on any other day'.

It was also suggested that an additional condition be added to stipulate that permission only be granted for use as a food market.

Representations were heard from Carole Reid, Soheila Moshfeghi and the applicant's representative.

It was moved by Councillor Tierney and seconded by Councillor Roberts that the recommendations be amended to grant permission for 1 year initially.

A vote was taken on Councillor Tierney's amendment:

For (Councillor Tierney's amendment)	6
Against (Councillor Tierney's amendment)	5
Abstained	0

The Committee then voted on the conditions detailed in the report plus

- An additional condition to restrict use to a food market only;
- Councillor Tierney's amendment that permission be granted for 1 year initially.

For (Approval, subject to the above)	11
Against (Approval subject to the above)	0
Absatined	0

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

11. LAND ADJ TO 1 - 12 NORFOLK CLOSE LONDON N2 8ET (EAST FINCHLEY)

The Committee received the report and the addendum.

A representation was heard from the applicant's agent.

The Committee voted with regard to approving the application:

For	11
Against	0
Abstained	0

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

12. HASMONEAN HIGH SCHOOL, 2-4 PAGE STREET, LONDON, NW7 2EU AND ADJACENT FIELDS CHAMPIONS WAY (MILL HILL)

The Committee received the report.

Members voted with regard to approving the recommendations:

For	11
Against	0
Abstained	0

RESOLVED that

1. That the Council, under Regulation 7 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 confirms the London Borough of Barnet Hasmonean High School, 2-4 Page Street, London NW7 2EU and Adjacent Fields Champions Way Tree Preservation Order 2017 without modification.

2. That the person(s) making representations be advised of the reasons.

13. BARNET AND SOUTHGATE COLLEGE, GRAHAME PARK WAY, COLINDALE, NW9 5RA (COLINDALE)

The Committee received the report.

The Committee voted on approving the recommendation in the report:

For	11
Against	0
Abstained	0

RESOLVED

That all parties to the agreement dated 6th May 2015 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 6th May 2015 by:

removing the words “a primary school” at paragraphs 1 and 3 of schedule 9 and replacing them with the words “an education use”.

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

None.

The meeting finished at 9.14pm

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LOCATION: Montrose Playing Fields, Montrose Avenue, Colindale, NW9 5BY

REFERENCE: 17/1713/FUL **Registered:** 16/03/2017 **AGENDA ITEM 6**

WARD: Burnt Oak

APPLICANT: OnSide Youth Zones

PROPOSAL: Erection of part single storey, part two storey Youth Zone including multiuse sports hall, floodlit roof level MUGA/kick pitch, music suite, indoor/outdoor recreation areas, and café/kitchen

Application Summary

This application is proposing the construction of a part one, part two storey Youth Zone building to be constructed within Montrose Playing fields, fronting Montrose Avenue. This proposed facility provides indoor space for a range of sport and extra circular activities for children and young adults aged 8 to 19 (or up to 25 for those with additional needs). The roof of the ground floor element of the building will be used as a kick pitch. There are currently no facilities of this type within the borough and the proposal is considered by the Local Planning Authority to make a valuable contribution to providing community facilities within the borough to serve local residents. Although the proposal will result in the development of some existing green space, the proportionate loss is minimum. Furthermore, under application 17/1929/FUL, Montrose and Silkstream parks are being improved to allow for improved and new uses and activities to be established.

RECOMMENDATION

Approve the application subject to Conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

UBYZ-HBA-01-ZZ-DR-A-P008; UBYZ-HBA-01-ZZ-DR-A-P009; UBYZ-HBA-01-ZZ-DR-A-P003; UBYZ-HBA-01-ZZ-DR-A-P003; UBYZ-HBA-01-ZZ-DR-A-P007; UBYZ-HBA-01-ZZ-DR-A-P010; UBYZ-HBA-01-ZZ-DR-A-P005; UBYZ-HBA-01-ZZ-DR-A-P006; UBYZ-HBA-01-ZZ-DR-A-P012; UBYZ-HBA-01-ZZ-DR-A-P004; UBYZ-HBA-01-ZZ-DR-A-P001; D_L-001 P3; 0988-PE1-A; Design and Access Statement; Phase 1 Environmental Report; Phase 2 Geo-environmental investigation; Planning Statement; Sequential Site Assessment; Transport Assessment; UXo threat and risk assessment; Energy and sustainability statement revision 4; Ecological Assessment; Defining the impact of the Youth Zone; kitchen ventilation design strategy;

Statement of community involvement; utilities connection details; external artificial lighting report; Flood risk assessment revision P6; Noise assessment; visualisations.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

3) Notwithstanding the details shown on the plans, hereby approved, prior to the commencement of each phase of the development (other than demolition, site clearance and ground works):

(a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and

(b) sample panels shall be constructed on site of building materials and hardsurfacing, to be inspected and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

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

4) Notwithstanding the details submitted in the drawings hereby approved no phase of the development is to commence (other than demolition, ground works and site clearance) unless and until details of the levels of the proposed buildings, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before any of the residential units approved are occupied.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

5) Noise from amplified music from the Youth Zone shall not be audible at the nearest residential premises.

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 2011.

- 6) The level of noise emitted from the building services 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 2011.

- 7) Before development commences, a scheme of proposed mitigation measures for noise from the *Youth Zone* shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before occupation.

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 2011.

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

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2011.

- 9) No development shall commence until details of the surface of the sports hall and kick pitch have been submitted to, and approved in writing by, the Local Planning Authority. The development thereby permitted shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to

accord with Development Plan Policy.

10) Prior to first occupation of the Community Centre on the ground floor of Block 12 within Phase 1 of the development hereby permitted a Community Centre Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to the following:

- Hours of opening for the centre;
- Pricing schedule for charging for facilities;
- Management arrangements for the site and facilities;
- Scale and frequency of events taking place on a weekly, monthly and annual basis and how these events will be managed;
- Code of conduct for users of the site;

The Community Centre shall thereafter operate in accordance with the approved details.'

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

11) Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing by the Local Planning Authority:

- i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
- ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
- iii. Plans showing satisfactory points of collection for refuse and recycling.

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

12) Prior to first occupation a detailed Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

- i. Location and layout of car parking spaces
- ii. Allocation of car parking spaces
- iii. On-site parking controls and charges (if any)
- iv. The enforcement of unauthorised parking
- v. 'Blue badge' space in accordance with London Plan (2015) guidance
- vi. Electric Vehicle Charging Points

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 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.

13) The level of parking for all land uses shall be as set out in Drawing No. UBYZ-HBA-00-00-DR-A-P003 Rev P3 resulting in a total of 5 spaces on street and 1 Disabled Spaces within the curtilage of the site. The following parking details will be adhered to:

- i. The 5 visitor / public spaces on Montrose Avenue which will be subject to Controlled Parking Zone arrangements and a stay for up to 10 minutes only (maximum short-stay parking), with no return within 1-hour.
- ii. Provision of 1- Disabled parking spaces on the site, with sufficient spaces for vehicles to turn enter in forward gear, turn around and exit in forward gear.
- iii. Minibus access and parking details to be provided for further assessment by the Council is the developer is to operate one for the site.
- iv. Cycle parking provision is for 16 spaces.
- v. Motorcycle parking provision to be provide for 4 spaces.

Reason: To ensure the development meets the needs of its future occupiers, and retain car parking spaces for public use, 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.

14) In line with the existing and proposed highways ownership details, the development hereby permitted shall ensure that access to the Montrose and Silkstream Parks is maintained at all times, from Montrose Avenue via the accesses to be created for the development.

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 polices 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

15) The developer to ensure that the detailed plans for the proposals are undertaken in collaboration with the Montrose Park and Silk Stream masterplan developers, and an integrated plan showing how the two development sites will interact to be

submitted to the Council for approval. Such details will include stopping up and diversion of the existing footpath to ensure a safe, convenient and an integrated connection for pedestrians into the existing surrounding facilities, and from Montrose Avenue.

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).

- 16) Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter. Minimum aisle widths, as set out in London Cycling Design Standards, must be met and 5% of space should be provided for the storage of non-standard cycles.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and the London Cycling Design Standards 2016.

- 17) Before the development hereby is occupied; details to show entry and egress arrangements and pedestrian walkways / cycleways are to be submitted to and approved in writing by the Local Planning Authority. Submission shall include road safety audits, proposed introduction of highway features on, stopping up and land ownership plans will need to be revised showing the proposed layouts and footways in association with the new accesses to both the Montrose Youth Zone and the Montrose Park. Stopping up details will be required and agreed. The details of the proposed works to be undertaken to the existing public highways shall have been approved in writing by the Local Planning Authority and implemented prior to the formal opening of the development. The development shall thereafter be implemented in full in accordance with the approved details.

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

- 18) Prior to Ground Works and Site Preparation Works, no development shall commence until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works

- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice
- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures

Demolition and waste management

- xix. Demolition Audit
- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management including access to the site (specifically any proposed temporary construction accesses to the site); the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation any existing ecological features that may be affected by works in that Development Phase
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction
- xxvii. Measures to minimise dust levels during construction
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxix. Construction lighting strategy, including measures to minimise light spill
- xxx. Measures to reduce water usage during construction
- xxxi. Measures to reduce energy usage during construction
- xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

- 19) Prior to the occupation of the development a waiver of liability and indemnity agreement must 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.

- 20) Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and London Plan policy 6.14 'Freight'.

- 21) Prior to the commencement of the development hereby approved, details of any highways to be stopped under Section 247 of the Town and Country Planning Act 1990 shall be submitted to and agreed with the Local Planning Authority, generally in accordance with Drawing No. UBYZ-HBA-00-00-DR-A-P003 Rev P3.

Reason: To ensure that adequate public access is provided throughout the development.

- 22) No part of the development shall come into operation until the access roads and highways works (on and off-site) associated with the new access are made available for use.

Reason: To ensure there is adequate access available to all units and commercial units.

- 23) Prior to the occupation of the development, the works to be undertaken to the existing public highways and un-adopted road layouts shall have been approved in writing by the Local Planning Authority and implemented prior to the formal opening of the development. The details of the works will cover the access roads and access points and road features, car parking areas, new footways and footpaths, along with any supporting Road Safety Audits. The approved and

agreed works shall be completed at the applicant's expense based on the agreed layout shown on Drawing No. UBYZ-HBA-00-00-DR-A-P003 Rev P3.

Reason: To ensure that adequate and satisfactory provision is made for 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.

24) A Community Centre Travel Plan shall be submitted to the Council for approval at least 3 months prior to occupation. The Travel Plan shall relate to all travel movements associated with the Youth Centre including but not limited to staff, users and visitors and shall be iTRACE and ATTrBuTe compliant and therefore meeting the requirements of the Transport for London Travel Plan guidance. The Travel Plan shall include a range of soft and hard measures to be implemented from the time of submission until at least 5 years after first occupation of the development and will include the provision of a Travel Plan Champion to be in position for the life span of the Travel Plan. Monitoring that meets the Transport for London 'standard approach to monitoring' shall be completed within 3 months of occupation and in years 1,3 and 5 following which the Travel Plan shall be updated and resubmitted to the Council for approval. The Travel Plan shall include details of the mechanism to be used for the Travel Plan monitoring fee of £5,000 to be paid prior to occupation.

Reason: To ensure there is adequate access available to all units and commercial units, and 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 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.

25)(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 and pathways, 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.

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

Reason: 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 2

That the Committee grants delegated authority to the Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions and obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his/her absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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

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

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The London Plan

The London Plan (2015) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land).

London's Transport

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

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

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth

– The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

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

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

DM13 (Community and education uses)
DM14 (New and existing employment space)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

Local Supplementary Planning Documents:

Sustainable Design and Construction (October 2016)
Residential Design Guidance (April 2013)
Planning Obligations (April 2013)
Affordable Housing (February 2007 with updates in August 2010)
Strategic Supplementary Planning Documents and Guidance: Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
Housing (November 2012)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

Colindale Area Action Plan (CAAP)

1.2 Relevant Planning History

Details of site history are listed in Appendix 2 of this report.

1.3 Public Consultations and Views Expressed

As part of the consultation procedure, 1252 letters were sent to local residents. A site notice was also erected on 06/04/2017 and the application was published in the local press on 04/04/2017.

Of the responses received by the council, of which 21 were objections, 5 were letters of support and 5 were comments. Details of these consultation responses are outlined below.

Objections

- 1) There are numerous facilities within the local area which are not being used including Burnt Oak and Copthall Leisure Centres.
- 2) The tennis courts will be lost.
- 3) Existing park users will need to travel further afield to Silkstream Park.
- 4) More young people in the park will increase the crime rate and anti-social behaviour, making local residents even less safe walking at night.
- 5) The Council should be liaising with local schools that already have these facilities in place so as to provide the youths with these facilities without spending the government money on new ones.
- 6) The proposal, as a youth zone rather than leisure centre, will not be open to all of the community
- 7) Young people do not use the park
- 8) The existing facilities should be improved, before new buildings are constructed.
- 9) The proposed Youth Zone should be built on brownfield land.
- 10) The proposed building is unattractive
- 11) Increased noise and light pollution from new community uses
- 12) Increase disturbance from more vehicles entering and passing the site
- 13) Highways safety
- 14) Overspill parking
- 15) Future users will need to cross the park at night, which is dangerous
- 16) Montrose Park is one of only a few green spaces left. As such, it should not be built on.
- 17) Not best use of council funds when libraries are being closed. Council funds should be also spent on local infrastructure.

18) Youth Zone not being used throughout the day.

Response to objections

- 1) Although there are nearby local community facilities, these do not provide the range of activities and capacity that the proposal is able to accommodate.
- 2) The existing tennis courts are not being lost as part of this application.
- 3) The proposal is resulting in only approximately 2.3% of the park's green space being developed to provide the Youth Zone building. The proposal should therefore have no significant impact on the use of the park's green spaces and other uses.
- 4) As part of the appraisal process, the Metropolitan Police have been consulted regarding the proposed Youth Zone and its location within Montrose Park. No objections have been received by the Council from the Met Police.
- 5) It has been identified by the Local Authority that providing a built-for-purpose community building will provide a better range of facilities and activities.
- 6) The proposal, as a youth zone rather than leisure centre, will be open only to the people of ages 9 to 18 (or up to 25 for those with additional needs).
- 7) The application site is located in a residential area and as such there is a high local young population. Through the construction of this new facility there will be structured activities for young people in a safer, secure facility.
- 8) Another application has been submitted to the Local Planning Authority, seeking to make numerous improvements to both Montrose and Silkstream parks. However, the extent of these improvements cannot overcome the need for a community centre and the range of activities and services the proposed community centre can provide.
- 9) Although the proposed site is not brownfield, there are a number of reasons why this location is considered appropriate including high PTAL, nearby residential properties the complementary relationship this use has with the outdoor sports uses of Montrose Playing Fields.
- 10) Through the use of conditions, the external elevations of the proposed building and the materials used are to be further worked on with the Council to ensure the new building is of a high quality design and appearance.
- 11) The Environmental Health Team has been consulted regarding the proposal. Appropriate conditions relating to noise mitigation have been attached. Also a condition restricting the hours of use has also been attached.
- 12) A condition restricting the hours of use has been attached. This will ensure vehicles will not be entering and leaving the site at anti-social times.
- 13) As part of the appraisal process the Highways Team have been consulted. They have raised no issue with highways safety.
- 14) As part of the appraisal process the Highways Team have been consulted. They have raised no issue with overspill parking.
- 15) The proposed Youth Zone directly adjoins Montrose Avenue, and as such future users of this facility will not need to cross the park at night.

- 16) The extent of development of the Montrose Playing fields is minimal.
- 17) The funding of this application is not a planning material consideration.
- 18) Although the activities are scheduled after school (when young people will be available to use the centre), staff preparation works will be taking place in the Youth Zone during the day.

Support

- 1) Very good project as long as it doesn't ruin the natural look of the park.
- 2) Provides local place for youths to play sports.
- 3) Will create feeling of unity.
- 4) This will finally replace the poor facilities we have in Montrose for example poorly surfaced concrete in the basketball court, awfully laid football pitches.
- 5) Dedicated sports facility will minimise disturbance caused by sports being played close to existing residential areas.
- 6) Provision of activities for young people will reduce anti-social behaviour.
- 7) Should also provide improvements and opportunities for adult users of the park.
- 8) As well as facilities for sports and activities, youth zones also have employability programs and a chance to talk to someone one to one about youth specific issues.
- 9) Most young people don't drive, so there will be insignificant highways impacts.

Comments

- 1) Can the parking impact be considered as part of the appraisal process?
- 2) How will you ensure that the park is kept clean of litter given the proposed increased use?
- 3) Who will be able to use the facilities e.g. toilets and cafe? Will they be accessible to all users of the park?
- 4) I think council should do other important improvements before building this centre.
- 5) Why is this centre being built when nearby libraries are being closed?
- 6) There is an existing old building within the park not in use, why this can't be refurbished/ extended?
- 7) Cars are speeding on roads in proximity to the application site. Can a way of controlling this issue be found?
- 8) Parking permits should be in place. I think the proposal will also have a negative impact on the allotment site.
- 9) Can the flood alleviation strategy be appraised as part of the application? The Greenway currently experiences flooding.

Responses to Comments

- 1) The parking impact will be appraised by the Council's Highways Team.
- 2) A condition has been attached to this report requiring a management plan be submitted. This will include management of the Youth Zone and external space around the Youth Zone.
- 3) This facility will be accessible to people within the age restriction.
- 4) Other improvements to the park are proposed under a separate application.

- 5) The closures of libraries are a separate matter and are unrelated to this application.
- 6) The existing building on site is not the appropriate size and location for this type of use.
- 7) Vehicular matters will be appraised and addressed by the Council's highways team (see the highways section of this report).
- 8) The need for parking permits will be appraised by the Council's highways team (see the highways section of this report).
- 9) As part of the appraisal process the Council's drainage team have been consulted.

1.3 Internal Statutory Consultation Responses

Highways

No objection to proposal. Highways have recommended the attachment of a number of conditions. Full appraisal of highways issues are detailed in the Highways section of the report.

Urban Design

- The location of the structure is fitting, the adjacent outdoor event space planned for the park and the relocated tennis courts are envisaged to create a synergy between the Youth Zone and the rest of the park. In addition, the proximity to one of the park entrances will ensure ease of access to the Youth Zone.
- The orientation of the building is welcome as it backs onto a green buffer which mitigates noise from the rail tracks and provides a visual buffer as well from the pedestrian perspective. Servicing of the building should be kept at the back, between the railway interface and the building. The 3 metre interface seems to suffice.
- Parking and drop off area should be designed in order to cause minimum disruption to Montrose Avenue and future cycle traffic through.
- The external recreation area between the building and the rail tracks should be carefully designed.
- The modular character of the Sports Hall is very welcome as we can have more than one activity in a single space.
- The timber cladding is welcome as long as it is a pre-treated material that will be low maintenance. This natural texture will be fitting for a structure that is set within park space. The grey material shown is less easy to envisage and a sample would be needed to understand the nature of the material. Currently the main hall façade fronting the park is very inactive. This needs attention and can be mitigated though fenestration, material change or even climbers. A polymer cladding which would increase transparency could be used in places as shown in precedents within the document.

- The kick pitch on the first floor is very welcome as it is seen as a space saving measure allowing for more green open space and less footprint.
- A good level of fenestration is proposed to the interface with the park, which will allow for views in and out the Youth club.
- The large mounds in front of the main sports hall seem to have no purpose and restrict the main sports hall façade. In addition the area of mounds could be used as a recreation area instead of a limited linear space behind the building.

Trees

One group of mature poplar trees and 5 individual trees will be removed for this proposal. The loss of the poplar trees is the most significant in terms of stature and size. However they are all in poor structural condition and removal and replacement is likely regardless of development in the short to medium term. An arboricultural method statement and detailed landscaping plan conditions will need to be attached to this permission.

Environmental Health

The acoustic fence to the outdoor kick pitch will reduce noise levels to acceptable noise levels for nearby residents.

Specifications have been provided within the acoustic report for glazing, ventilation and doors.

Outline recommendations have been made for controlling noise from amplified music.

I would recommend the implementation of conditions to ensure that Barnet's standard requirements for noise levels are met. The recommended conditions have been attached (see conditions list).

Street Lighting

No further comments.

Green Spaces

1. The current path network doubles up as vehicular access for both park maintenance vehicles and allotments holders. The path network indicated in the plan is insufficient for vehicles to manoeuvre: resulting in a detrimental effect on the park by the creation of ruts or wheel tracks to the grassed area; requiring additional maintenance and incurring additional cost. The pathway proposals should be aligned with the proposals for access to and through the wider site included within the Council's proposals/masterplan for the wider Montrose Recreation Ground/Silkstream Park redevelopment.

2. The proposals include the creation of an underground floodwater attenuation tank outside the boundary of the site and within the wider park. This is acceptable subject to:-
 - The floodwater attenuation tank shall be the responsibility of the applicant; with no responsibility attaching to the Council;
 - All costs arising from the creation and maintenance of the attenuation tank being the sole responsibility of the applicant with no such costs attaching to the Council;
 - The specification and mode of construction of the attenuation tank being capable of bearing the weight of vehicles and items of parks equipment and submitted to and validated by an appropriately qualified engineer prior to commencement of construction: with all costs being borne by the applicant;
 - Maintenance of the attenuation tank being undertaken from the area of land occupied by the applicant whenever possible;
 - In the event of works of maintenance of the attenuation tank being undertaken from within the park, the applicant will make good all land disturbed; including the backfilling of excavations, making good subsidence both following the completion of the works and subsequently should subsidence occur over time;
3. The earth mounds indicated on the plan extend beyond the boundary of the application site and intrude into the wider park. They are in direct conflict with the Council's proposals/masterplan for the wider Montrose Recreation Ground/Silkstream Park redevelopment as they intrude into the areas to be occupied by new paths and the new multi-use games area and tennis courts: facilities which are being provided for all park users. The scales of the mounds also appear out of proportion to the scale of the proposed building and would not contribute to the integration of the proposed building into the wider park.

The applicant's proposals to create the earth mounds as indicated on the plan are unacceptable and, if not deleted from the scheme, will be the subject of an objection to the proposals.

4. Clarification is required regarding the design and construction of the front entrance and street scape edge as it is not clear if the proposals are compatible with the Council's proposals for the remainder of the park. Should, following clarification, the proposals not appear compatible, they should be amended; with amendments being agreed with the Council.
5. Works affecting trees on the site should be undertaken in accordance with appropriate legislation, standards and codes of practice.

1.4 External Statutory consultation responses

Montrose Avenue Allotment Society (MAAS)

Our site is adjacent to the Montrose Avenue Playing Fields and will be affected by the proposed development:

Our allotment society welcomes development of the playing fields but would like reassurance that any development does not adversely affect our access to the allotment site and measures are put in place to mitigate against the additional security risks associated with proposed night time activities.

1. MAAS would like assurances that vehicle access to the MAAS site is maintained, for our deliveries to the allotment site that may require lorries.
2. We would like the development to include provision of improved security on the site e.g. additional CCTV, as there are plans for night time floodlit activities . In addition there is no lighting in one side of the playing fields and this should be upgraded to improve security.
3. MAAS members would like to have access to the "Youth Zone" toilets and cafe facilities, even though many of us could not be described as youths.

Transport for London

It is understood that the applicant has been in contact with London Underground to discuss issues regarding floodlighting on the nearby LU railway line. The applicant shall continue to cooperate with LU where necessary to ensure that floodlighting from the proposed development does not adversely impact their operations.

TfL welcome that a CPZ will be introduced around the site, as this will limit parking and encourage the uptake of sustainable transport modes.

TfL welcomes the quantum of cycle parking spaces for this development, and that the majority will be Sheffield style stands as these cycle spaces can accommodate different types of bicycle, including adapted and larger models.

TfL welcome the travel planning measures discussed in the submitted Transport Statement; it is expected that a full travel plan will be secured by s106 agreement. Subject to the above, TfL do not have any objections to the proposal.

Highways England

No objection to the proposal.

Historic England

The proposal is unlikely to have any significant effect on heritage assets of archaeological interest. This application does not lie within an Archaeological Priority Area nor are there any archaeological finds in the vicinity. No further assessment or conditions are therefore necessary.

Natural England

No comments

Sports England

The proposed Youth Zone facility is intended to be located on the playing field and would therefore result in the partial loss of playing field land.

This application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the above site. It therefore needs to be considered against exception E5 of the above policy, which states:

E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

Sports England have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception E5. The proposed development would be sited on an area of Montrose Playing Field that has had a football pitch marked on it in the past. However, the recently completed Playing Pitch Strategy (PPS) indicates that the site is currently under used and recent aerial photographs show this football pitch not being marked. The PPS, whilst confirming that the whole site should be protected, indicates that Montrose Playing Field should accommodate junior football pitches and maintain the Gaelic football pitch to meet current and future demand. It appears this would be achieved even if the proposed development is constructed. In consequence, the proposed development should not determinately affect the current or project future formal playing pitch demands of Montrose Playing Fields.

The proposed facility would have a sports hall (albeit too small for a four court sports hall but larger than a traditional three court sports hall), a climbing wall, martial arts studio, a performing arts studio, a fitness studio and a 'kick pitch' for young people. Although this facility would not be aimed at the wider community, there is a need for sports halls within the Borough and the submitted documentation articulates a particular need for a youth aimed facility. Having regard to all these factors, provided that the sports facilities are constructed in line with Sport England's design guidance (particularly with regard to the surfacing), the proposal, in this instance, is considered to be of benefit to sport to outweigh the detriment caused by the partial playing field loss.

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet exception E5 of the above policy. The absence of an objection is subject to the following condition being attached to the decision notice should the Local Planning Authority be minded to approve the application:

- 1) *No development shall commence until details of the surface of the sports hall and kick pitch have been submitted to, and approved in writing by, the Local Planning Authority. The development thereby permitted shall not be constructed other than in accordance with the approved details.*

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

Informative: The applicant is advised that the design and layout of the sports facilities should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Artificial Surfaces for Outdoor Sport 2013, Sports Halls Design & Layouts 2012 and Floors for Indoor Sports.

Should the condition recommended above not be imposed on any planning consent, Sport England would consider the proposal to not meet exception E5 of our playing fields policy, and we would therefore object to this application.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or any National Governing Body of Sport to support for any related funding application.

If you would like any further information or advice, please contact me at the address below.

Environmental Agency

No comments

Campaign to Protect Rural England

CPRE are objecting to this proposed development on behalf of our members who are very concerned about the above referenced appeal relating to a development proposed for Montrose Playing Fields. Our objection is based on the following grounds:

- This development would remove a large part of the park from public use and while we appreciate that there may be a need for youth facilities this should not mean that buildings are erected which means that open space is lost forever
- Actually, we would question the need for this facility and are extremely concerned that it may be in competition with other local facilities. There is a clear danger that funding will run out leaving the council to pick up the pieces. There is also a risk that it could then end up as a private club or housing.
- Our understanding is that OnSide youth zones are not run as part of the park but separate entity which amounts to public subsidy. It is not clear on what basis any permission would be granted in particular at what price the land is to be leased.
- It is not clear whether the council is subsidising this and, if so, (a) whether this is in fact a priority for council subsidy or (b) whether other organisations have had a chance to access any subsidy. Other park improvements maybe more important and this ought to begin with a park consultation and an action plan.

This feels like an opportunistic proposal based on give-away of public park land. It is our understanding that the whole area fenced in is very large as it includes courts and that the complex would potentially belong to onside for many years.

2.0 SITE DESCRIPTION

The application site is located on the northern corner of Montrose Playing Fields which is characterised by open grass land used for parks and recreational uses. Montrose Playing Fields lie in the Burnt Oak ward, with residential uses surrounding this green amenity space, including the new Colindale Development to the south east.

The site is bounded by a railway embankment and railway line to the north-east; by open space of the Fields to the south-east and southwest; and by Montrose Avenue to the north-west. Public footpaths also run through the Fields providing a marked and measured circuit route in the Fields for running, walking or cycling known as the Millennium Walk.

Pedestrian and vehicular access is gained from Montrose Avenue to the northwest, with pedestrian access from Greenway to the southwest, from Booth Road via a footpath under the underground line to the northeast and informally from the Former Colindale Hospital site to the southeast.

The site is not within an area identified and protected as a Site of Importance for Nature Conservation. The site is not located in an area of the borough that is considered deficient in public open space (as identified on Map 10 of LBB Core Strategy DPD 2012).

The proposed site sits within the boundaries of Colindale regeneration and development area and the CAAP recognises that Colindale has an important role to play in the borough-wide strategy to protect the most important open and green spaces.

The site sits within Montrose Playing Fields which is considered to constitute playing field, or land last used as playing field.

The site adjoins the Watling Estate Conservation Area directly to the northeast, north and northwest. On Montrose Avenue or the surrounding area there are no statutory or locally listed buildings. There are no areas of special archaeological interest with the nearest one found east of Burnt Oak station to the north of the site. There are no designated TPOs on the site or the surrounding area. Burnt Oak Broadway is the nearest road that forms part of the strategic road network.

3.0 PROPOSAL

This application seeks permission for the erection of part single, part two storey Youth Zone including sports hall and floodlit roof level MUGA/kick pitch. The facility is proposed to include the following:

- A four-court indoor sports hall
- Indoor climbing wall
- A fully equipped fitness gym
- A performing arts studio
- Music suite with instruments and recording equipment
- A boxing and martial arts gym
- A large open plan recreation area
- Project rooms, including arts, crafts and fashion
- Film and multi-media facilities
- A teaching/mentoring kitchen
- A café serving hot nutritious meals costing no more than £1
- Roof level (to reduce land take) multi-use games area/kick pitch with flood lights
- A break out room to include activities such as employability workshops, general and gender specific health/youth issue topics/projects and youth participation

The new proposed building which will accommodate these uses is part single, part two storey. The height of this building ranges from 4.25 to 8.67 metres and it has a depth of 71 metres and width of between 26 to 33 metres.

As stated in the submission documents, the proposed Youth Zone would be open when schools are closed and operate 365 days a year. In term time, the zone is likely to be open Monday to Friday 3.30pm to 10pm, in the school holidays, Monday to Friday 9am to 10pm and at weekends 9am to 10pm. The Youth Zone will be open seven days a week, for young people aged 8-19 (or up to 25 years for those with additional needs).

4.0 PRINCIPLE OF DEVELOPMENT

4.1 Loss of Open Space

London Plan policy 7.18 states that *'The loss of protected open must be resisted unless equivalent or better quality provision is made within the local catchment area'*. *Although the proposal is resulting in the loss of some open space, on the first floor of the development is a high quality floodlit open-air MUGA/kick pitch measuring 576 sqm in area. This pitch is considered to represent a contribution to open space re-provision and better utilisation of the application site to provide a greater range of sport uses.*

Policy CS7 refers to the enhancement and protection of Barnet's open spaces whilst meeting increased demand for access to open space and opportunities for physical activity, by tackling deficiencies and under provision. In particular it supports securing additional on-site open space or other open space improvements in the identified growth areas including 5 ha at Colindale.

Policy DM15 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: a) The development proposal is a small scale ancillary use which supports the use of the open space or b) Equivalent or better quality open space provision can be made. Any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity’.

The application site is not located in an area of the borough that is considered deficient in public open space. The proposal will result in the loss of 2,321.56 sqm of open green space for the proposed community building itself in a park which consists of 99,510 sqm of open green space. The proposed building itself will therefore result in the loss of 2.1 % of the open green space of Montrose Park while the development of the site including associated outdoor space is less than 4%. This loss is considered comparatively minimum. As such, the proposal is considered to represent an ancillary use to Montrose Park and the proposal therefore complies with policy DM15.



Figure 1: Red line site plan within the park

Although team sports are played on the application site, a limited number of activities are available. All of these activities take place outdoors as there are currently no indoor sport facilities and therefore are weather dependant. It is considered that a community centre in this location will be able to provide a range of sport activities which can be used in all weathers. As such, the proposal complies with policy CS7 as it is increasing opportunities for physical activity.

4.2 Provision of Community Facility

Core Strategy Policy CS10 states that the Council will work with its partners to ensure that community facilities for younger people are provided for Barnet's Communities.

Development Management Policy DM13: Community and Education uses states that ‘new community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres.

This policy goes on to state that new community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties.

The proposed youth zone will be located 0.71 from Colindale Station and as such the site has a PTAL of 3. With the construction of the new Montrose Park bridge (see application 15/01661/FUL), this distance will be reduced to 0.5 miles. Later sections of this report explain how, subsequent to analysis, the proposed Youth Zone is not considered to have a detrimental impact on either traffic, road safety or the amenity of residential properties. As such, the proposal is considered to comply with DM13.

4.3 Impact on surrounding residential amenities

Policy DM13 (Community and education uses) Para 14.1.7 states that '*Community and educational uses may be appropriate in residential areas. Where they do 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*'.

Although the proposed community centre lies within a park, it lies opposite residential properties 117 Sikstream Road and Nos 15-23 Montrose Avenue. However, due to set back distances established under the proposed Youth Zone lies 26.5 metres from the front boundary of these residential properties and 34 metres from their front elevation. This distance would alone mitigate any impact created by the proposal. However, the proposed building itself by reason of its height, size and positioning, is not considered to have any detrimental impact on nearby residential properties in terms of loss of outlook, light or privacy.

Other nearby residential properties includes Booth Road and 178 Montrose Avenue to the north east of the site. These residential properties lie over 50 metres from the proposed Youth Zone and are separated from the application site by the northern line railway line and embankment which creates a visual barrier between these two areas. As such, there is considered to be no detrimental impact on these properties caused by the proposal.

To the south west of the site lies 72 Montrose Avenue which is positioned approximately 70 metres from the application site. This separation distance again is considered sufficient to mitigate any impact of the proposal on this residential property.

4.4 Loss of existing sports and recreation uses

About two thirds of the Montrose Playing Fields (southeast) provide a range of grass playing pitches for football and rugby, plus tennis courts and a hard court basketball area. In this area there is a disused pavilion and a brick outbuilding (probably a former tram store). One third of the Fields (northwest) provides open grass space currently used as events space and connects to the northern entrance into Montrose Playing Fields from Montrose Avenue. Sports England was consulted as part of the appraisal process (see full response in consultation section). Sports England

identified that the current playing fields were underutilised and recognised that the proposal brought sport benefits. As a result Sports England raised no objection to the proposal.

4.5 Design of the proposed Youth Zone

The location of the proposed building is appropriate as it fronts onto a main road (Montrose Avenue), increasing the facilities accessibility. Being sited at the north west corner of the park minimises the impact of the proposal on the openness of the playing fields. Its positioning by the raised railway embankment and line of adjoining trees also minimises the viability of the proposed structure. The orientation of the proposed building along this green buffer also mitigates noise from the rail tracks.

The location of the kick pitch on the roof of the building effectively minimises the building footprint. This efficient utilisation of building space is considered appropriate due to the building's location in a green space, where building footprint should be kept to a minimum.

The modular character of the Sports Hall is very welcome as it allows more than one activity in a single space.

4.6 Design of external spaces and soft landscaping

The current proposal shows earth mounds located in close proximity to the Youth Zone Building. As part of the appraisal process, the Council's Green Spaces team were consulted regarding the scheme. The Green Spaces team raised concerns about these mounds as they extend beyond the boundary of the application site and intrude into the wider park. As a result, these mounds conflict with the Council's proposals for the wider Montrose and Silkstream park redevelopment plan (planning reference: 17/1929/FUL) and detrimentally impact on areas to be occupied by paths, multi-games activities and tennis courts. Furthermore, the scale of these mounds is out of proportion to the proposed Youth Zone building and this landscaping feature presents no aesthetic value. Therefore, a condition has been attached to this application requesting details of the soft landscaping measures be submitted to the Local Planning Authority for approval. The Council would expect that these proposed measures to not include the originally proposed earth mounds for the reasons outlined in the Green Spaces consultation response.

Green Spaces also identified in their consultation response that the proposed path network doubles up as vehicular access for both park maintenance vehicles and allotments holders. The path network indicated in the plans submitted under this application is insufficient for vehicles to manoeuvre. This will result in a detrimental impact on the park by the creation of ruts or wheel tracks to the grassed area which will require additional maintenance and incurring additional cost. A condition has therefore been attached requesting that details of the proposed path network be submitted to the local authority for approval. This will ensure that these proposed paths can be used comfortably by vehicles without causing ruts or wheel tracks to grass areas.

4.7 Highways Impacts

In relation to the above proposed new development, based on recent additional information submitted by the applicant, Transport and Regeneration (T&R) have reviewed the planning application and have no objections to the proposals. The application is recommended for approval but with the attached suggested planning conditions to ensure that the development proposals are sound and acceptable.

Details of the predicted traffic and transportation implications are summarised below.

4.6.1 Trip generation and Impact

The floor area of the proposed development is 2,294sqm and will hold a number of activities including sports ranging from skating, football, badminton, netball, basketball, cricket, climbing, boxing and fitness training, and creative activities such as arts and media opportunities, dance studio, media suite (for the production of film, music etc) as well as arts and crafts workshops. At the core of the development's principles and as promoted by Onside Youth Zones is the principle of sustainable access to the site, with less dependency on the car.

The facility is expected to attract a minimum of 1500 young people visiting each week, up to 15 full-time and circa 40 part-time employment opportunities for local people and a minimum of 100 volunteering opportunities.

The expected visitor numbers will be over a 6-hour period during the weekday, starting from 4pm in the evening. The maximum expected on a typical day is 200 visitors, who will use various modes to travel to the facility. A breakdown of the agreed mode splits are below, which highlights that 25% of the trips made to the site will be by car.

Table 1: Development Trip Generation

	Mode of Travel						Total
	Walk	Cycle	Bus	Car	Train	Other	
Mode Split	36%	4%	30%	25%	4%	1%	100%
Trips per Day	72	8	60	50	8	2	200
17:00-18:00 (based on daily trips over 6-hrs)	12	1	10	8	1	1	33

During the highway peak and worst-case trip arrival time period for the site (i.e. in the PM peak), the proposed development will attract 8 vehicles. It is expected that this combined with the implementation of the proposed travel plan and sustainable measures for the development, the expected trip levels can be maintained in order to ensure there is no detrimental impact on the operation of the adjacent highway network.

Overall, the development in terms vehicular impact is not considered to have a

significant impact on the local public highway.

4.6.2 Trip generation

The site has a PTAL of 3 (moderate).

The site has a PTAL of 3 'Moderate', which implies that the public transport accessibility. Whilst this may not be at the high end of PTAL level 6, there are nearby busses which are expected to be actively and positively patronized by the visitors (mainly youths) to the site.

With the estimated figure of 60 daily trips of public transport users, about 10 trips will be made by the bus during the highway peak hours – as shown in the above table.

Public transport is provided by the following local bus routes accessed from nearby bus stops located approximately within 400m from the application site with existing high frequency bus routes. The nearest bus stop is located on the eastern side of Lanacre Avenue, 400m from the application site, served by bus 186 and 204. In addition an additional three bus services route can be found along Burnt Oak Broadway. The following are some available routes that can be used to access the site.

Route 186 (Lanacre): Hospital - Harrow Town Centre - Harrow & Wealdstone Station - Belmont Health Centre - Canons Park Station - Edgware Station - Mill Hill Circus - Mill Hill Broadway Station - Hendon Central Station - Brent Cross Shopping Centre

Route 204 (Lanacre): Sudbury Town Station - Wembley Central Station - Preston Road Station - Kingsbury Station - Colindale Station - Burnt Oak Leisure Centre - Burnt Oak Station - Edgware Community Hospital - Edgware Station

Route 32 (Burnt Oak): Kilburn Park Station - Brondesbury Station - Cricklewood Broadway - Hendon Magistrates Court - The Greenway - Montrose Avenue - Burnt Oak Broadway - Edgware Community Hospital - Edgware Station

Route 142 (Burnt Oak): Watford Junction Rail Station - Watford High Street Station - Bushey Station - Red Lion Pub - Common Road - Stanmore Station - Park Grove - Edgware Station - Montrose Avenue - Park Road - Etheridge Road - Brent Cross Shopping Centre

Route 292 (Burnt Oak): Colindale Superstores - Montrose Avenue - Burnt Oak Broadway - Edgware Community Hospital - Edgware Station - The Fairway - Elstree Studios - Elstree & Borehamwood Station - Rissington Avenue

The closest rail station is Mill Hill Broadway, approximately 1.77km serving areas such as Hendon, Cricklewood, West Hampstead Thameslink, London St Pancras, St Albans, and Wimbledon. The closest the London Underground is at Burnt Oak on the Northern line, at a walking distance of 700m or nine (9) minutes of walking from the site.

A condition to ensure that travel plan measures are implemented on the site to ensure that sustainable trips are made to the site has been provided.

4.6.3 Parking (car, cycle, disabled, visitor)

The development scheme will be designed as a no-car or low-car development with no dedicated general parking on the site. Based on the estimated trips outlined above in combination with the operations of the site, there will be no need for permanent general parking on the site as assured by the developers except of disabled parking, and drop-offs and pick-ups.

LB Barnet accepts this and has agreed that a drop-off/pick-up zone can be created on the highway immediately fronting the development site, along Montrose Avenue.

A 25-metre zone will be used for this propose to hold up to 5 cars at any one time, and stay for a period of up to 10 minutes only (maximum short-stay parking), with no return within 1-hour. This will be subject to parking restrictions under the proposed Controlled Parking Zone (CPZ) arrangements. To ensure it provision, Condition 13 seeks to address this matter. The restrictions will ensure quicker turnover for parking demand at these bays, in order that vehicles will not be allowed to wait there for long periods, thereby blocking other visitors from using it.

Based on additional discussions, one disable parking space will be provided within the curtilage of the development site. This will be accessed n forward gear and exited in forward gear, rather than reversing unto the public highway which may be detrimental to other road users. The access and bay details will be subject to Section 278 agreement to ensure that the developer builds it in accordance with Council standards. For this reason, Condition 3 is recommended to be placed on any planning consent.

Cycle parking will be provided in the order of 16 cycles and this is considered acceptable in line with the expected cycle trips generations to the site. Such cycle parking for visitors will be provided close to the main pedestrian entrance to the building and will be overlooked from the lobby area to ensure passive surveillance. It should be noted that based on the results of Travel Plan monitoring, if required additional spaces can be provided on site to increase the cycle parking provision in the future.

Under Condition 13 information should be provided to address the Minibus parking issues should the developer of the Youth Zone require operating a Minibus to the site. The general usage and management of parking for the Minibus will follow the proposed Parking Management Plan (PMP) for the site.

Table 2: Summary of Overall Parking Provision

	Visitor Parking (On-Street Drop-off/Pick- up)	Disabled Parking (Off-Street)	Cycle Parking	Motor Cycle Parking
Montrose Youth Zone	5	1	16	4

The parking provision and associated Parking Management Plan are detailed via Condition 12

4.6.4 Access (vehicular, pedestrians & cyclists)

Condition 14 is required to retain access to the adjacent Montrose Park site – which is also subject to planning (ref 17/1929/FUL Montrose and Silkstream Montrose). In view of proximity of the access, the developer of the Youth Zone has been asked to build a new improved access to the park. This access will also serve as a Pedestrian access into the Montrose Park.

The existing site also has a footpath used by Park visitors to access the Montrose Park. This is proposed to be relocated adjacent the site outside of its boundary. Since the layout needs to be agreed in conjunction with the Montrose & Silkstream Park developer, Condition 15 ensures that the detailed plans for this is undertaken in collaboration with the Montrose Park and Silk Stream masterplan developers. Details will include stopping up and diversion of this footpath to ensure a safe, convenient and an integrated connection for pedestrians into the existing surrounding facilities. A S278 agreement will be required for the new relocated access. The new access junction will include a 24-hour right of access to the Montrose Park. Further details will be examined by LB Barnet and is expected to be built to full standards with sufficient radii, similar to the existing access.

There will be a requirement for Road Safety Audit (RSA) to identify sufficient visibility and that no safety issues will be introduced due to the location of this proposed access, specifically in regards to the introduction of official parking bays within the visibility splays, along Montrose Avenue. The occasional need for access by HGVs and maintenance vehicles to the Montrose Park should also be considered at detailed stages. The RSAs will be undertaken during detailed submission and approval stages, as required via Condition 19.

In terms of highways, stopping up and land ownership plans will need to be revised showing the proposed layouts and footways in association with the new accesses to both the Montrose Youth Zone and the Montrose Park. Stopping up details will be required and agreed via Condition 17. The details of the proposed works to be undertaken to the existing public highways and un-adopted road layouts shall have been approved in writing by the Local Planning Authority and implemented prior to the formal opening of the development will be included in this condition.

The refuse strategy has been accepted and changes have been made where refuse vehicle can access bin stores.

4.6.5 Management plans

A full Delivery and Servicing Plan (Condition 20) and also a Construction Environmental Management Plan (Condition 18) will be provided which is expected to be used to control and minimize any impact of construction and delivery services. Construction staff parking will be provided within the site and managed with controls to ensure that overspill parking at non-restricted parking areas is avoided. Waste

collection is also proposed to be controlled via Refuse and Recycling Collection Strategy (Condition 11).

5.0 CONCLUSION

The proposed Youth Zone, in terms of its size, siting, scale and uses is considered to represent an appropriate development within the Montrose Playing Fields.

6.0 INFORMATIVE LIST

- 1) The applicant is advised that the design and layout of the sports facilities should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Artificial Surfaces for Outdoor Sport 2013, Sports Halls Design & Layouts 2012 and Floors for Indoor Sports.

- 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.

APPENDIX 2: SITE HISTORY

Site: Montrose Playing Fields, Montrose Avenue, Colindale, NW9 5BY

Description: Erection of part single storey, part two storey Youth Zone including multiuse sports hall, floodlit roof level MUGA/kick pitch, music suite, indoor/outdoor recreation areas, and café/kitchen

Decision: Pending consideration

Decision Date: Pending consideration

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LOCATION: Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 5JE

REFERENCE: 17/2564/RMA

Received: 20 April 2017

AGENDA ITEM 7

Accepted: 11 May 2017

WARD(S): Colindale

Expiry: 10 August 2017

APPLICANT: Redrow Homes Limited

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phases 2A, 2B and 2C of the Colindale Gardens (Former Peel Centre) development pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 483 units in the form of 42 studios, 136 x 1 bedroom, 203 x 2 bedroom, 98 x 3 bedroom and 4 x 4 bedroom, together with details to discharge the requirements of conditions 55 and 56.

RECOMMENDATION 1: Approve Subject to Conditions

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

Reason:

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

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

- Proposed General Arrangement Level -01 Basement (Dwg No. 16035-01-AP-0010-000 Rev P01)
- Proposed General Arrangement Level 00 (Dwg No. 16035-01-AP-0010-001 Rev P01)
- Proposed General Arrangement Level 01 (Dwg No. 16035-01-AP-0010-002 Rev P01)
- Proposed General Arrangement Level 02 (Dwg No. 16035-01-AP-0010-003 Rev P01)
- Proposed General Arrangement Level 03 (Dwg No. 16035-01-AP-0010-004 Rev P01)
- Proposed General Arrangement Level 04 (Dwg No. 16035-01-AP-0010-005 Rev P01)
- Proposed General Arrangement Level 05 (Dwg No. 16035-01-AP-0010-006 Rev P01)

- Proposed General Arrangement Level 06 (Dwg No. 16035-01-AP-0010-007 Rev P01)
- Proposed General Arrangement Level 07 (Dwg No. 16035-01-AP-0010-008 Rev P01)
- Proposed General Arrangement Level 08-10 (Dwg No. 16035-01-AP-0010-009 Rev P01)
- Proposed General Arrangement Level 11 (Dwg No. 16035-01-AP-0010-010 Rev P01)
- Proposed General Arrangement Level 12-13 (Dwg No. 16035-01-AP-0010-011 Rev P01)
- Proposed General Arrangement Level 14 (Dwg No. 16035-01-AP-0010-012 Rev P01)
- Proposed General Arrangement Level 15 (Dwg No. 16035-01-AP-0010-013 Rev P01)
- Proposed General Arrangement Roof Plan (Dwg No. 16035-01-AP-0010-014 Rev P01)
- Proposed Block E Layout Level -01 (Dwg No. 16035-E-AP-0010-001 Rev P01)
- Proposed Block E Layout Level 00 (Dwg No. 16035-E-AP-0010-002 Rev P01)
- Proposed Block E Layout Level 01 (Dwg No. 16035-E-AP-0010-003 Rev P01)
- Proposed Block E Layout Level 02-04 (Dwg No. 16035-E-AP-0010-004 Rev P01)
- Proposed Block E Layout Level 05 (Dwg No. 16035-E-AP-0010-005 Rev P01)
- Proposed Block E Layout Level 06 (Dwg No. 16035-E-AP-0010-006 Rev P01)
- Proposed Block E Layout Level 7-10 (Dwg No. 16035-E-AP-0010-007 Rev P01)
- Proposed Block E Layout Level 11 (Dwg No. 16035-E-AP-0010-008 Rev P01)
- Proposed Block F Layout Level -01 (Dwg No. 16035-F-AP-0010-001 Rev P01)
- Proposed Block F Layout Level 00 (Dwg No. 16035-F-AP-0010-002 Rev P01)
- Proposed Block F Layout Level 01 (Dwg No. 16035-F-AP-0010-003 Rev P01)
- Proposed Block F Layout Level 02-04 (Dwg No. 16035-F-AP-0010-005 Rev P01)
- Proposed Block F Layout Level 05 (Dwg No. 16035-F-AP-0010-005 Rev P01)
- Proposed Block F Layout Level 06 (Dwg No. 16035-F-AP-0010-006 Rev P01)
- Proposed Block F Layout Level 07 (Dwg No. 16035-F-AP-0010-007 Rev P01)
- Proposed Block F Layout Level 8-13 (Dwg No. 16035-F-AP-0010-008 Rev P01)

- Proposed Block F Layout Level 14 (Dwg No. 16035-F-AP-0010-009 Rev P01)
- Proposed Block F Layout Level 15 (Dwg No. 16035-F-AP-0010-010 Rev P01)
- Proposed Block G Layout Level 00 (Dwg No. 16035-G-AP-0010-001 Rev P01)
- Proposed Block G Layout Level 01 (Dwg No. 16035-G-AP-0010-002 Rev P01)
- Proposed Block G Layout Level 02 (Dwg No. 16035-G-AP-0010-003 Rev P01)
- Proposed Block G Layout Level 03 (Dwg No. 16035-G-AP-0010-004 Rev P01)
- Proposed Block G Layout Level 04 (Dwg No. 16035-G-AP-0010-005 Rev P01)
- Proposed Block G Layout Level 05 (Dwg No. 16035-G-AP-0010-006 Rev P01)
- Proposed Block G Layout Level 06 (Dwg No. 16035-G-AP-0010-007 Rev P01)
- Proposed Masterplan Elevations Sheet 01 (Dwg No. 16035-01-AP-0020-001 Rev P01)
- Proposed Masterplan Elevations Sheet 02 (Dwg No. 16035-01-AP-0020-002 Rev P01)
- Plot E Elevations E1, E2 (Dwg No. 16035-E-AP-0020-001 Rev 01)
- Plot E Elevations E3, E4 (Dwg No. 16035-E-AP-0020-002 Rev 01)
- Plot E Sections S1, S2 (Dwg No. 16035-E-AP-0030-101 Rev 01)
- Plot E Sections S3-S6 (Dwg No. 16035-E-AP-0030-102 Rev 01)
- Plot F Elevations E1, E2 (Dwg No. 16035-F-AP-0020-001 Rev 01)
- Plot F Elevations E3, E4 (Dwg No. 16035-F-AP-0020-002 Rev 01)
- Plot F Sections S1, S2 (Dwg No. 16035-F-AP-0030-101 Rev 01)
- Plot F Sections S3, S4 (Dwg No. 16035-F-AP-0030-102 Rev 01)
- Plot G Elevations (Dwg No. 16035-G-AP-0020-01 Rev 01)
- Residential Overview Accommodation Schedule (dated 31.03.2017) Revision P01
- Plot E Residential Accommodation Schedule (ref: 16035-SCH-007) (dated 31.03.2017)
- Plot F Residential Accommodation Schedule (dated 31.03.2017) (ref: 16035-SCH-008) (dated 31.03.2017)
- Plot G Residential Accommodation Schedule (dated 31.03.2017) (ref: 16035-SCH-009) (dated 31.03.2017)

Reason:

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

INFORMATIVE(S):

- 1 The applicant is reminded that the conditions and planning controls in hybrid planning permission H/04753/14, as amended by permissions 16/5050/S73 and 16/7836/S73 (dated 5th May 2017), are still relevant and must be complied with. There are also conditions that require to be discharged prior to the commencement and occupation of the development.

RECOMMENDATION 2

That the Committee grants delegated authority to the Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions and obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

1. BACKGROUND TO THE APPLICATION

On 23rd December 2015, the 'original' hybrid planning permission (Ref: H/04753/14) was granted for the phased comprehensive redevelopment of part of the former Peel Centre site (now known as 'Colindale Gardens'), with minor material amendments to Blocks P & Q granted on 5th December 2016 (Ref: 16/5050/S73) and minor material amendments to Blocks H, J, K and M granted on 5th May 2017 (Ref: 16/7836/S73) ('the hybrid planning permission').

The redevelopment of the site will comprise the construction of 2,900 new homes and associated development, 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.

All site-wide pre-commencement conditions have been approved and this application seeks reserved matters approval for Phases 2A, 2B and 2C of the Hybrid Consent.

2. MATERIAL CONSIDERATIONS

2.1 Hybrid Planning Permission Controls

The details of a reserved matters application should be in general accordance with the relevant controls within the hybrid planning permission.

- The outline components of the hybrid planning permission, which define the Specified Parameters of the Proposed Development within the following three Primary Control Documents:
 - Development Schedule, Revision 5 (December 2016)
 - A set of Parameter Plans
 - Design Principles Document (June 2015)
- Details approved pursuant to conditions attached to the hybrid planning permission; and
- Requirements of conditions attached to the hybrid planning permission.

It is noted that the intention of Condition 1 of the hybrid planning permission, where it states “unless otherwise agreed”, is to allow deviations from the Primary Control Documents to be approved in circumstances where they are justified and acceptable from a planning perspective

The Approved Plans and Documents

The following plans and documents were approved at the outline stage:

- **Development Schedule, Revision 5 (December 2016) ('PCD 5')** – this sets out the type (uses) and quantity of development that could be provided within each of the Development Zones (as identified in the Parameter Plans) within the context of the site-wide allowable quantity and mix;
- A set of **Parameter Plans** – these define the extent of the proposed routes, spaces and buildings against allowable deviations/tolerances. Each of these component parts is identified as a Development Zone which is identified by a letter (e.g. Development Zone A) or a number (e.g. Public Space 1). The Parameter Plans are as follows:
 - Proposed Development Zones Plan (Dwg No. 1735-FCB-SITE 0102-P2)
 - Access and Circulation Plan (Dwg No. 1735-FCB-SITE 0103-P2)
 - Landscape Treatment Plan (Dwg No. 1735-FCB-SITE 0104-P2)
 - Ground Floor Frontages Plan (Dwg No. 1735-FCB-SITE 0105-P2)
 - Development Zones – Horizontal Limits of Deviation (Dwg No. 1735-FCB-SITE 0106-P3)
 - Proposed Site Levels and Vertical Limits of Deviation (Dwg No. 1735-FCB-SITE 0107-P2)

- Development Zones and Maximum Heights (Dwg No. 1735-FCB-SITE 0108-P5)
- Proposed Site Basement Levels and Limit of Deviation (Dwg No. 1735-FCB-SITE 0109-P2)
- **Design Principles Document (June 2015) ('DPD')** – this provides overarching guidance for future design teams involved in the preparation of Reserved Matters Applications for the development of the outline components, including buildings, landscape/public realm and routes.

The application was subject to an Environmental Impact Assessment (EIA). The consent is therefore bound by the EIA Regulations.

Informative Conditions

The hybrid planning permission is subject to 60 conditions. This includes a number of informative-type conditions, with which reserved matters applications should accord.

Details Approved Pursuant to Conditions

Following the grant of the hybrid planning permission, a number of documents/plans/strategies have been approved by the LPA in order to discharge the requirements of conditions attached to the permission. This establishes a further layer of approved detail. Accordingly, reserved matters applications should be in accordance with details approved pursuant to the following conditions:

- Condition 4 – Phasing (Site-Wide);
- Condition 15 – Site-Wide Car Parking Management Strategy (Site-Wide);
- Condition 27 – Energy Statement (Site-Wide) – approved post-submission;
- Condition 29 – Rainwater Feasibility Study (Site-Wide);
- Condition 51 – Tree Protection Measures (Stages 1 and 2);
- Condition 52 – Arboricultural Method Statement (Stages 1 and 2); and
- Condition 53 – Trees and Service Plan (Stages 1 and 2).

2.2 The Development Plan

Where the approved plans/documents/conditions outlined above are silent on a particular matter/detail (i.e. it has not yet been approved) then regard should be had to the planning policy framework affecting the site. In instances of conflict between the approved plans/document and the development plan, greater weight should be given to the approved plans/strategies.

The London Plan (March 2016)

The London Plan (consolidated with alterations since 2011) was adopted in March 2016 and is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004).

Policies within the London Plan that are relevant to this application include: 2.13 (Opportunity Areas and Intensification Areas); 3.3 (Increasing Housing Supply); 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.7 (Large Residential Development); 3.8 (Housing Choice); 3.9 (Mixed and balanced communities); 5.11 (Green roofs and development site environs); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.7 (Location and design of tall and large buildings); 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature).

The site forms part of a 262ha area designated as an 'Opportunity Area' (Colindale/Burnt Oak) in the London Plan (2016), which is identified as having capacity to accommodate a minimum of 12,500 homes and 2,000 jobs in the current plan period. London Plan Policy 2.13 encourages development at Opportunity Areas, to exploit their public transport accessibility and potential for increases in residential, employment and other uses, through higher densities and more mixed and intensive use.

Barnet Local Plan

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD) adopted in September 2012 and the Colindale Area Action Plan adopted in March 2010.

Colindale Area Action Plan (March 2010)

The CAAP establishes a detailed, area-specific policy basis to guide the redevelopment of the Colindale and Burnt Oak Opportunity Area, and is, accordingly, the principal planning policy document of relevance to the application site.

The AAP promotes the Colindale area as a major focus for the creation of new homes, jobs, a new neighbourhood centre and supporting infrastructure. It breaks the area up into a series of 'corridors', where area-specific policies apply. Those of relevance to the application site include:

- The western part of the site falls within the 'Colindale Avenue Corridor of Change', where redevelopment for a mix of uses to include a new

neighbourhood centre (including foodstore) together with high density housing is supported.

- The central and eastern parts of the Site lie within the 'Aerodrome Road Corridor of Change' and are identified as part of a wider area allocated for a mix of medium-high density housing, student housing, employment uses (including the retention of the Metropolitan Police), a primary school and a park.
- The application site traverses both corridors of change.

Policies that are relevant to this application include: 2.0 (Colindale Opportunity Area); 3.1 (Improving connectivity in Colindale); 3.2 (Walking and Cycling); 3.5 (Parking); 4.1 (Colindale Avenue Corridor of Change); 4.2 (Aerodrome Road Corridor of Change); 5.1 (Urban Design in Colindale); 5.3 (Building Heights); 5.5 (Open Space and Biodiversity in Colindale); and 7.1 (Housing in Colindale).

Core Strategy (September 2012)

Policies that are relevant to this application include: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS1 (Barnet's place shaping strategy), CS3 (Distribution of growth in meeting housing aspirations), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place).

The Core Strategy identifies Colindale as a 'Regeneration Area' accommodating four 'Corridors of Change' the most relevant being Colindale Avenue and Aerodrome Road (consistent with the AAP).

Development Management Policies DPD (September 2012)

The Development Management Policies document provides the borough-wide planning policies that implement the Core Strategy. These policies are used for day-to-day decision making.

The relevant policies for the consideration of this application include: DM01 (Protecting Barnet's Character and Amenity); DM02 (Development Standards); DM03 (Accessibility and Inclusive Design); DM05 (Tall Buildings); DM08 (Ensuring a variety of sizes of new homes to meet housing need).

2.3 National Planning Policy (March 2012)

On March 27th 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied.

The NPPF 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.

2.4 Public consultation and other views expressed

Public Consultation

Letters were sent out to 988 addresses on the 11th May 2017. As a result of this consultation, two letters of representation were received of which one was neutral and one objected to the proposal. The single objection received reads:

I have lived in Colindale for the last 28 years and moved here due to the open space, children's play area, schools and other facilities. It was a very clean calm and peaceful area but has changed dramatically since the increased building of flats and houses. I strongly object to any further development in and around the Colindale area. The area around Graham park all the way to the ASDA store is now overpopulated, congested and looks like a concrete jungle. Further concentration of people in this area will definitely put an increased burden and pressure on the drainage from houses, traffic on roads, rubbish and cleanliness. Further development may also impact hospitals, fire services, Surgeries, dentists and schools. I do not want any further houses/flats being built in Colindale or the surrounding areas.

Officer's response:

The principle of the development has already been agreed under hybrid planning permission H/04753/14, as amended by permissions 16/5050/S73 and 16/7836/S73 (dated 5th May 2017). It is also noted that in addition to housing the new development would provide a new Neighbourhood Centre, a health care centre for 3 GPs (510-1,100m²) and education facilities (a 3 form entry primary school, plus 400m² of nursery space), as well as access to 4 hectares of new public open spaces and provision of outdoor leisure and recreation opportunities.

With regard to investment in local infrastructure, the hybrid planning permission secured Section 106 contributions totalling £14.8 million, including £11.28 million towards Colindale tube station and £2.6 million for public realm and pedestrian/cycle link improvements. The development also provides a CIL payment in excess of £28.5 million to the Borough, and a Mayoral CIL payment of £9.45 million, towards necessary infrastructure.

Internal/External and Other Consultations:

LB Barnet: Traffic and Development

No objections raised subject to details regarding temporary parking facilities and car parking management, the details of which will need to be submitted pursuant to the discharge of conditions attached to the outline consent.

Scientific Services

No Objections

TfL Borough Planning

Having reviewed the submitted documents TfL has the following comments

180 parking spaces are proposed overall with 92 spaces in Block E, 48 spaces in Block F and 40spaces in Block G. The proposed quantum of parking is consistent with the parking ratio of 0.68 set out in the Section 106 agreement for Stage 2. The submitted basement and groundfloor plans show different car parking figures from the quantum stated in the Transport assessment which should be clarified.

50 Blue Badge spaces are proposed with 17 in Block E, 19 in Block F and 14 in Block G which TfL has no objection to. Blue Badge parking will be located on the ground floor or basement and the applicant should clarify the dimensions of each Blue Badge space.

The location and quantum of Electric Vehicle Charging Points (EVCPs) for each block should be identified on the plans.

The applicant proposes 788 cycle spaces which complies with London Plan standards and is welcomed. The design of parking is generally acceptable however the applicant should clarify the widths of all doors used to access cycle parking. London Cycling design Standards recommend a minimum door width of 2m to allow a rider and cycle to pass through a door at the same time.

The applicant should pay the bus service contribution as outlined in the Section 106 agreement.

Given the above requests being met, TfL has no further comment.

Network Rail

Network Rail has no observations to make

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

This application site submitted for assessment comprises the land in Phases 2A (Development Zone E), 2B (Development Zone F) and 2C (Development Zone G) within Development Stage 2 of the outline consent, as defined on the site-wide Phasing Plan approved pursuant to Condition 4 of the hybrid planning permission.

The wider Colindale Gardens site extends to 20.35 hectares and is located in Colindale. It is located approximately 14.5 kilometres (9 miles) northwest from Central London and 17 kilometres (10.5 miles) south east of Watford. The site to which this application relates extends to approximately 2.74 hectares and is located centrally within the Colindale Gardens site.

The site is bounded by Aerodrome Road and the Metropolitan Police training facility to the north, Development Zones C and D approved in Outline to the west, Development Zones H, J and K to the east and the London Underground Northern Line to the south.

The surrounding development is largely residential interspersed with other uses. The building stock is of various ages, from low-scale 1930s housing stock through to modern high density flat developments. The Colindale area is undergoing significant physical change with a number of developments under construction or planned. To the north of the Site is the Beaufort Park development which is a modern flatted development of over 3,000 homes in buildings up to 18 storeys, and the Middlesex University Student accommodation at Platt Halls located to the north west of the Site. Beyond these are the RAF Museum and the Grahame Park Estate which is currently undergoing redevelopment in the area north of Grahame Park Way. To the south, beyond the Northern Line are Colindale Park, Silk Stream, Rushgrove Park and low scale 1930s suburban residential streets and the A41. Tall buildings have also been approved as part of the Grahame Park development, as well as other nearby developments, including the recently completed redevelopment of the former Colindale Hospital site (3-10 storeys), the Station House student accommodation development (7-18 storeys) and the former British Newspaper Library site (4-11 storeys).

3.2 Description of Proposal

This proposal seeks approval of matters reserved under the hybrid planning permission (layout, scale, appearance and landscaping) to develop Phases 2A (Development Zone E), 2B (Development Zone F) and 2C (Development Zone G) within Development Stage 2 at Colindale Gardens.

The proposed layout shows Plots E, F and G arranged around the central landscape feature of Garden Square West.

Plot E comprises buildings lining the northern edge of the square. To the south of the square fronting the primary axial route (Lismore Boulevard) through the site are Plots F and G.

Plot F is comprised of a series of buildings arranged around a central courtyard. Its northern extent fronts onto Garden Square West. Its eastern, western and southern extents front tertiary routes between Blocks D and G and the southern community gardens.

Plot G is also a series of buildings arranged around a courtyard garden. Again, the northern extent fronts onto Garden Square West, whilst to the west, the buildings front onto the tertiary streets. To the south and to the east, the Plot is lined with a series of townhouses.

The buildings forming each plot are entirely residential in use. They are supported by ancillary functions including car parking, cycle storage, plant space, refuse storage and residential lobbies. Dwellings are also provided with private amenity space in the form of balconies, terraces and gardens.

Housing

Amount and Mix

The proposal comprises a mix of studios, and 1, 2, 3, and 4 bedroom units providing a total of 483 dwellings as follows:

- 42 x studios
- 136 x one bed dwellings
- 203 x two bed dwellings
- 98 x three bed dwellings
- 4 x four beds dwellings

The above includes the following mix on per block:

Block E:

- 17 x studios
- 33 x one bed dwellings
- 80 x two bed dwellings
- 35 x three bed dwellings

Total: 165 units

Block F:

- 10 x studios
- 62 x one bed dwellings
- 78 x 2 bed dwellings
- 36 x three bed dwellings

Total: 186 units

Block G:

- 15 x studios
- 41 x one bed dwellings
- 45 x two bed dwellings

- 27 x three bed dwellings
- 4 x four bed dwellings

Total: 132 units

Tenure

The application comprises 100% private housing.

Car Parking

The proposal comprises the provision of 230 car parking spaces as follows:

Plot E

- 79 standard spaces in the basement
- 17 accessible spaces in the basement
- 13 standard spaces on plot at-grade

Total: 109 spaces

Plot F

- 30 standard spaces in the basement
- 19 accessible spaces in the basement
- 18 standard spaces on plot at-grade

Total: 67 spaces

Plot G

- 40 standard spaces on plot at-grade
- 18 accessible spaces on plot at-grade

Total: 58 spaces

3.3 Planning Application Specification

Matters/Details for which Approval is sought

The supporting 'Application Drawing Booklet' contains the plans submitted for approval as part of this application. These cover the details necessary to secure approval of matters of layout, scale, appearance, and landscaping in respect to Phases 2A, 2B and 2C. These plans are supplemented by supporting documentation that justifies compliance/deviations to the plans/documents approved at the outline stage.

The scope of this submission was agreed with the LPA as part of pre-application discussions.

Supporting Documents/Plans Submitted

The following documents are submitted in support of this application:

- Planning Statement;
- Design Statement;
- Light Within Report for Daylight/Sunlight;
- Transport Statement Addendum; and
- Environmental Statement Addendum.

The following documents are submitted for information or illustrative purposes only:

- Revised Development Schedule, Revision 6 (dated April 2017);
- The Landscape Details Booklet. This booklet includes illustrative details of landscaping across Plots E, F and G. An application to discharge details pursuant to Condition 11 of the hybrid planning permission will be submitted subsequently and comprise the final landscaping details; and
- The Material Details Booklet. This booklet includes illustrative details of the materials across Plots E, F and G. An application to discharge details pursuant to Condition 22 of the hybrid planning permission will be submitted subsequently and comprise the final material details).

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of redeveloping this land has been established by the hybrid planning permission. The hybrid planning permission specifically allows the development to be brought forward in a series of phases.

A site wide Phasing Plan (ref. Red-Col_Build-Phs-01 Rev 3.1) was approved pursuant to the discharge of Condition 4 of the hybrid planning permission which divides the site into three Development stages, a number of phases within those development stages and references the development zones/blocks relating to each phase. It defines the broad extent of each phase, and sets out the sequence (and approximate timing) in which phases will be brought forward for development.

This application relates to Phases 2A (Development Zone E), 2B (Development Zone F) and 2C (Development Zone G). The extent of the land that comprises these phases is compliant with the approved Phasing Plan.

We conclude that the principle of this application is acceptable in all respects.

4.2 Land Uses

The hybrid planning permission approved a mix of uses within the Colindale Gardens development. Condition 1 controls the type and location of

allowable uses by requiring development to be carried out in accordance with the Primary Control Documents (PCD). The only PCD that controls the type and location of allowable uses is the Development Schedule, Revision 5 (December 2016) (PCD 5).

The allowable use within Development Zones E, F and G is residential development (Use Class C3) only. This application comprises residential development only and is therefore compliant with the hybrid planning permission in this regard..

4.3 Amount and Mix of Development

Amount

The hybrid planning permission approved the development of 2,900 units across Colindale Gardens. Condition 1 controls this by requiring development to be carried out in accordance with PCD 5, which controls the amount of residential development by setting a site-wide maximum amount of residential floorspace of 276,813m² and 2,900 residential units.

PCD 5 also controls the maximum number of residential units for each Development Zone and enables any deviations from these numbers to be permitted subject to local authority approval. The application proposes a total of 483 dwellings as follows:

- Development Zone E (Phase 2A): 165;
- Development Zone F (Phase 2B): 186; and
- Development Zone G (Phase 2C): 132.

The proposal involves an increase of 138 units above the maximum number of units across these three phases currently approved under PCD5. The Applicant's intention is to reconcile this with an equal decrease in the total number of units in Blocks A, B and C in Development Stage 2, and all blocks (V, W, X, Y and Z) in Development Stage 3. This means the site-wide total of 2,900 residential units and maximum amount of residential floorspace will be unchanged under this planning application, and therefore compliant with the hybrid planning permission.

All of these changes have been accounted for in the revised Development Schedule, Revision 6 (April 2017), which has been submitted for information not approval. The Applicant's intention is to regularise this via a separate application following the approval of this application.

Mix

PCD 5 sets out the controls to the site-wide mix of housing and an indicative mix for Development Zones E, F and G. Although there are no specific controls over the residential mix in Blocks E, F and G, the proposed mix is in

broad alignment with the site-wide requirements and the indicative mix for these plots set out in PC5.

The proposal does not alter the site-wide approved residential mix because it is simply a localised redistribution.

Tenure

The Section 106 requires 454 affordable housing units to be provided in Stage 2 within Blocks D, X, Y or Z with the remainder of blocks within Stage 2 (including E, F and G) to comprise 100% private housing. In accordance with this, this application comprises 100% private housing.

4.4 Matters Reserved

The reserved matters currently under consideration are as follows:

Scale means the height, width and length of each building proposed within the development in relation to its surroundings.

Layout means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

Appearance means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Landscaping, in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes –

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features

The proposals have been developed through detailed discussion with the Borough's Design Officer. As approved by Condition 1 of the hybrid planning permission, deviations from the Parameter Plans and the DPD can be approved if they are justified through a design rationale. The Applicant's design rationale is set out in the Design Statement. This is summarised below.

Layout

The key relevant matters for consideration are the layout principles established on the Parameter Plans and relevant principles set out in the DPD.

General Layout Parameters

The approved Parameter Plans define 'development zones' within which new buildings can be built, which in turn frame 'routes' within which new access roads can be laid out and 'spaces' for public open space provided.

The proposed layout has retained Garden Square West as the key organising principle, around which the buildings are arranged to create a formal frontage. The Applicant's architects have reviewed the layout of the buildings and sought to introduce some 'best practice' principles into the configuration of the buildings to enhance the residential quality of the proposed development.

As a result of this design evolution, this has led to a narrowing of Plot F and the widening of Plot G, and a deviation from the approved Development Zone Parameter Plan (Dwg No. 1735-FCB-SITE-0102 P2) and the Horizontal Limits of Deviation Parameter Plan (Dwg No. 1735-FCB-SITE-0106 P3), as follows:

- A 25.2sqm zone of single storey element at ground floor level sits +2.45m from the permissible line of deviation;
- The eastern edge of Plot F sits +10.66m, from the permissible eastern line of deviation; and
- The western edge of Plot G sits +6.68m, outside the permissible western line of deviation.

The proposal has retained the principles of access and circulation as shown on Parameter Plan – Access & Circulation Plan (Dwg No. 1735-FCB-SITE-0103 P2) by integrating the primary route (Lismore Boulevard (West)), pedestrian/cycle only route along the southern edge of Plot E and the tertiary routes (Green Streets) between Plots F and G. This proposal has taken into account the design of Lismore Boulevard (West) approved under Reserved Matters application 16/5716/RMA and incorporated a new access into the rear of Plot E.

The proposed layout has been developed through detailed discussion with the Borough's Design Officer to ensure that it is a design-led response to the site's townscape conditions.

Accordance with the Design Principles Document

The DPD has been used as the starting point for the preparation of the detailed plans submitted for approval. The DPD imposes a series of requirements on to each phase which have been fully accounted for in the

submitted plans. Full details are set out in the Design Statement; however key points/elements are highlighted below:

- **Primary Route (Lismore Boulevard (West))** – the design of the primary route in this proposal accords with all of the principles in section 3.2 of the DPD, except for two slight deviations to principles 3.2G and 3.2L. These deviations enable a wider footpath to be accommodated where Lismore Boulevard West crosses between the application site and the balance of Development Stage 2. A wider footpath shows pedestrian priority in this location, where pedestrian flows are anticipated to be greater.
- **Tertiary Route (Green Streets)** – the design of the tertiary routes in this proposal accord with all of the principles in section 3.3 and 3.4 of the DPD, except for minor deviations to principles relating to street furniture (3.4C, 3.4F and 3.4R) to ensure consistency with the details that have already been approved under Condition 11.
- **Garden Square West** – the design of Garden Square West accords with all of the principles in section 4.8 of the DPD;
- **Community Gardens** – the design of the Community Gardens accord with all of the principles in section 4.9 of the DPD;
- **Form and Massing** – the submitted plans are generally consistent with the principles for all buildings set out in 5.2.1 of the DPD and the specific principles for Development Zones E, F and G set out in 5.6-5.8 of the DPD. However, these were agreed during pre-application discussions with LB Barnet officers.
- **Frontages** – the proposal accords with all of the principles in section 5.2.2 of the DPD, except for two minor deviations to principles 5.2.2B and 5.2.2E. There is a blank façade on the eastern flank of the townhouses to the south of Plot G, which is very slightly longer than 15 metres. Following discussions with the LB Barnet Design Officers, it was agreed this is a condition that is typically found to define an ‘end of terrace’, and, accordingly, very much part of the architectural and visual language of London;
- **Parking Principles** – in accordance with DPD principle 5.2.7a of the DPD, the proposal will continue to achieve an average car parking ratio across the development of 0.7 spaces per dwelling. There are some slight deviations from DPD principles 5.2.7b-d and 5.2.7F, which have been discussed with LB Barnet officers. A basement car park has been introduced below Plots F and G meaning podium car parking and garages for the townhouses in Plot G are not required. Pedestrian access points to the basement car park are provided directly from each of the residential cores rather than from street level. These deviations have been previously agreed with the Borough’s officers via pre-application discussions.
- **Outdoor Amenity Space** – the proposal accords with all but one of the principles relating to amenity within Section 5.2.3 of the DPD. There is a minor deviation with respect to the amount of private amenity space provided and the requirements in LB Barnet’s Residential Design Guidance SPD.

Proposed Amenity Space Provision:

Block E:

- Proposed Amenity Space: 2,019.7m²
- Mayor of London Housing SPG Requirement: 1,125m²
- LB Barnet Residential Design Guidance Requirement: 3,225m²

Block F:

- Proposed Amenity Space: 3,082.7m²
- Mayor of London Housing SPG Requirement: 1,230m²
- LB Barnet Residential Design Guidance Requirement: 2,320m²

Block G:

- Proposed Amenity Space: 2,973.1m²
- Mayor of London Housing SPG Requirement: 838m²
- LB Barnet Residential Design Guidance Requirement: 2,805m²

Totals:

- Proposed Amenity Space: 8,075.5m²
- Mayor of London Housing SPG Requirement: 3,193m²
- LB Barnet Residential Design Guidance Requirement: 8,350m²

The provision of amenity space complies with the Mayor of London's London Housing SPG standards. There is a slight shortfall of 274.5m² compared to the requirements set out in the LB Barnet Residential Design Guidance SPD but it is considered that this deviation is acceptable because there are significant areas of high quality public open space, including Garden Square West, Peel Park and Community Gardens in close proximity to each of these plots.

Scale

The key relevant matters for consideration are the heights for each element of each building, having regard to the controls set out on the parameter plans and in the DPD.

Height

Approved Parameter Plan 0108 defines the maximum heights for buildings introduced within Development Zones E, F and G. The scale of some parts of the scheme exceeds the approved parameters in terms of the number of storeys.

These are as follows:

- The block at the western end of Plot E (Building E2) breaches the parameters by 10.25m from 28.98m to 39.23m. Building E1 complies with its respective scale parameter;
- The block in the north-western corner of Plot F (Building F1) breaches the parameters by 16.2m from 35.43m to 51.63m. The remaining buildings within Plot F (Buildings F2, F3 and F4) comply with their respective scale parameters; and
- The block in the north-eastern corner of Plot G (Building G2) breaches the parameters by 4.15m from 12.85m to 17m, whilst Block G4 has increased locally at its western end by 4.93m from 16.08m to 20m.

The proposed massing has been developed in conjunction with LB Barnet officers to ensure that it is a design-led response to the site's townscape conditions. Key townscape views that looked at the relationships between the buildings within the application site, the wider Colindale Gardens development and the emerging built environment context in Colindale have been used to analyse and identify the appropriate scale for each of the proposed buildings.

Therefore, it is concluded that the parameter deviations are the outcome of an extensive and iterative design process (involving the Borough's Design Officer) and enables a better quality of scheme to be realised, which takes into account topography and the emerging urban character of the site, and is acceptable in planning terms.

Density

The application proposals are the result of a design-led approach developed in consultation with the Borough's officers. The proposals involve an increase in the number of dwellings and habitable rooms in development zones E, F and G, however due to differences in the site area for these zones the proposed density actually decreases to 176 dwellings per hectare and 442 habitable rooms per hectare in comparison to 201 dwellings per hectare and 568 habitable rooms per hectare under the approved hybrid approval.

Site wide the current application does not increase the total number of units on the site (2,900) and as such does not alter the approved density of the scheme as a whole.

Daylight/Sunlight

The layout of the development, combined with the scale of the proposed buildings and their internal floorplans, maximises the level of daylight/sunlight to habitable rooms and outdoor amenity spaces. Where single aspect units are unavoidable, over 2/3 units are dual aspect or better and only 2-3% of units are single facing north facing. All of the units benefit from design mitigation measures such as through the use of full height floor to ceiling fenestration and external balcony areas to ensure satisfactory living accommodation.

Landscaping

This proposal incorporates the provision of the landscape areas defined on Parameter Plan – Landscape Treatment Plan (Dwg No. 1735-FCB-SITE-0104 P2). By virtue of the deviation to the layout of Plots F and G, the location of the Green Street between these plots will also deviate slightly in its position. However, in its design treatment Green Street accords in all other regards to the aforementioned Parameter Plan.

Accordance with the Design Principles Document

Although the Applicant intends to submit full details of landscaping to satisfy the requirements of Condition 11 in due course, the information provided within the Landscape Details Booklet is consistent with the relevant landscape principles in the DPD.

Appearance

The key relevant matters for consideration include the set of principles in Sections 5.2.5 and 5.6 of the DPD.

Accordance with the Design Principles Document

Although the Applicant intends to submit full details of materials to satisfy the requirements of Condition 22 in due course, the Material Details Booklet includes an indicative material palette that has been presented and discussed with the Borough's officers at the pre-application stage.

The key points/elements are as follows:

- Brick will continue to be the primary material. An indicative material palette has been presented and discussed with officers at the pre-application stage. The colour and tone of brick will be complementary to the bricks in Stage 1 and fit with the overall site concept;
- The architectural composition of the building elevations will consist of a defined base, middle and top as a simple tripartite composition. The proportion of the middle section is varied according to the overall height of the building;
- The scale at ground floor is varied with defensible zones provided;
- The top of the buildings are articulated, with flat continuous parapet tops. Larger footprints such as the western elevation of Plot G are broken down in size and scale where simple continuous parapets are provided;
- A variety of roof profiles are provided with strongly articulated rooftop profiles fronting Lismore Boulevard (West);
- The buildings emphasis vertical orientation and include features to ensure the elevations are not unrelenting; and
- The base of the buildings will generally have a two storey datum.

Overall it is considered that the proposals for this first reserved matters application in Stage 2 of the Hybrid consent carry forward the high quality design of Stage 1 and is compatible with the scale and massing of the surrounding consented development.

Car Parking

Condition 16 of the hybrid planning permission requires the level of residential parking to be forecast using car ownership demand. Condition 16 also estimates an average of 0.71 spaces per dwelling across the site and 0.68 spaces per dwelling in Development Stage 2.

The proposals incorporate a total of 230 parking spaces across Plots E, F and G, including 109 spaces in Plots E, 67 spaces in Plot F and 54 spaces in Plot G. The overall site-wide and Stage 2-wide car parking ratios will remain unchanged.

This application is supported by a Transport Statement Addendum prepared by WSP, which includes an updated car parking demand assessment. Although revisions to the dwelling mix and parking allocation has resulted in a negligible change in car parking demand, there will not be any material effect on the site-wide car parking strategy, as already approved under Condition 15, or the car parking strategy for Plots E, F and G.

The deficit in car parking provision compared to demand across the phase will be accommodated through provision of a temporary car park. Details of car parking allocation and the temporary car park will be agreed as part of a detailed car parking management plan for Phases 2A, 2B and 2C, as required by Condition 15 of the hybrid planning permission. A subsequent application to discharge details of the car parking allocation will therefore need to be submitted by the Applicant.

Environmental Matters

This application is accompanied by an Environmental Statement Addendum, which provides an update on the environmental effects of the proposal to account for the deviations to the development parameters assessed in the original ES, as now proposed by this application. This ES Addendum has been prepared with reference to the Town and Country (Environmental Impact Assessment) Regulations 2011, as amended 2015.

This ES Addendum provides an update in planning policy for each technical topic, identifies where there is a material impact on the assessments presented in the August 2014 ES and presents revised assessments where necessary. The conclusions in this Addendum are summarised as follows:

- The conclusions of the 2014 ES remain valid with respect to waste, socio-economics, traffic and transport, air quality, ground conditions and electronic interference.

- Residual noise and vibration effects of the proposal compared to the approved development is considered to be consistent with those described in the August 2014 ES.
- There will be no significant residual or cumulative cultural heritage effects and no specific mitigation is required.
- With respect to daylight, sunlight and overshadowing, for the one neighbouring property considered relevant for assessment, 150 – 152 Sheaveshill Avenue, an updated assessment has been undertaken and the results confirm that the overall effect to this property for daylight will be negligible, showing no change from the 2014 ES.

5. EQUALITIES AND DIVERSITY ISSUES

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

“(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

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

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

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

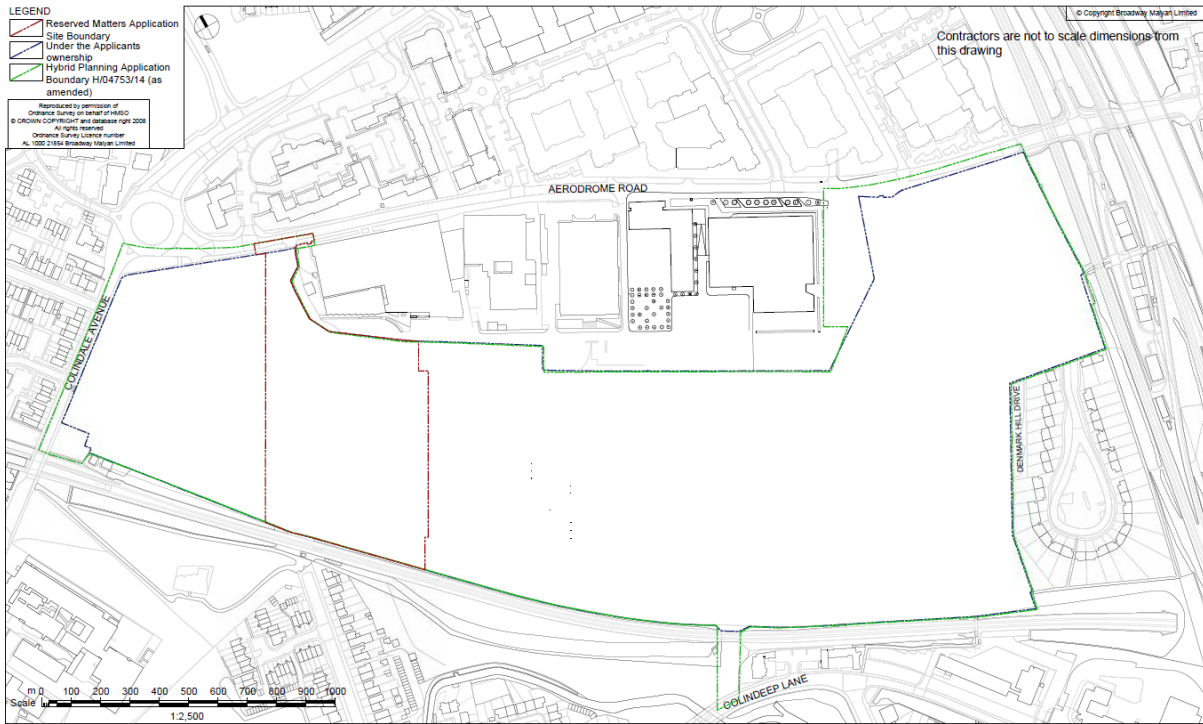
6. CONCLUSION

The proposal accords with the relevant development plan policies, is in general accordance with the design principles and the parameters established in the approved hybrid planning permission, and provides a rationale that justifies deviations.

The proposal is acceptable on visual amenity, highways and environmental grounds. The proposal would not affect the amenities of neighbouring residential properties. It would provide for housing that would have a good standard of accommodation, including outlook, privacy and access to daylight.

It is recommended that the application be **Approved** subject to the Conditions listed at the beginning of this report

APPENDIX 1: Site Location Plan



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Location **Land Adjacent To 106 -128 Mount Pleasant And 27-37 Langford Road Barnet EN4 9HG**
Reference: **17/2739/CON** Received: 27th April 2017
Accepted: 3rd May 2017
Ward: East Barnet Expiry 28th June 2017
Applicant: Barnet Homes
Proposal: Submission of details of condition 24 (Car Parking Layout) pursuant to planning permission 16/3262/FUL dated 20 April 2017
Recommendation: Approve

Informative(s):

- 1 The plans accompanying this application are:
 - 15-290 D04.001 A
 - 15-290 D04.11 C
 - 15-290 D04.203 C
 - 15-290 D04.201 B
 - 15-290 D04.50 D
 - 15-290 D04.301 C

Officer's Assessment

1. Site Description

The application site is located on land between Mount Pleasant and the Langford Road to the east of the Mount Pleasant roundabout near Cockfosters. The site is currently utilised for residential purposes and comprises two three storey residential blocks. The largest is L - shaped and faces both southwest towards Mount Pleasant and also north west towards the roundabout. A smaller block is situated towards the northeast closer to Langford Road.

The site is predominantly residential in character, although there is a small retail parade on the southwestern side of the roundabout at Mount Parade. There is a small church to the immediate east of that parade. A vacant public house is situated on the northwestern side of the roundabout

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

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

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

2. Site History

Reference: 16/3262/FUL

Address: Land Adjacent To 106 -128 Mount Pleasant And 27-37 Langford Road, Barnet, EN4 9HG

Decision: Approved following legal agreement

Decision Date: 20 April 2017

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

3. Proposal

This application relates to the submission of details of condition 24 (Car Parking Layout) pursuant to planning permission 16/3262/FUL dated 20 April 2017

Condition 24 reads as follows:

Notwithstanding the approved plans, prior to the commencement of the relevant phase of the development details of the proposed car parking layout plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved detail. The details required to be submitted by this condition shall be approved by the Planning and Environment Committee (or any other relevant Committee) only.

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.

The details submitted indicate the provision of 8 parking spaces situated in pairs along the site edge in Langford Road.

4. Public Consultation

This application concerns the submission of details pursuant to a condition attached to the original grant of planning permission; there has been no consultation as this is a condition application.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan July 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.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM17.

Supplementary Planning Documents

5.2 Main issues for consideration

The main issue for consideration is whether the proposed car park and associated boundary treatment would enhance the character and appearance of street scene and wider locality and protect the amenities of occupiers of existing residential properties on the site.

5.3 Assessment of proposals

The principal planning application for the erection of two new flatted blocks was presented to the Planning Committee on 19 October 2016. The original layout indicated the provision of 12 car parking spaces within a parking court at the north side of the site. In proposing to construct the parking area, the development would have resulted in the loss of the existing means of enclosure which would reduce the privacy and security of residents.

A condition was imposed on the recommendation to secure details of the car parking layout for approval prior to development. However, a motion was carried at the committee on 19 October that details of the parking would be brought back to Committee for Member approval prior to its discharge. On this basis, this report is being presented to Committee.

The proposals submitted with this application proposes the construction of 8 car parking spaces adjacent to Langford Road and installation of a 2 metre fence and gate behind the parking area.

The provision of eight spaces now as opposed to 12 spaces when the scheme was first submitted and considered by the Council constitutes a change. The description of development however for the parent scheme did not quantify the number of spaces within the development and the wording of the condition permits a variation. The proposed parking gives rise to a ratio of 0.75 spaces per unit.

The Traffic and Highways team were consulted on the proposed parking scheme and considered that although the amended parking scheme compared with original scheme would result in a loss of 4 spaces that the impact on the highway would be acceptable.

A parking beat (stress) survey was carried out on the roads within the vicinity of the site with the original planning application which indicated that there were parking spaces available on the public highway to accommodate any potential overspill of parking as a result of the proposed development. Therefore they have considered that the new parking layout with a proposed 8 parking spaces is acceptable on Highways grounds. The proposed scheme would be in accordance with Policy DM17 of the Development Management Policies DPD.

The proposed parking layout with all the provision laid out along the perimeter of the site along the pavement edge would be safely accessible and would also not be dangerous to pedestrians. Each pair of spaces would have its own individual crossover and the requisite separation between them as a pedestrian refuge. This location would also permit a greater area of undeveloped site to be retained between the site and the road and would therefore be less visually impactful.

Although not a directly related issue to the provision of parking and is not directly material to the consideration of this application, the retention of a boundary means of enclosure should be supported.

The proposed fence would have a wholly solid appearance and a constant 2m height along the width of the boundary adjoining to the existing block of flats to the northern side with a gate to facilitate access towards the middle of the structure. It is considered that the design of the fence would be acceptable and would not result in the detrimental harm to the character of the existing site, street scene or wider locality.

In regard to the amenity of neighbouring occupiers it is considered that the proposed fence would not prejudice the amenity of the occupiers of adjoining properties. In addition the fence will assist in the screening of the proposed parking spaces. The proposed parking scheme is considered to be in accordance with Policy DM01 of the Development Management Policies DPD.

5.4 Response to Public Consultation

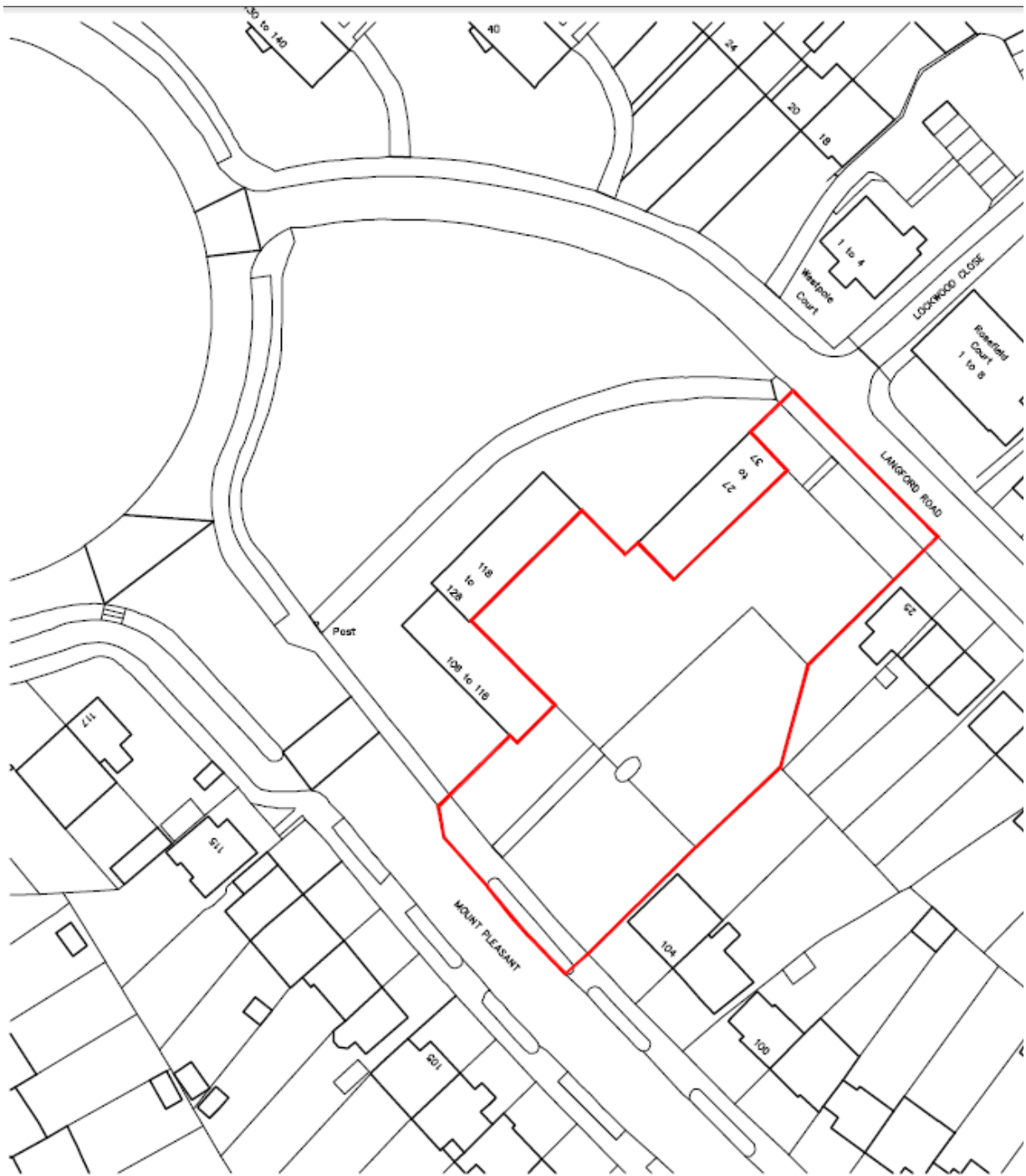
N/A

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 not considered to result in detrimental harm to the character of the existing site, street scene or wider locality and is considered to protect the amenity of neighbouring occupiers. The application is therefore recommended for approval.



Location: Land At Moreton Close, Moreton Close, Mill Hill, London NW7
2PH AGENDA ITEM 9

Reference: 17/2105/S73 Received: 31st March 2017
Accepted: 20th April 2017

Ward: Mill Hill Expiry 3rd July 2017

Applicant: Barnet Homes

Proposal: Variation to condition 1 (Plan Numbers) pursuant to planning permission 15/00568/FUL dated 18/05/2015 for `Demolition of existing buildings and for the construction of a three storey building with rooms in roofspace to provide extra care residential development (Use Class C2) to provide 51 no. 1 and 2 bedroom flats, served by a new vehicular access off Milesplit Hill, with associated parking, landscaping and associated development thereto` Amendments to include internal changes to provide an additional 2 apartments

Recommendation: Approve subject to conditions

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

Site Location Plan
P2303.1 .002
P2303.1 .003
AL4286/2000
AA4286 2001
AA4286 2002
AA4286 - 2010 rev. D
AA4286-2011 rev. C
AA4286 - 2012 rev. C
AA4286 - 2020 rev. D
AA4286 - 2021 rev. B
AA4286 - 2022 rev. B
13298/TM/1
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 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 the original planning permission which was granted on 18 May 2015.

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

- 3 The development shall be implemented and permanently retained in accordance with the details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highways and other changes proposed in the levels of the site, which were approved on 16 November 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 3 of planning permission reference 15/00568/FUL.

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 2016.

- 4 The exterior materials used in the construction of the approved development shall be in accordance with the details approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 4 of planning permission reference 15/00568/FUL. The development shall then be retained in accordance with the approved exterior materials details.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 5 The development shall be carried out in accordance with the Demolition and Construction Method Statement that was approved on 16 November 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 5 of planning permission reference 15/00568/FUL.

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 5.21 of the London Plan (2016).

- 6 a) The development shall be constructed, operated and retained in accordance with the following details of refuse and recycling facilities and provision, which were approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 6 of planning permission reference 15/00568/FUL:
- (i) Refuse and Recycling Collection Strategy.
 - (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
 - (iii) Plans showing satisfactory points of collection for refuse and recycling, 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 October 2016).

- 7 Site works and development (including any temporary enabling works, site clearance and demolition) shall take be carried out only in compliance with the British Standard BS5837: 2012 compliant tree protection details that were approved on 16 November 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 7 of planning permission reference 15/00568/FUL. No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the tree protection plan approved under this condition has been erected around existing trees on site, and 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 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 2016.

- 8 The arrangements to ensure that affordable housing is provided on site, which have been approved under Local Planning Authority 16/5661/CON in accordance with condition 8 of planning permission reference 15/00568/FUL on 12 October 2016, shall be implemented in accordance with the approved details and be retained permanently as such thereafter.

Reason: To ensure that affordable housing is provided on site in accordance with policy DM10 of the Adopted Barnet Development Management Policies 2012.

- 9 Extraction and ventilation equipment required for the development shall be installed before the first occupation of the development or use is commenced, using anti-vibration mounts in accordance with the following details approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 9 of planning permission reference 15/00568/FUL. The development shall then be 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).

- 10 Noise mitigation for the approved extraction and ventilation equipment shall be implemented before the first occupation of the development or use is commenced in accordance with the details approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 10 of planning permission reference 15/00568/FUL. The development shall then be 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 October 2016) and Policy 7.15 of the London Plan 2016.

- 11 The Drainage Strategy and Sustainable Urban Drainage System features approved in accordance with London Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 11 of planning permission reference 15/00568/FUL, shall be implemented before the first occupation or use of the development and shall then be retained as such thereafter.

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 October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

- 12 a) The hard and soft landscaping scheme approved in accordance with condition 12 of Borough of Barnet reference 16/7110/CON on 23 January 2017, as required by condition 12 of planning permission reference 15/00568/FUL, shall be implemented before the first occupation or use of the development.

b) 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 October 2016) and 7.21 of the London Plan 2016.

- 13 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).

- 14 Before the development hereby permitted is occupied, car parking should be provided in accordance with drawing A4 4286 210 rev. D and spaces 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 Policies polices 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.

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

- 16 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.

- 17 a) The non-residential development is required to meet the BREEAM 'Very Good' level.

b) Before the development is first occupied the developer shall submit certification of 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).

- 18 The development shall be operated in full accordance with the Travel Plan which was approved on 1 November 2016 under Local Planning Authority 16/6068/CON, in accordance with the requirements of condition 18 of planning permission reference 15/00568/FUL.

Reason: To ensure that the development is sustainable in terms of transport for staff and visitors, in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012).

- 19 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

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

- 20 The details set out in the Energy Statement which was approved on 12 October 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 20 of planning permission reference 15/00568/FUL shall be implemented in accordance with the approved details and shall be retained permanently as such thereafter.

Reason: To ensure that the proposals achieve satisfactorily environmental performance in accordance with policy 5.2 of the Mayor's London Plan 2016.

- 21 All tree felling and pruning works shall be carried out in full accordance with the Tree Felling Specification which was approved on 12 October 2016 under Local Planning Authority 16/5661/CON in accordance with the requirements of condition 21 of planning permission reference 15/00568/FUL and 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 2016.

- 22 The provision for disabled access to the development, which was approved by London Borough of Barnet reference 16/7110/CON on 23 January 2017 as required by condition 12 of planning permission reference 15/00568/FUL, shall be implemented before the first occupation or use of the development and retained thereafter.

Reason: To ensure adequate access levels within the development in accordance with Policy DM03 of the Development Management Policies DPD (adopted September 2012) and Policy 7.2 of the London Plan 2016.

- 23 The details for wheelchair accessible / adaptable units approved under London Borough of Barnet reference 16/7110/CON on 23 January 2017 as required by condition 23 of planning permission reference 15/00568/FUL shall be implemented before the first occupation or use of the development and retained thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2016.

24 a) Before the development hereby permitted is first occupied, details of how the amenity area(s) will be sub-divided and managed shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

25 The premises shall be used for extra care residential purposes 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).

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.

Officer's Assessment

1. Site Description

The surrounding area is characterised by a mixture of two storey semi-detached houses on Pursley Road to the west and Milesplit Hill and three storey building to Salcombe Gardens with roof level. To the south are Dollis Junior and Infant Schools which have three storey elements and there is also a former fire station building that is taller though has a slim-line appearance.

The site is located on the north side of Pursley Road forming a corner with Milesplit Hill. It is noted that there is a garage block to the north-east that does not form part of the site. The existing building is two storeys in height with a flat roof, and has a dated appearance.

The site is approximately 0.42 hectares in area. Trees on adjacent Mill Hill Cemetery site to the north are included within an area Tree Preservation Order. Mill Hill Cemetery is located within Mill Hill Conservation Area.

2. Site History

W00465 - Erection of old peoples dwellings and 23 Garages

Reference: W00465

Decision: Approved.

Decision Date: 2 February 1966

Description: Erection of old peoples dwellings and 23 Garages.

Reference: 15/00568/FUL

Decision: Approved with conditions

Decision Date: 18 May 2015

Description: Demolition of existing buildings and for the construction of a three storey building with rooms in roofspace to provide extra care residential development (Use Class C2) to provide 51 no. 1 and 2 bedroom flats, served by a new vehicular access off Milesplit Hill, with associated parking, landscaping and associated development thereto.

Reference: 16/5661/CON

Decision: Split Decision

Decision Date: 12 October 2016

Description: Submission of details of condition 3 (Levels) 5 (Demolition and Construction Method Statement) 7 (Tree Protection Plan) 8 (Affordable Housing) 20 (Energy Statement) 21 (Tree Felling) pursuant to planning permission 15/00568/FUL

Details were approved for conditions 8 (Affordable Housing), 20 (Energy Statement) and 21 (Tree Felling).

Reference: 16/6068/CON

Decision: Approved

Decision Date: 1 November 2016

Description: Submission of details of condition 18 (Travel Plan) pursuant to planning permission 15/00568/FUL

Reference: 16/6795/CON

Decision: Approved

Decision Date: 16 November 2016

Description: Submission of details of condition 3 (Levels) 5 (Demolition and Construction Method Statement) 7 (Tree Protection Plan) pursuant to planning permission 15/00568/FUL

Reference: 16/7110/CON

Decision: Approved

Decision Date: 23 January 2017

Description: Submission of details of conditions 4 (Materials) 6 (Refuse and Recycling) 9 (Extraction and Ventilation) 10 (Noise) 11 (Drainage) 12 (Landscaping) 22 (Disabled Access Point) and 23 (Wheelchair Units) pursuant to planning permission 15/00568/FUL

Reference: 16/7216/NMA

Decision: Approved

Decision Date: 6 December 2016

Description: Non-material amendments to planning permission reference 15/00568/FUL dated 18/05/2015 for 'Demolition of existing buildings and for the construction of a three storey building with rooms in roof-space to provide extra care residential development (Use Class C2) to provide 51 no. 1 and 2 bedroom flats, served by a new vehicular access off Milesplit Hill, with associated parking, landscaping and associated development thereto.' Amendments include Removal of secret gutter, replaced with standard gutter and rain water pipe arrangement, omission of top floor canopy over pop out balconies, external stores to inset balconies, Juliette balconies to bedroom windows only and replace with full height window, retain 6 Juliette balconies where they are located on the living room windows. Changes to the north elevation to reflect larger 1 bedroom apartment at the end of corridor location. Remove kitchen windows to internal corridors. Internal adjustments to the communal areas including relocation of main entrance. Additional inset balcony to top floor, facing Pursley Road. Other minor amendments to the style of some ground floor and roof light windows to accommodate manufacturers requirements.

3. Proposal

The application is for a change to the number of units to be provided in the extant planning permission for the redevelopment of the site, which is noted above, by increasing the number of apartments from 51 as in the approved scheme to 53 apartments. The additional two apartments would be provided by making internal changes within the building envelope, which would be achieved by rearranging the communal and ancillary spaces within the scheme as approved in the extant permission. Minor changes in the internal floor plans and external elevations were previously approved under 16/7216/NMA as noted in the site history above, and there would be no changes to the external building envelope in this application. The overall proposals remain the same as in the existing permission, namely the demolition of the existing buildings and the construction of a three storey building with rooms in roofspace to providing a mix of 1 and 2 bedroom flats as extra care residential development (Use Class C2), served by a new vehicular access off Milesplit Hill with associated parking and landscaping.

The additional accommodation would consist of two flats and increase the number of one bedroom units in the approved scheme from 48 to 50. The provision of 3no.two-bedroom units would remain unchanged from the approved scheme. The additional accommodation would be as follows:

- A 54 sqm flat at ground floor level which would be provided by reducing the area for communal use;
- A 66 sqm flat would be provided at third floor (roof) level by utilising space shown in the approved drawings as a store and rest area for the care team.

Other key aspects remain in the approved scheme (including non-material amendments in 16/7216/NMA):

Parking provision would be unaltered from the extant permission, with nine spaces to be provided on site and in addition a drop-off area. To the south and east of the site would be communal gardens with a courtyard to the north. The fourth floor level would be confined to the west part of the building fronting Milesplit Hill and the corner of Pursley Road, and would be contained within the roofspace. Communal rooms would be mainly on the ground floor and include a communal lounge, library and dining room / cafeteria.

4. Public Consultation

Consultation letters were sent to 76 neighbouring properties.

No neighbour comments have been received.

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 over the next 20 to 25 years. 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 London Plan Policies: 3.3, 3.4, 3.5, 3.8, 3.10, 5.2, 5.3, 5.7, 6.1, 7.1, 7.2, 7.4 and 7.6.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS9, CS10, CS11, CS15

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM10, DM16, DM17

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

Supplementary Planning Documents

Mayor of London's Housing SPG

- This sets out a range of Standards for residential development in London.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to assist in the design of new residential development. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

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 is whether the changes in the scheme from those approved in planning permission 15/0568/FUL are acceptable, and whether the proposed amendments have any other impacts on the conclusions of

the assessment of the scheme under the previous application. These are considered as follows:

- The impacts of providing additional accommodation at the site;
- The impacts of the internal changes on the standard of accommodation to be provided;
- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 15/0568/FUL.

- The impacts of providing additional accommodation at the site.

On the basis of increased numbers of approximately 4%, the additional accommodation is likely to generate a small increase in staff requirements and visitor numbers at the site. It is considered that the only likely impacts would result from additional transport demand. In conjunction with the Travel Plan, the existing car parking provision and cycle storage is considered sufficient for the needs of the development. The impacts of providing additional accommodation at the site are therefore minor and acceptable.

- The impacts of the internal changes on the standard of accommodation to be provided.

The proposal would result in some reduction in size of communal areas. The reduction in communal areas will be balanced by the rearrangement of residents' lounge and a more efficient operational use of the residents' dining areas which will include two sittings for meals. A staff rest area would be removed in the amended plans, but reprovided in another part of the third floor in an area previously designated as a staff office. The reduced in the communal and staff rest areas are therefore considered acceptable.

- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 15/0568/FUL.

The principle of the acceptability of the development was established in planning permission 15/0568/FULL, and remains unchanged. The provision of extra care housing, primarily for older people with disabilities who are able to live safely on their own, is fully supported by planning policy and by other corporate objectives. The facility would provide care for residents with varying needs, including a majority of residents (50%) with high level care needs, including residents with advanced dementia, and smaller numbers of residents with medium (25%) and lower (25%) level care requirements. Policy CS4 states that: 'We will aim to create successful communities in Barnet by... seeking a variety of housing related support options that

maximise the independence of vulnerable residents including young people, people with disabilities, older people, homeless people and other vulnerable adults'. The amendments in this scheme continue to provide for this need, and increase its provision albeit at a modest scale.

The applicant has advised that the units would be available at affordable rent for residents and therefore fulfils the intentions of the Council's affordable housing policies.

Other issues considered in the 2015 application established that the proposals are satisfactory in regard to the following issues:

- Character and appearance of the existing building;
- Impact on the Mill Hill Conservation Area, the street scene and the wider locality;
- The living conditions of neighbouring and future residents;
- Impacts on trees of special amenity value;
- Highways and pedestrian safety
- Car parking and cycle store provision;
- Refuse and recycling;
- Construction impacts;
- Provision of a Travel Plan;
- Sustainability/Environmental issues;
- Flooding and drainage; and
- Ecology issues.

Conditions included in the above recommendation required details to be submitted in respect to a number of aspects of the proposals, while others represent on-going requirements in the development. In order to ensure the continued acceptability of the scheme, the majority of the conditions of the extant permission will be carried over unaltered. Where conditions details required by the extant permission have already been approved, the relevant conditions as recommended above have been modified to reflect this. Subject to these recommendations, there are no other matters which affect the recommendation in the original permission, and the proposals remain acceptable.

5.4 Response to Public Consultation

No responses were received.

6. Equality and Diversity Issues

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

"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

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

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

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

The proposed development would provide additional accommodation for residents in need of care. In this way, it would provide additional accommodation for residents many of whom will have disabilities and are elderly.

In terms of any likely negative impacts, the application has attempted to address these through the design of the scheme.

The impact on existing residents of the site has been considered. It is recognised that the occupiers are likely to be disabled and/or elderly and as such are more sensitive to noise and disturbance during works. They are also more likely to spend

the majority of their time within the building. Therefore, conditions have been suggested in order to ensure that an appropriate construction method statement is provided, as well as ensuring that works take place in reasonable hours. In terms of the relocation of residents from the site, this will be managed by Barnet Homes. It is understood that the Sheltered Housing Team at Barnet Council have consulted with the existing tenants about the redevelopment of the site.

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. Whilst it is recognised that disabled and elderly road users are more likely to be affected by proposals which result in an intensification of use it is considered that these impacts are adequately mitigated by the proposals.

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.

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.

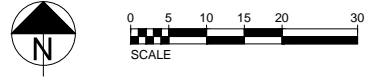
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

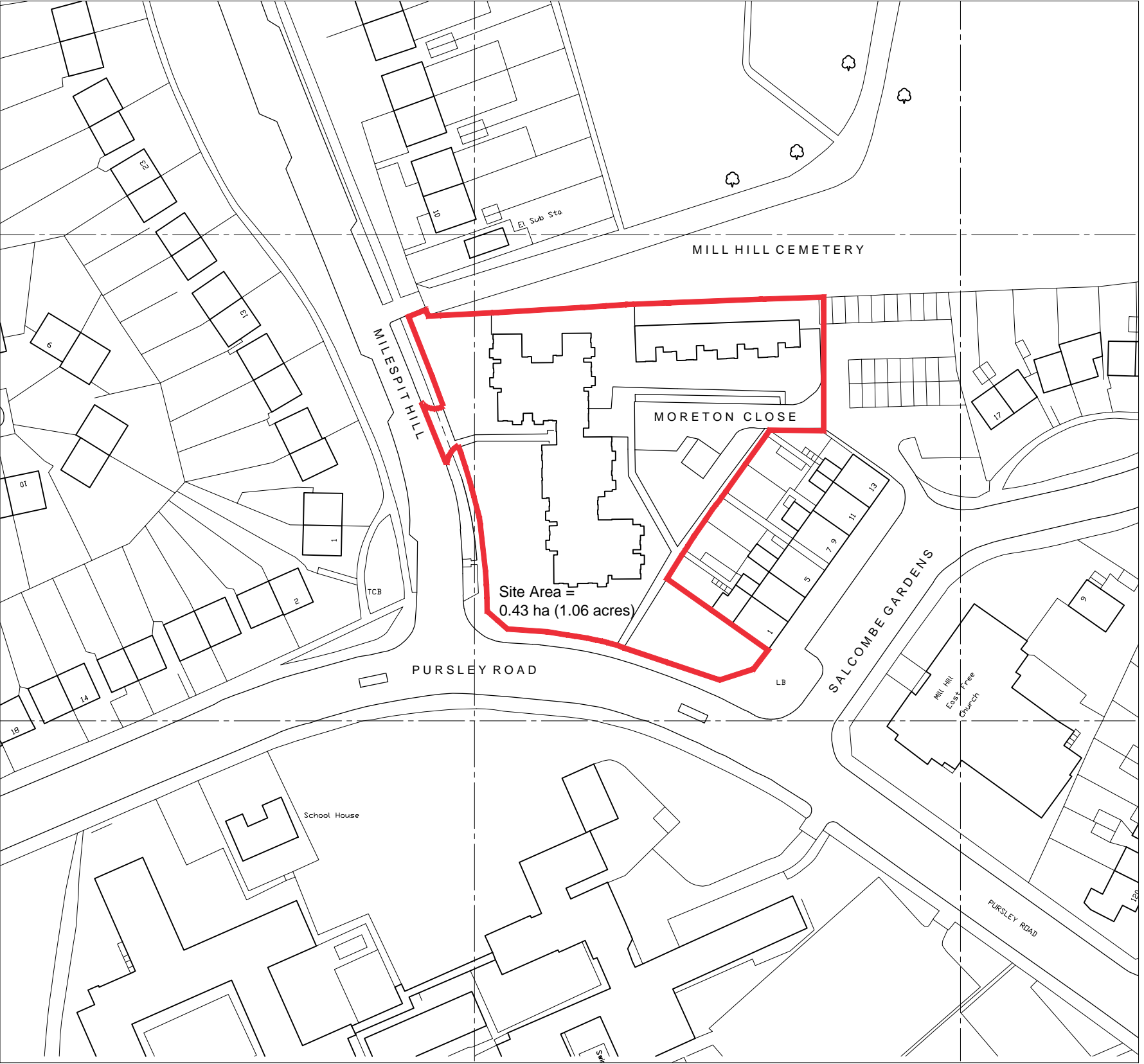
Having taken all material considerations into account, it is considered that the amendments in this application to provide two additional flats within the approved development are satisfactory, and that subject to the recommended conditions the changes to the original scheme will be compliant with the Adopted Barnet Local Plan, the London Plan and National Planning Policy Framework policies. This application is therefore recommended for approval.

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Site address :
 Formerly Moreton Close -
 Milespit Hill
 Mill Hill
 Barnet
 NW7 2PH



0 5 10 15 20 30
 SCALE



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Milespit Hill Extra Care, Barnet | formerly Moreton Close

title	Site Location Plan	drawn	TL
		checked	MLH
		scale	1:1000@A3
drawing no	AA4286 - 2000	date	Jan 2015



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

15-290-02 D01-001 Rev A; 15-290-02 D01-002 Rev A; 15-290-02 D01-010 Rev A; 15-290-02 D01-011 Rev B; 15-290-02 D01-050 Rev B; 15-290-02 D01-051; 15-290-02 D01-100 Rev B; 15-290-02 D01-101 Rev B; 15-290-02 D01-200 Rev A; 15-290-02 D01-201 Rev B; 15-290-02 D01-202 Rev B; 15-290-02 D01-203 Rev B; 15-290-02 D01-300 Rev B; 15-290-02 D01-500; 12330-CRH-Z1-00-DR-D-6175 P3; 12330-CRH-Z1-00-DR-D-6179 P2; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey/Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services); Drainage Strategy (7 Engineering Consultancy).

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

2 This development must be begun within three years from the date of the original planning permission which was granted on 7 February 2017.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan 2016.

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

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

16 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, Unit 0.02 only shall have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future), and Unit 0.01 shall be constructed in accordance with Part M4(2) of the Building Regulations. The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

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

17 Following the approval of Phase II Geo-Environmental Risk Assessment Project no. 16-277.02 (revision A dated 09/01/2017) pursuant to Part 1 (Desktop Study and Conceptual Model) of Condition 17 of planning permission 16/3250/FULL, which was approved under London Borough of Barnet reference 17/2721/CON on 11 July 2017, the requirements of Part 2 (d) of that condition shall continue to apply, as follows:

Before the development is first occupied, a report that provides verification that the required decontamination works have been carried out, shall be submitted to and approved in writing by the Local Planning Authority.

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 Policy 5.21 of the London Plan 2016.

18 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.

19 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing where the noise background level for outdoor amenity areas will be likely to exceed 55dBA.

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

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

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

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

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

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

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

21 Before the commencement of above ground construction works following demolition, a report should be carried out by a competent electromagnetic radiation consultant and submitted to the LPA for approval, that assesses the likely electromagnetic radiation impacts from the substation on the residential development. The report shall also clearly outline mitigation measures for the development to reduce these radiation impacts to acceptable levels. It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied/ the use commences).

Reason: To ensure that the health of the residents at the residential premises are protected from electromagnetic radiation from the substation in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2016.

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

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

23 Prior to the occupation of the development a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall then be implemented in full.

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

24 Demolition and construction work shall be carried out only in accordance with the following documentation, prepared by Bugler Developments, that was approved under London Borough of Barnet reference 17/2722/CON on 13 June 2017, pursuant to Condition 24 (Demolition and Construction Management and Logistics Plan) of planning permission 16/3250/FUL:

- CONSTRUCTION METHOD STATEMENT & MANAGEMENT PLAN; and
- SITE SET-UP & LOGISITCS PLAN (spelt as on the submitted plan),

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

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

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

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

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

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

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

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

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

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

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

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

30 No part of the new development may be occupied until a Strategy for the provision of at least 10% of new flats to Building Regulations M4(3) wheelchair accessible standards across all of Open Doors Homes current and proposed developments has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Strategy as they pertain to the application site shall then be permanently retained.

Reason to provide sufficient housing that meets Building Regulations M4(3) standard (wheelchair accessible), in accordance with Policy 3.8 of the London Plan 2016.

RECOMMENDATION III:

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 3 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 4 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 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.
- 6 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 7 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The

applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

- 8 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.
- 9 Provision of a new footway or modification of the existing footway shall be Disability Discrimination Act (DDA) compliant.

Officer's Assessment

Officer's Assessment

1. Site Description

The application site is located on the northern side of an established residential estate in East Finchley known as the Basing Way Estate. The estate is enclosed by East End Road to the east, the North Circular along the southern side, Amberden Road to the west and the Sternberg Centre to the north.

The estate consists of a central spine road that connects East End Road with Amberden Road. The residential development to the north of the site consists predominantly of three storey residential apartment blocks, while to the south of this estate road, the predominant form of development comprises of terrace two storey dwelling houses. The pattern of development follows a primarily linear form following the path of this road.

The proposed development location is situated close to the northern perimeter of the site, close to the junction with the Sternberg Centre. The site constitutes the enclosure of the existing parking and garage courtyard and infills a gap in the development that runs along the boundary with the Sternberg Centre.

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

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

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

2. Site History

The site has the following planning history:

C13088 - Conditional planning permission granted for the conversion of two disused first floor laundry rooms to form 2 one bed flats, replace flat roof with pitched roof and alterations to elevations, 14th January 1998.

C13088A - Conditional planning permission granted for the replacement of existing windows with UPVC windows, 8th May 2008.

F/05871/13 - Conditional planning permission granted for the conversion of existing garages into a caretaker's office, 14th February 2014.

17/2069/NMA Non material amendment to planning permission 16/3250/FUL dated 07/02/17 for `Demolition of existing garages and redevelopment to provide a 4-storey

building comprising 14 no. self-contained flats with associated landscaping, carparking, cycle and refuse storage; and enclosure of existing electrical substation within a new structure. Amendment to include relocation and housing of substation, re organisation of car parking layout, conversion of 1no 2 bed wheelchair unit to standard 2 bed unit, relocation of ramp from front to rear, substitution of 1no blue badge parking bay for 1no standard parking bay, and amendment to wording of conditions 1,4,16,20 and 23. Withdrawn.

16/3250/FUL Demolition of existing garages and redevelopment to provide a 4-storey building comprising 14no. self-contained flats with associated landscaping, car parking, cycle and refuse storage; and enclosure of existing electrical substation within a new structure. Approved, 8th February 2017

17/2719/CON Submission of details of condition 3 and 6 (Materials) pursuant to planning permission 16/3250/FUL. Pending consideration.

17/2721/CON Submission of details of condition 17 (Desktop Study, Part 1 - Land Contamination) pursuant to planning permission 16/3250/FUL. Details approved, 14 July 2017.

17/2722/CON Submission of details of condition 24 (Demolition and Construction Management and Logistics Plan) pursuant to planning permission 16/3250/FUL. Details approved, 13 June 2017.

17/3355/CON Submission of details of condition 5 (Fenestration) pursuant to planning permission 16/3250/FUL. Withdrawn.

3. Proposal

This application seeks material amendments to the recent planning permission, ref. 16/3250/FUL, which is noted above. Like that permission, it involves the demolition of the existing garages block and caretaker's office and the erection of a four storey block of 14 self contained flats, along with the laying out of a new surface car park with 32 spaces. The key material change is the relocation of a substation. The accommodation to be provided will also be amended; whereas in the approved layout there would be two ground floor wheelchair flats designed to standard M4(3), in this application only one of these flats would meet that accessibility standard. The justification for this is discussed in Section 5 of this report. Alongside these changes the car parking layout would also be adjusted to reflect the new location for the substation and requirement for fully accessible car parking spaces, which is also reduced from two to the one space required to serve the single M4(3) standard that would be provided as part of the development.

The proposed accommodation mix would therefore comprise a total of 14 x 2 bedroom units, including the wheelchair flat. All of the proposed units are designed to be dual aspect and will meet or exceed the London Plan minimum space standards. Each of the units would be provided with a private balcony on the upper floors or a private terrace on the ground floor. Screens would be installed on some of the balconies to prevent overlooking to the adjacent blocks.

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

The existing substation will be rehoused in a permanent structure within the car park. This area is partially enclosed on three sides by three existing buildings comprising existing flats at Basing Way; these are numbers 110 - 132 to the north-east, 134 - 156 to the south-east and 158 - 180 to the south-west. The relocated substation would be just under 9m from the closest part of the building comprising numbers 134 - 156, and approximately 18m from the other two buildings. Access to the substation would be provided through the car park. Refuse and recycling storage for existing residents is to be re-provided in purpose-built collection points arranged around the car parking area, while refuse and recycling storage for the new building will be provided within the ground floor level of the new building, with level access obtained from the front of the building. There will also be minor changes to the pedestrian access to the new building, with the steps and ramps into the building amended to reflect the relocation of the substation and the change in the number of wheelchair flats to be provided.

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

4. Public Consultation

Consultation letters were sent to 222 neighbouring properties.

Letters of objection from two neighbouring addresses had been received at the time of writing. The neighbour consultation period remains open until the date of the Committee meeting, and any additional letters that are received up until midday on the day of the meeting will be reported in the Addendum report, while any letters received after that time will be reported verbally to the Committee.

The comments received at the time of writing can be summarised as follows:

- The existing congestion in the area will be exacerbated by the 14 additional flats. Existing residents will have to park further away from their homes.
- Insufficient garden space.

Environmental Health - 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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 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 for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such.

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

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 October 2016.

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

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

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

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

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

- ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
 - iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).
2. Residential development may be acceptable:
- i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
 - ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

Mayor of London's Housing SPG

- This sets out a range of Standards for residential development in London.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to assist in the design of new residential development. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- In respect of amenity, development should not be overbearing or unduly obtrusive and care should be taken to ensure that it does not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

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. The SPD approach includes providing building sustainability measures over and above those required by the minimum Building Regulations standards, provision for on-site renewable energy sources, and retention and enhancements of biodiversity within development sites.

Other relevant planning documents

London Borough of Barnet Characterisation Study (2011)

- This provides a valuable analysis of urban and suburban typologies with detailed descriptions of the main residential types within the Borough.

5.2 Main issues for consideration

The main issues for consideration in this case relate to whether the changes in the scheme from those approved in planning permission 16/3250/FUL are acceptable, and whether the proposed amendments have any other impacts on the conclusions of the assessment of the scheme under the previous application. These are considered as follows:

- The relocation of the electrical substation;

- The changes in the accommodation to be provided;
- The changes in the car parking layout; and
- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 16/3250/FUL.

These are considered here in turn:

The relocation of the electrical substation

The proposed relocation of the electrical substation would result in it being further from the new residential building and closer to the existing flats. Minimum separation from the closest of the nearby buildings, numbers 134 - 156 Basing Way, would be 9m. A number of environmental controls are provided in the existing permission that relate to the overall development, with condition 4 related to mechanical ventilation and extraction equipment), conditions 18 and 19 related to acoustic barriers, condition 20 to noise and condition 21 to electromagnetic radiation. This set of conditions does not differentiate between the requirements for residents within the new residential building and impacts from the substation, which in the approved scheme is located adjacent to the new building, and the requirements for conditions 18 and 19 while both relate to acoustic barriers they seek to achieve similar results through slightly different requirements. Advice from the Environmental Protection Officer is that the removal of condition 18 would be acceptable, but a more general limitation on noise from plant should be provided in its place. The conditions recommended above provide sufficient scope for the review of any noise impacts that could potentially result for existing residents, and with these conditions in place, the impacts of the substation in its new position would be fully acceptable.

The changes in the accommodation

The proposed accommodation would be amended to provide a single wheelchair flat instead of the two wheelchair flats in the extant permission. The total accommodation to be provided would remain at 14 no. two-bedroom flats including the wheelchair accessible unit. London Plan Policy 3.8 seeks at least 10% of new flats to meet Building Regulations M4(3) standard (wheelchair accessible). The extant permission with two out of 14 flats would exceed this standard, while the reduction to a single wheelchair accessible flat in this proposal would result in there being under 10% in the new building. Open Doors Homes have undertaken to provide at least 10% of units across all of their developments as to part M4(3) wheelchair accessible standard, which is considered to be an acceptable approach in terms of meeting the policy aim. An additional condition is recommended above which requires a strategy to be put in place before the development is first occupied, which will ensure that this is achieved. Subject to this condition the cross-development approach to achieving the London Plan Policy 3.8 requirement is considered to be acceptable.

The changes in the car parking layout and access to the building

As already noted, the car parking layout would be adjusted to reflect the new location for the substation, and the provision of one rather than two wheelchair accessible flats would be reflected in the provision of one disabled user-standard car parking spaces rather than two as previously. There would be some minor amendments to the access to the development, reflecting the relocation of the substation away from the building and the need for wheelchair access to only one of the ground floor flats. The application also requests an amendment to condition 23, to vary the timing of submission and approval of a Car Parking Management Plan. Both of these changes are considered to be acceptable,

subject to a requirement to carry out the approved details also being added to condition 23.

Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 16/3250/FUL

In approving the previous application, members determined that the following aspects of the proposal were acceptable:

- the principle of the development, including affordable housing;
- character and appearance;
- the living conditions of neighbouring residents;
- the amenities of future residents;
- impact on highway and pedestrian safety;
- security in the vicinity of the site;
- provision for drainage; and
- sustainability.

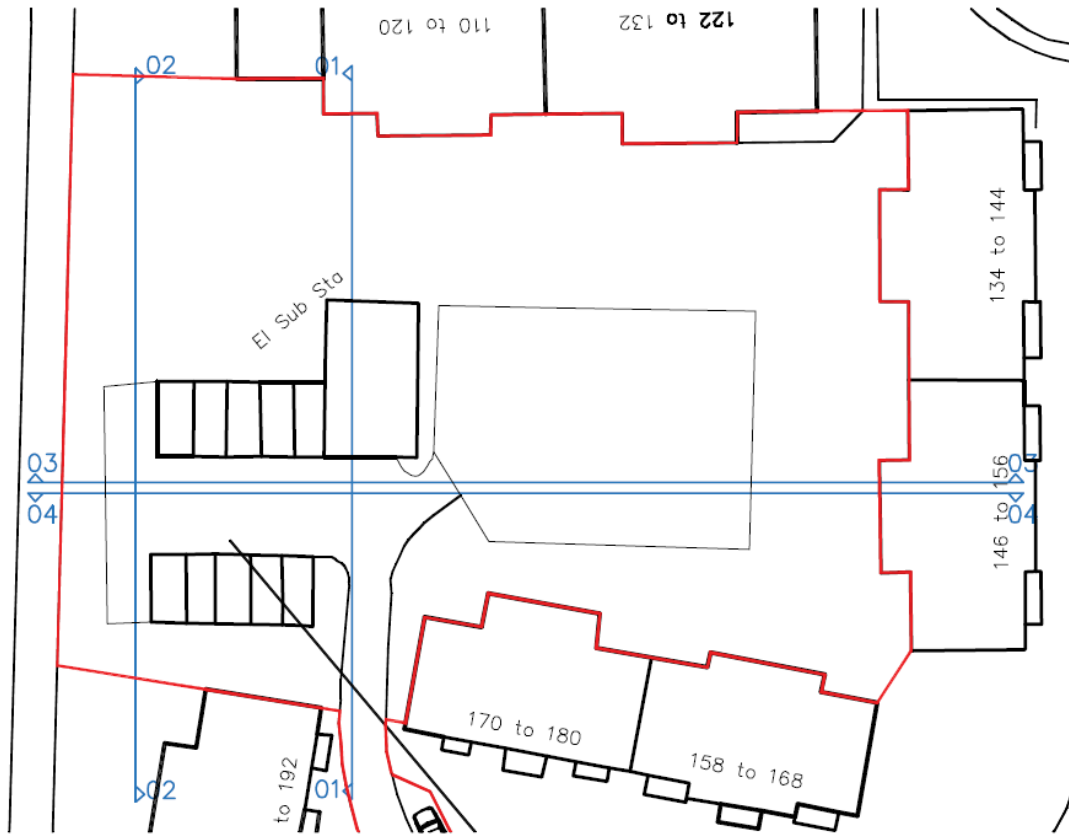
Other than the material changes considered in the previous discussion in this report, other changes are minor and non-material in nature. There is nothing in the proposed amendments that alters the assessment in the previous application, and the principle of the acceptability of the application remains unchanged. In addition, as it is only the conditions cited in the application description which are to be amended by this application, subject to the conditions in the extant permission being carried over to the new permission to cover these remaining matters, the previous assessment of these issues remains robust and these parts of the previous decision are therefore not for reconsideration as part of this application.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed changes to the extant permission are acceptable. Subject to conditions, the changes are not considered to have an adverse impact on the amenities of neighbouring occupiers, and the application is therefore recommended for approval, subject to conditions.



Existing



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Location **Elmshurst Crescent Garages Land Adjacent To 90-100 Elmshurst Crescent And 35 Pulham Avenue London N2 0LR** **AGENDA ITEM 11**

Reference: **17/3722/S73** Received: 12th June 2017
Accepted: 12th June 2017
Ward: East Finchley Expiry 11th September 2017
Applicant: Barnet Homes

Proposal: Variation/Removal of condition 1 (Plan Numbers) 18 (Car Parking Spaces) and removal of 29 (Construction Working Hours) of planning permission 16/3252/FUL dated 07/02/2017 for Demolition of existing garages and redevelopment to provide a three-storey building comprising of 11no. self-contained flats and 2no two-storey semi-detached dwellinghouses with associated access, amenity space, landscaping, car parking, cycle and refuse storage. Variation to include re-organisation and relocation of car parking spaces perpendicular to the adopted highway and introduction of crossovers to parking areas along the adopted highway and amendments to the wording of Conditions 1 and 18

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 deed of variation to the planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation, agreed in association with 16/3252/FUL, 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. The provision of affordable housing for affordable rent at a proportion of 40% of all the units being provided within the development in accordance with the London Borough of Barnet Nominations Statement.
4. Monitoring fee: £500.00

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve 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:

15-290-02 D02-001 Rev A; 15-290-02 D02-002 Rev A; 15-290-02 D02-010 Rev A; 15-290-02 D02-011 Rev B; 15-290-02 D02-050 Rev B; 15-290-02 D02-051 Rev B; 15-290-02 D02-100 Rev C; 15-290-02 D02-101 Rev C; 15-290-02 D02-102 Rev C; 15-290-02 D02-103 Rev C; 15-290-02 D02-104 Rev A; 15-290-02 D02-200 Rev A; 15-290-02 D02-201 Rev C; 15-290-02 D02-202 Rev A; 15-290-02 D01-300 Rev A; 15-290-02 15-290-02 D01-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey /Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services); Drainage Strategy (7 Engineering Consultancy).

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

2 This development must be begun within three years from the date of the original planning permission which was granted on 7 February 2017.

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 2016.

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

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and

measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

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

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development complies with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.2 and 5.3 of the London Plan (2016).

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

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

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

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

10 a) 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.

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

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan (2016).

12 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them

by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2016).

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

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and 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 (2016).

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

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

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2016) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012).

16 Following the approval of details under London Borough of Barnet planning reference 17/2706/CON of the details of required by Part of Condition 16 in planning permission 16/3252/FUL (desk top contamination study of potential site contamination) the following detail as required by Part 2 (d) of that condition shall be provided:

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 5.21 of the London Plan (2016).

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

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan (2016).

18 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with a revised parking layout drawing to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

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

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

20 No site works or works on this development including demolition or construction work shall commence until a revised 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.

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

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

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B,

C, D and E of Part 1 of Schedule 2 of that Order shall be carried out within the curtilage of the dwelling houses hereby approved.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Informative(s):

Officer's Assessment

1. Site Description

The application site is located at the junction of Elmshurst Crescent and Pulham Avenue, within an established housing estate in East Finchley. The estate is accessed from East End Road to the north. The area is predominantly residential in character however, there is a school situated to the west of the housing estate and there are two care homes for the elderly and the infirm to the north. Land levels change substantially across the site, particularly to the south and east.

The estate is not located in a conservation area and the site is not located within the setting of any listed buildings or locally listed buildings. The character of the area beyond the site consists of a mixture of semi-detached dwellings within generous and mature gardens. There are also a large number of three storey flatted residential blocks along East End Road. Elmshurst Crescent and Pulham Avenue feature a mixture of large, visually dominant three-storey buildings accommodating flats. These are mainly situated along the eastern and southern side of Elmshurst Crescent.

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

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

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

2. Site History

Reference: 16/3252/FUL

Decision: Approved

Decision Date: 8 February 2017

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

Reference: 17/1322/CON

Decision: Pending Consideration

Description: Submission of details of condition 3 (Materials), 10 (Landscaping), 13 (Landscape Management Plan) and 26 (Levels) pursuant to planning permission 16/3252/FULL dated 8 February 2017.

Reference: 17/2086/NMA

Decision: Withdrawn

Decision Date: 30 June 2017

Description: Non material amendment to planning permission 16/3252/FUL dated 07/02/17 for `Demolition of existing garages and redevelopment to provide a 3-storey building comprising of 11 no. self-contained flats and 2 no. two-storey semidetached dwelling houses with associated access, amenity space, landscaping, car parking, cycle and refuse storage.` Amendment to include reorganisation and relocation of car parking spaces perpendicular to the adopted highway, introduction of crossovers to parking area along the adopted highway and removal of condition 29.

Reference: 17/2703/CON

Decision: Approved

Decision Date: 12 June 2017

Description: Submission of details of condition 4 and 20 (Demolition and Construction Method Statement) and 20 (Demolition and Construction Management and Logistics Plan) pursuant to planning permission 16/3252/FUL.

Reference: 17/2706/CON

Decision: Approved

Decision Date: 1 June 2017

Description: Submission of details of condition 16 (Desk top contamination study, Part 1) pursuant to planning permission 16/3252/FUL.

3. Proposal

This application seeks material amendments to the recent planning permission, ref. 16/3252/FUL, which is noted above. The amendments are sought through variation of conditions 1 (approved plans), 18 (the car parking layout to be completed prior to occupation) and removal of condition 29 (hours of work). Like the extant permission, the proposal is for the demolition of the existing garages block and construction of a three storey flat block comprising 11 flats fronting on to Elmshurst Crescent and 2no. two bedroom-houses fronting onto Pulham Avenue, along with the laying out of new surface car parking with 31 spaces. The new car parking layout results in a conventional placing of footpaths at the edge of the public highway, whereas the approved layout reversed the arrangement of car parks and footpaths to place the footpath closer to the road carriageway than the footpaths. The amended layout also arranges the car parking spaces in pairs which are separated by 1.8m wide strips that include scope for tree planting. As this takes up more space than in the approved layout, some of the existing amenity space for the existing flats would be included in the new car parking area.

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

The application drawings include one minor amendment to the design of the flat roofed section that would link the higher gabled elements in the flats building. In the approved drawings, a projecting portion of the flat roofed three storey element, which in this part of the building would have accommodated part of the stairs and the service core of the building. An accompanying internal rearrangement of the stairs has allowed this element to be fully incorporated into the main structure of the building alongside the stairwell. The impacts of these design changes is discussed in Section 5.3 below.

In order to transition successfully from the three storey massing to the existing single storey bungalows on Pulham Avenue, the scheme also proposes the erection of a pair of two-bedroom four person semi-detached dwellings with private gardens towards the site's Pulham Avenue frontage.

24 garages would be demolished to make way for the proposed development and for the compensatory open space provision. In lieu of this loss of car parking, the proposed development would provide 31 new car parking spaces, and in the amended layout this would be as follows (details of the approved layout are in brackets):

- Three parallel spaces including one marked for disabled users alongside the new flats building, opposite 145, 147 and 149 Elmshurst Crescent (the approved layout provided four spaces including one marked for disabled users along with two street trees in this location).
- Six perpendicular spaces to the south of the new houses, arranged in three pairs (the approved layout has same number of spaces but in a run of six).
- Three spaces to the south of the new flats building and south side of Elmshurst Crescent with changes only to the layout of footpaths and trees (no change in car parking in this location as compared to the approved layout).
- 14 spaces opposite 137B to 141 Elmshurst Crescent (representing a reduction in four spaces as compared to the approved layout), and
- Five additional spaces to the front / west of 18-52 Elmshurst Crescent, comprising an extension of the existing angled car parking here. This would result in four additional spaces on the north side of this area and one additional space on its southern side.

Apart from the minor change to the flats building, the scheme would be identical in appearance to the approved scheme. As with the approved scheme, the proposals would result in the removal of the group of mature trees at the corner of Elmshurst Crescent and Pulham Avenue. A new area of shared amenity space would be provided on the site of the existing garages close to 90-100 Elmshurst Crescent.

4. Public Consultation

Consultation letters were sent to 262 neighbouring properties. One letter objecting to the proposal had been received at the time of writing. The neighbour consultation period remains open until the date of the Committee meeting, and any additional letters that are received up until midday on the day of the meeting will be reported in the Addendum report, while any letters received after that time will be reported verbally to the Committee.

The objection received can be summarised as follows:

- The proposal will constitute overdevelopment.

- Parking on Elmshurst Crescent is already at a premium and the removal of existing parking facilities and the addition of additional dwelling units will make the parking situation untenable and impractical.
- Increased traffic from the additional residents.

Highways - No objection subject to conditions;

Environmental Health - 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.

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 for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such.

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

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 2012.

- Relevant Core Strategy DPD Policies: CS NPPF, CS1, CS4, CS5, CS7, CS9, CS10, CS11 and CS15.

Policy CS4 provides for a wide range of housing including the delivery of a minimum of 5,500 new affordable homes by 2025/26 with a boroughwide target of 40% affordable homes on sites capable of accommodating ten or more dwellings.

Policy CS7 seeks to enhance and protect Barnet's open spaces, including improving access to open spaces in North and East Finchley and other areas of public open space deficiency as identified in Core Strategy Map 10.

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

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

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

Policy DM10 reiterates the affordable housing target in Policy CS4.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);
 - ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
 - iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).
2. Residential development may be acceptable:
- i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
 - ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

The Mayor of London's Housing SPG

- This sets out a range of Standards for residential development in London.

The Mayor of London's Shaping neighbourhoods: Play and informal recreation SPG

- This sets out standards for play and open space provision in London.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to assist in the design of new residential development. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- In respect of amenity, development should not be overbearing or unduly obtrusive and care should be taken to ensure that it does not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

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. The SPD approach includes providing building sustainability measures over and above those required by the minimum Building Regulations standards, provision for on-site renewable energy sources, and retention and enhancements of biodiversity within development sites.

Other relevant planning documents

London Borough of Barnet Characterisation Study (2011)

- This provides a valuable analysis of urban and suburban typologies with detailed descriptions of the main residential types within the Borough.

5.2 Main issues for consideration

The main issues for consideration in this case is whether the changes in the scheme from those approved in planning permission 16/3252/FUL are acceptable, and whether the proposed amendments have any other impacts on the conclusions of the assessment of the scheme under the previous application. These are considered as follows:

- The changes in the car parking layout;
- The loss of amenity space;
- The changes in the external appearance of the building; and
- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 16/3252/FUL.

5.3 Assessment of proposals

- The changes in the car parking layout

The changes in the car parking layout result in the rearrangement of the car parking but with the same number provided as in the extant permission. The 1.8m wide spaces provided between each pair of car parking spaces is to comply with the Council's standards with regard to maximum width of vehicle cross-overs for those parts of the development where perpendicular car parking is being provided off the public highway. This provides the opportunity to break up the mass of car parking within the streetscape, providing space for tree planting and any future requirements for street furniture such as

telecoms cabinets. As such this aspect of the amended layout is more workable as compared with the approved layout.

Part of Elmhurst Crescent, in front of numbers 18-52, is not public highway, so the angled layout proposed there is acceptable in that part of the site, as are the three parallel spaces to be provided on the western side of the new flats, opposite number 145, 147 and 149 Elmhurst Crescent.

Highways Officer is generally supportive of the changes which necessitate the amendments to conditions 1 and 18, although some further details design work will be required. The Highways comments also note the following points:

- The parallel parking adopted as public highway cannot be designated as private parking bays and is available for visitors and public at large to use.
- New footways need to be a minimum 2m in width.
- The up stand between the 4.8m wide accesses to car parking from the public highway need to be a minimum of 1.8m in width.
- Any existing or established public or private rights of ways across the development land will need to be stopped up under S247 of the Town and Country Planning Act (TCPA) and may need to be re-provided prior to commencement of any demolition or construction works.
- Although the for Demolition Construction and Traffic Management Plan (DCTMP) has been discharged based on the submission to discharge condition 4 pursuant to planning application 16/3252/FUL, a condition will be placed on the application to resubmit the DCTMP to account for the potential alterations proposed to facilitate the construction traffic and deliveries.

It is noted that conditions 4 and 20 in the extant permission essentially duplicate the requirements for a DCTMP, and the amendments requested by the Highways officer are recommended in place of condition 20, with a new condition 4 which sets out additional requirements in regards to the highways layout in the amended scheme.

- The loss of amenity space

The proposal would result in the loss of an additional 142 sqm of the amenity space located forward of 18-52 Elmhurst Crescent. The extant permission provides for an additional space nearby, between the buildings comprising 54-64 and 90-100 Elmhurst Crescent. While this does not replace the additional space lost in this proposal as compared to the approved layout, it capable of re-providing it in qualitative terms, provided that additional landscape enhancements, which could include play equipment, can be provided in this area.

It is noted that the site is within 200m walking distance of the Elmhurst Open Space; however this is not identified in Policy CS7 as having a children's play area, so provision in this regard is recommended as part of the landscaping scheme. In order to provide qualitative improvements to the amenity space within the development, it is recommended that condition 10, a requirement for hard landscaping in the extant permission, be amended to require hard and soft landscaping including details of how the amenity space would be made more suitable for play by the under-5 and 5-10 year old age groups.

- The changes in the external appearance of the building

As noted in Section 3 above, the application drawings include one minor amendment to the design of the flat roofed section that would link the gabled elements in the flats building. In the approved drawings, by removing a projecting portion of the flat roofed three-storey element the accommodated the stairs in the approved scheme. An accompanying internal rearrangement of the service core of the building in the amended drawings has allowed this element to be incorporated into the main structure of the building. This projecting element would have been visible from the south-west, and this change will result in a cleaner appearance to this part of the building and an improvement in the design. As such, it is fully acceptable.

- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 16/3250/FUL.

There is no objection to the removal of condition 29, as this duplicated condition 28 in the extant permission. The approved conditions set out the hours of work for the development.

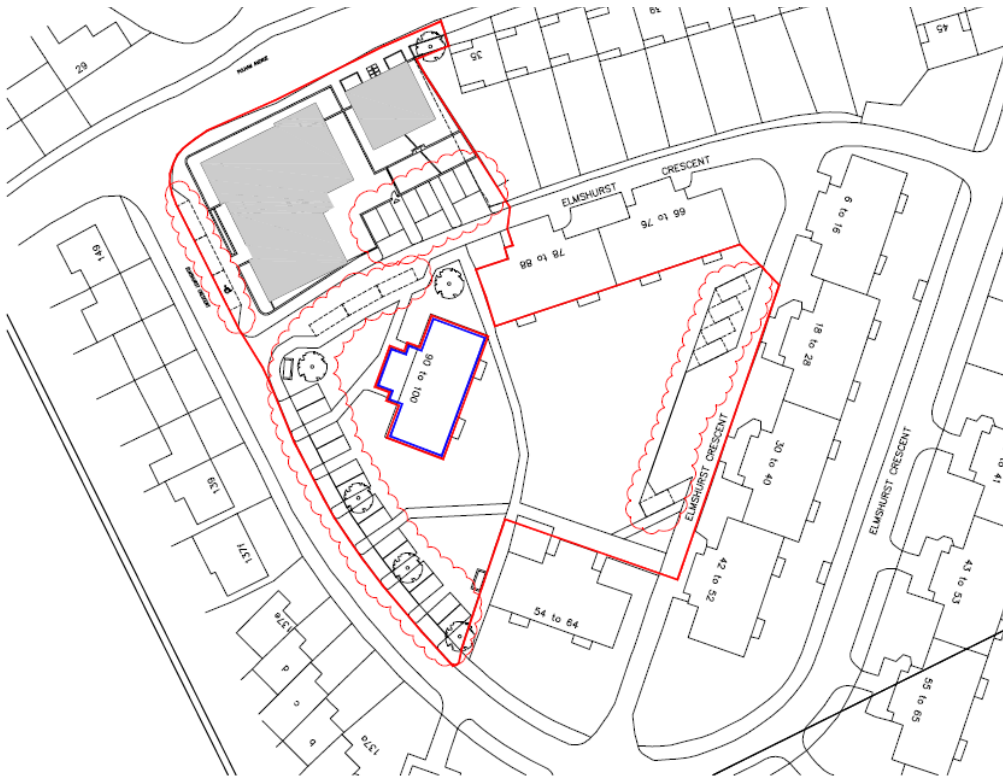
The changes proposed will not result in any other impacts as compared to those in the extant permission. Subject to the amended set of conditions recommended above, the variation to the approved scheme that would be provided by the changes to conditions 1 and 18 and deletion of 29 is considered to be 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

Having taken all material considerations into account, it is considered that the amendments in this application are satisfactory, subject to further detailed design work on the layout of footpaths and other details in the amended car parking layout, and to the additional landscape enhancements that are noted above and as recommended in the revised conditions. Subject to these conditions, the changes to the original scheme will remain compliant with the relevant policies of the Adopted Barnet Local Plan, the London Plan and the National Planning Policy Framework. This application is therefore recommended for approval.



Notes

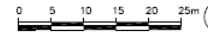
ALL DETAILS TO BE CHECKED AND APPROVED BY SPECIALIST CONTRACTOR AND INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURERS DESIGN AND SPECIFICATION

Notes/Revisions

Rev	Description	Date	Drawn	Checked
A	Issue for planning	15.05.2016	WO	WF
B	Issue for NMA - Updated parking arrangement	24.03.2017	WF	NF

PLANNING ISSUE

Date	MAY 2016	Client	Barnet Homes
Drawn	WO	Project	Elmshurst Crescent
Checked	WF	Title	Proposed Block Plan
Scale	1:500 @ A3	Design	15-290 D 02,11
		Block	B



bptwpartners
 110-114 Norman Road,
 Greenwich, London SE10 9
 020 8293 5175 www.bptw

Location **Adamson Court 7 Hertford Road London N2 9BW**

Reference: **17/2417/FUL**

Received: 13th April 2017

Accepted: 20th April 2017

Ward: East Finchley

Expiry 20th July 2017

Applicant: **Open Door Homes**

Proposal: Demolition of existing block and erection of a part two-storey, part three-storey flat block comprising 10no. self-contained flats with associated cycle storage, refuse storage, and landscaping

AGENDA ITEM 12

Recommendation: Approve subject to conditions

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

16-274 D 001 Rev A;

16-274 D 010 Rev A

16-274 D 011 Rev A

16-274 D 040 Rev A

16-274 D 050 Rev A

16-274 D 100 Rev A

16-274 D 101 Rev A

16-274 D 102 Rev A

16-274 D 103 Rev A

16-274 D 200 Rev A

16-274 D 201 Rev A

16-274 D 202 Rev A

16-274 D 300 Rev A

Design & Access Statement

Drainage Statement

Heritage & Archaeological Desk-Based Assessment

Invasive Species Survey

Land Contamination Assessment

Sunlight, Daylight & Overshadowing Assessment

Sustainability Statement, with Energy Statement

Transport Statement, with Parking Survey

Tree Survey, Arboricultural Impact Assessment & Method Statement

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

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 5 a) No development 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).

- 6 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).

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

before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

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

8 a) 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.

9 Before the building hereby permitted is first occupied the proposed window(s) in the east elevation facing 15 Hertford Road at first floor level shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

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

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of

traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 11 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. J15-290 D 04.050 Rev. A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

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

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

- 13 Prior to the commencement of the development, details of any works proposed on public highway to facilitate the development shall be submitted to and approved by the Highway Authority and highway 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.

- 14 a) Notwithstanding the drainage strategy submitted, 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.

- 15 Prior to occupation, the residents of the proposed development will be excluded from obtaining resident and visitor parking permits for the East Finchley Controlled Parking Zone.

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.

- 16 No part of the new development may be occupied until a Strategy for the provision of at least 10% of new flats to Building Regulations M4(3) wheelchair accessible standards across all of Open Doors Homes current and proposed developments has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Strategy as they pertain to the application site shall then be permanently retained.

Reason to provide sufficient housing that meets Building Regulations M4(3) standard (wheelchair accessible), in accordance with Policy 3.8 of the London Plan 2016.

- 17 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.

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 19 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 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.

20 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

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

21 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).

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

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

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 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.

- 3 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.
- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 5 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.
- 6 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 7 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.
- 8 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 9 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 10 Informative: If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

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

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

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

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

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

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

Officer's Assessment

Officer's Assessment

1. Site Description

The application site is located on the southern side of Hertford Road, approximately 90m east of its junction with the High Road (A1000) in East Finchley. The area is of mixed character with some commercial and retail on the High Road, however, residential land use is predominant. Residential typology is also mixed with large flatted blocks on both sides of the High Road, with Victorian terraces forming the established character in Hertford Road.

The site contains a three storey flat roofed building comprising a small care home while still being shorter in height than the neighbouring property at 5 Hertford Road which is a two storey building. An access road separates the building from 15 Hertford Road. The access road arrives at a large parking area at the rear.

The street runs at a gradient up hill towards the junction with the High Road where a contemporary residential development has been constructed with a landmark feature at the junction.

The street contains a locally group listed terrace on the southern side of Hertford Road starting from 15 Hertford Road.

The site is not located in a conservation area and there are no listed buildings in the street. There are no trees subject to a Tree Preservation Order within the site or affected by their proximity to the curtilage of the site. There is however a mature street tree directly outside the site.

The site located in a Controlled Parking Zone and has a PTAL of 3.

2. Site History

The Housing Committee and the Building Control and Town Planning Committee gave their approval in 1971 for the erection of a building containing four bedsitting rooms and three, 1 bedroom flats on the site known as 7 Hertford Road along with parking for seven vehicles.

3. Proposal

Planning permission is sought for the demolition of the existing buildings and the erection of a part two and part three storey building to provide 10 flats.

The proposed accommodation comprises 9 x 2 bedroom and 1 x 1 bedroom flats designed to be dual aspect where possible and will meet or exceed the London Plan minimum space standard.

Some of the units will be provided with private balconies however, the scheme would deliver over 440sq.m of external communal amenity space to the rear which would replace the current car parking area.

No car parking is to be provided however, cycle parking for nineteen cycles will be provided within the development. It is proposed that the residents of the development will

be restricted from accessing or applying for car parking permits by way of a planning condition. Refuse and recyclables storage will be provided to the front of the site by way of covered sheds.

In order to accommodate the change in land levels towards the junction with the High Road and to mediate between the locally listed terrace to the east and the larger buildings to the west, the proposed building is a part two storey and part three storey construction. The two storey element starts adjacent to 15 Hertford Road and the eaves line rises incrementally and after a centrally located access core rises to a three storey building with the fenestration on the second floor overlapping the eaves line. The proposed development incorporates a traditional roof form with gable ends at each end rising to a ridge. At the rear, the proposed development replicates a Victorian form with a substantial rear projection. However, this is inset from the boundaries on both sides with 5 and 15 Hertford Road and the projection beyond existing rear returns is not significant. The rear elevation of the rear projection would have a substantial width with part of the roof terminating as a flat roof at the lower land level and part being terminated with a mansard roof at the upper land level. All living rooms, kitchen and dining rooms will have a rear aspect to the south, while some bedroom windows would have outlook towards 5 and 15 Hertford Road.

4. Public Consultation

Consultation letters were sent to 280 neighbouring properties.

3 responses have been received, comprising 2 letters of objection, 0 letters of support and 1 letters of comment.

The objections received can be summarised as follows:

- The proposed development would be too big, too high and too deep.
- The development would give rise to additional traffic impacts and parking issues. The back garden should still be used for parking.
- There would be overlooking from the windows to the rear garden of 5 Hertford Road.
- Concerns are raised regarding the impact from demolition and construction including asbestos control
- The development would give rise to a loss of light.
- The proposed development may result in an uplift in land levels across the site during the course of development.
- Provisions should be made regarding Japanese knotweed and asbestos across the site.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Whether the principle of the development is acceptable.

Planning permission is sought for the erection of a part two storey and part three storey development to provide ten flats. The proposed development would comprise of nine, two bed flats and one, one bed flat. The development would be for the benefit of Barnet Homes and all ten units would be provided as affordable housing utilising the affordable rent product.

The National Planning Policy Framework and the National Planning Policy Guidance states that where small scale development of less than 11 units come forward for determination, they should not need to make a contribution towards either affordable housing or other tariff style obligations.

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

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

During the pre-application phase and within the application documentation, Barnet Homes have advised that the proposed residential accommodation coming forward for all the sites for both the DCLG defined categories of major and minor applications would be delivered as affordable housing. These units would be brought forward as affordable rent with a rent level indicated as being 65% of the market rent. Based on this commitment, the provision of affordable housing constituted a significant material consideration which was dominant in the planning balance evaluation if there were any disbenefits associated with particular schemes.

The applications which have been submitted by Barnet Homes are at present a mixture of small schemes of less than 11 units (so far forming the greater majority) and a small number of major schemes delivering 11 or more units. Barnet Homes are firmly of the view that the amendment to the NPPG following the West Berkshire District Council and Reading Borough Council v Secretary of State for DCLG means that the Council should not be seeking to secure affordable housing by condition or by legal agreement for the smaller schemes. In addition, the applicant is of the view that the imposition of a requirement to enter into a legal agreement to secure affordable housing would have an impact on the ability of the developer to secure the levels of further funding to provide more homes in the future.

Barnet Homes is a wholly owned subsidiary of Barnet Council, responsible for the management and maintenance of the Council's 15,000 rental properties. Barnet Homes is in the process of setting up a new Registered Housing Provider known as Open Door Homes as a further subsidiary, committed to providing affordable housing. Utilising a loan from Barnet Council, the first programme of homes will be let at affordable rents. This position will be protected by the terms of the loan agreement and by the transfer of the sites from Barnet Council. Barnet Homes are therefore contractually obliged to provide affordable (rent) housing.

With respect to the larger sites where both Local Plan Policy DM10 supported by the London Plan and the NPPF states that there is a Borough wide target to bring forward 40% of new dwellings in a tenure that meets the definition of affordable housing in the NPPF. Barnet Homes is willing to enter into a legal agreement to secure these units.

Barnet Homes and subsequently Opendoor have indicated their willingness to enter into a legal agreement in order to deliver a policy compliant affordable housing level. However, as stated, an onerous legal agreement would reduce the ability of Opendoor to raise future funds to continue the development cycle. Barnet Homes have a programme to deliver 326 affordable homes in order to alleviate homelessness in the borough. However, some sites may not be able to deliver the 100% provision on all sites and the monies raised will enable Barnet Homes to deliver more than the identified 326 units.

Barnet Homes recognises the concern that affordable housing secured outside of a legal agreement under Section 106 of the Planning Act, would be susceptible to disposal through Right to Buy, however the monies raised will be recycled for further investment and further build.

The overarching aim of Opendoor Homes is to build 750 units by 2020. Some dwellings will be delivered on the open market which will not be possible if the land value is based on having to provide affordable housing above policy. However, despite the absence of a legal agreement, Opendoor have every intention to provide affordable housing at affordable rent levels based on a local nominations agreement.

Ultimately, the provision of no affordable housing units on the smaller sites and the provision of at least 40% of units in affordable tenure on the larger sites would be policy compliant in respect of all the relevant tiers of policy. Nevertheless, an interpretation of the NPPF and NPPG would suggest that contributions or provision should not be sought, as opposed to must not be sought. As such, the Council could be entitled to secure affordable housing through a legal agreement on the smaller schemes. Furthermore a Council may be able to seek affordable housing at a proportion greater than 40% just as a developer may choose to deliver housing in affordable housing on a small scheme or at a ratio of greater than 40% on larger schemes.

Undoubtedly, the position promoted by Barnet Homes since their engagement with planning officers in December 2015 has been based entirely on a 100% affordable housing provision. Supporting planning documents including the planning statement and the application form has been clear in stating that it is the intention to provide this. The applications came before Committee carrying a condition seeking a legal agreement.

Nevertheless, there is a clear intention to provide affordable housing through other means and securing this for at least the first occupants under a Barnet Nominations procedure. The schemes, both small and large are policy compliant. Barnet Homes will be providing affordable rented housing on these sites although Members are being asked to consider these schemes purely on the basis of them being new dwellings only. Barnet Homes will be able to secure and raise funding on more advantageous site values allowing them to invest and earn greater sums of money. This would enable Barnet Homes to deliver effectively the stated aim of 326 units in this next phase and 750 in total by 2020. In a holistic view, this is a tangible planning benefit and it is considered that there would be an inherent risk to the programme that could be compromised.

On balance, the amended approach is considered to be acceptable and it is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

In summary, the unit would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

The scheme involves the loss of floorspace previously used as supported housing. Although the Local Plan policies set out in the Development Management Policies DPD (2012) sets out a presumption for its retention, it is considered that there are a number of relevant factors in respect of Adamson Court which would permit the loss of this facility. Although the building was previously used for the care of vulnerable adults in the form of supported housing, this use ceased in 2015 and the building was instead being used for emergency temporary accommodation. Part of the building became disused and its refurbishment was too costly for the Council to take this on. Furthermore, a public report published in 2015 demonstrates that the building has become surplus to requirements and as a result, its demolition with subsequent reuse of the site for the purpose of affordable housing is considered to be of an equal or greater importance.

The site is located within a short distance of a significant linear route within the Borough and as such, falls within the London Plan Density Matrix under the Urban category. As a result, these sites are capable of generating a site density within a range of 200 to 450 habitable rooms per hectare where the PTAL is level 3 (as it is at this site). As such, the proposed density of 322 habitable rooms per hectare is suitable for this site. Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

The existing building on the site consists of a three storey flat roofed structure that was constructed in the 1970s with a large area of car park to the rear. The existing building is incongruous within its location within the streetscene context and does not make a positive contribution to a high quality built environment. The character of the street is mixed and contains locally listed terraced properties predominantly to the east and more contemporary larger scale to the development to the west.

The scheme has been subject to a lengthy design process to ensure that the proposed development responds to the streetscene context including the different forms of architecture within the street, the varying scales of development and the rising gradient towards the junction with the High Road. As such, the two storey element is considered to be an acceptable form of development adjacent to the locally listed terrace. A connecting access core allows the building to transition to the larger scale terracing and subsequently the flatted development at the junction with the High Road. The fenestration, eaves and ridge lines within the building form a coherent relationship with the neighbouring properties on either side of the site within Hertford Road. It is considered that the size, scale and massing would also be acceptable. Although the front elevation of the proposed development does not exactly replicate the front elevations of existing neighbouring properties in the street, the proposed front facades do incorporate a wide variety of characteristics which allows the development to be consistent with local character.

The rear of the building would incorporate a large part two storey and part three storey rear projection which is partly terminated by a flat roof and partly by a mansard roof. The extension projects by nearly 11.5m from the rear elevation of the main part of the building and is approximately 4m from the boundary on either side. In many respects, the footprint of the proposed development is intended to reflect the character of Victorian terraces, and with a projection of no more than 1.8m beyond the rear of the neighbouring property it is considered that the proposed development would replicate the spatial character and urban grain of the area leaving a substantial area of rear garden which would not be effective and usable compared to the current property following the removal of the hardstanding.

Impact on the amenity of neighbouring properties

The properties most likely to be affected by the proposed development would be 5 and 15 Hertford Road as these are the adjoining properties to the east and west of the site. The rear elevation of the properties to the rear are over 25m away with a 15m deep rear

garden behind this application site. The impact on 5 Hertford Road is negligible given the fact that the proposed development would be situated further away from that dwelling compared to the existing building. The distance would be over 4m and the projection from the rear would be less than 2m. As such, the proposed development would not appear visually overdominant or overbearing and would not give rise to a loss of light or privacy to that property.

There would be a greater impact on the amenity of the neighbouring property at 15 Hertford Road due to the orientation of 15 Hertford and its relationship with the proposal and the fact that there are bedroom windows on the flank elevation of the proposed development at the first floor level facing 15 Hertford Road. The proposal would

Impact on the amenity of future occupiers.

The proposed development would deliver 10 units comprising 9 x 2 bed and 1 x 1 bed. Each of the units would exceed the London Plan requirements for units of this size and level of occupancy. Individual rooms would also all exceed London Plan standards. Each unit has the required amount of storage. All units would have access to over 440 sq.m of external communal space to the rear while some units would also have private and defensible amenity space afforded to them.

All units would be dual aspect and despite the deep rear projection, it is considered that no harm would arise for the main living areas with these all either facing the street or facing directly on the rear garden as a primary aspect and the kitchens which are not habitable rooms facing the rear. Bedrooms are all located at the centre of the development and predominantly have side aspect and as such, will have a lesser quality of outlook. In order to protect the amenity of the neighbours particularly at 15 Hertford Road and it is proposed that those facing that property should be condition to be obscure glazed to top fanlight. Given the purpose of these rooms and the overriding and compelling objective to deliver affordable (rent) housing, it is considered that this impact would be acceptable.

Sustainability

The development as a whole would be able to deliver a reduction of 35% in Co2 emissions below the Building Regulation of 2013.

The development is only capable of achieving M4(1) under the Building Regulations in respect of access for people with limited mobility. The application of these standards permits the presentation of viability information to demonstrate that the scheme would be undeliverable to the density necessary. The applicants have demonstrated to the Council that to ensure blanket compliance with this standard across all developments would render the scheme unviable given the scheme costs. It would also necessitate an increase in service and maintenance charges which would preclude the opportunity to reduce the (affordable) rent level. In mitigation, a condition has been imposed which would require a strategy document to be provided to demonstrate how the target or standard is being met across the range of schemes coming forward to deliver the affordable housing coming forward.

Highway safety, parking, cycle parking and refuse collection

The proposed development is located in a PTAL 3 area within a short walking distance of the High Road. Hertford Road is located within a Controlled Parking Zone. As such, residents are nominally permitted to apply for residents' permits for the parking of private vehicles during the hours of operation of the Controlled Parking Zone.

The site already benefits from a car parking area with access from Hertford Road. However, in order to benefit from the optimum level of residential development on the site with equivalent level of amenity, the proposed development would result in the removal of the car park, the removal of the access road and the provision of no on site parking. As such, the proposed development is a car free development.

In order to provide for the limited level of parking demand associated with this development, it is proposed that the residents will be prevented from applying for car parking residents's permits in this zone. In this case, the restriction will be sought by planning condition. It is feasible and possible to secure a restriction for car parking permits by way of planning condition. A planning condition will also secure the raising of the dropped kerb and all other public highways works which should take place prior to the commencement of works.

Highways officers are satisfied that a planning condition would be satisfactory to secure the proposed car free development. The scheme provides for 20 cycle parking spaces to meet London Plan standards.

Refuse storage is provided at the front of the site to permit easy access for residents and also for refuse collection teams. The storage and collection provision is therefore considered to be acceptable in this instance.

5.4 Response to Public Consultation

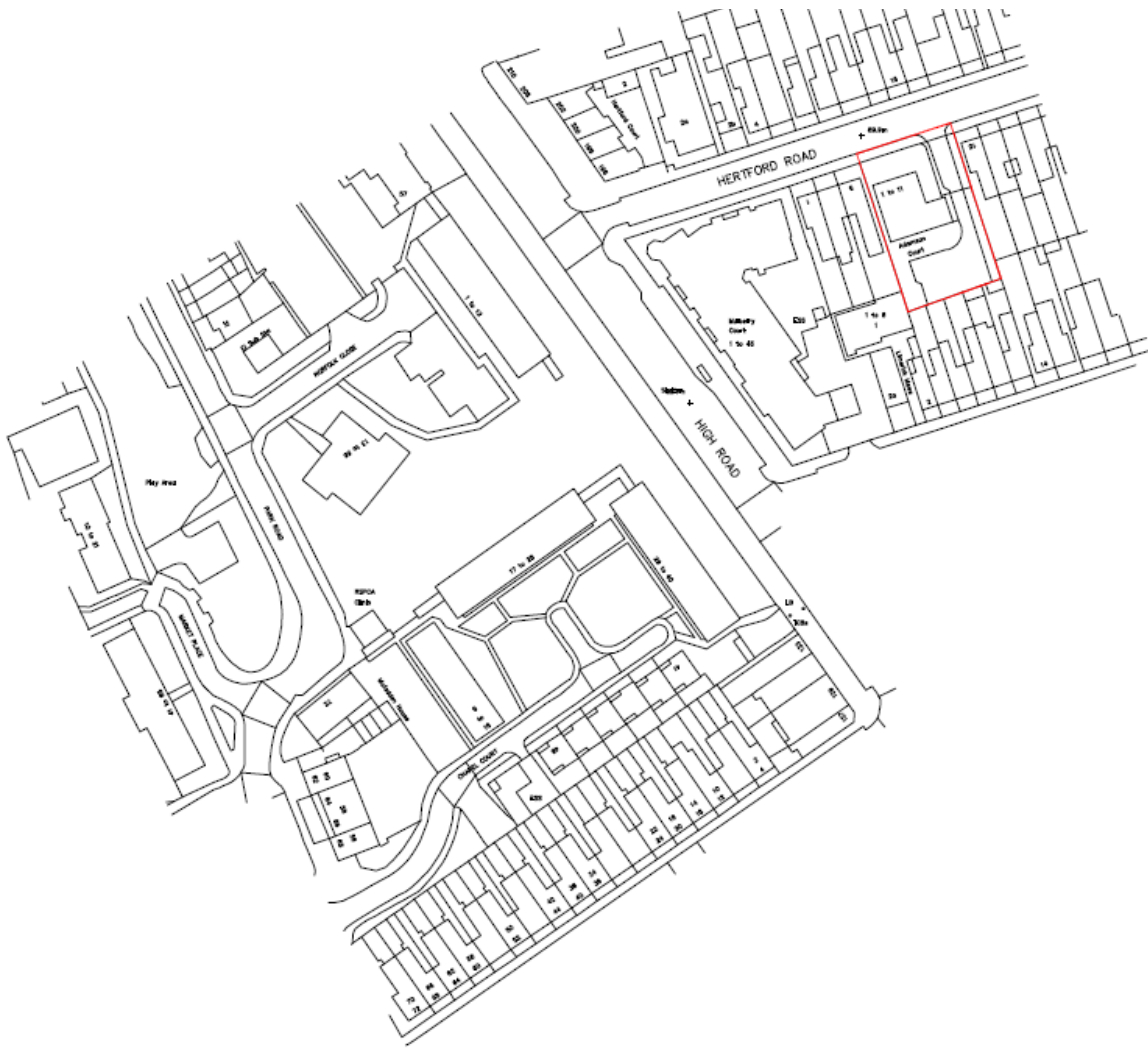
The planning issues raised are addressed in the report above. The presence of Japanese Knotweed and asbestos and the process of their lawful removal are not planning issues for consideration.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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Location **Land Behind Sheaveshill Court The Hyde London NW9 6SJ**

Reference: **16/6222/FUL**

Received: 26th September 2016

Accepted: 5th October 2016

Ward: Colindale

Expiry 4th January 2017

Applicant: Ms Christine Coonan

Proposal: Demolition of existing garages and stores and the erection of two, three-storey buildings to provide 24no. self-contained flats and 10no. two-storey houses with associated amenity space, refuse and recycling storage and cycle stores. Alterations to hard and soft landscaping. Reprovision of 26 storage sheds. Additional 31 car parking spaces, and 8 disabled car parking spaces

AGENDA ITEM 13

Recommendation: Approve subject to s106

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. The provision of affordable housing for affordable rent at a proportion of 40% of all the units (thereby 14 out of 34) being provided within the development in accordance with the London Borough of Barnet Nominations Statement.
4. The provision and implementation of a landscape management plan.
5. Monitoring fee: £1000.00

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve 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 RECOMMENDATION I:

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

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

The provision and implementation of a landscape management plan.

Monitoring fee: £1000.00

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

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

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

DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 4
- a) Prior to the felling of any trees along the boundaries shared with the Colin Park Road properties to the rear of the site, the following shall have been submitted to and approved in writing by the Local Planning Authority:
- (i) A geotechnical report that outlines any structural issues that may result for neighbouring properties from the felling of the trees, and sets out an acceptable strategy for ensuring that any damage to adjacent the properties is avoided.
- (ii) Details of insurance to cover any damage to the neighbouring properties that may occur.
- b) Tree felling and site clearance works shall then be carried out only in compliance with the approved geotechnical report.

Reason: To ensure that the proposed development makes proper provision for any structural impacts on adjoining residential properties.

- 5
- a) No site works or works in connection with the development including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development shall be commenced until a biodiversity strategy, to include details of further survey works, 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 site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

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 October 2016).

- 6
- a) 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) 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 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 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.

- 7
- 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).

- 8
- a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / 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 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 development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.
 - b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.
 - c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).
 - d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under

b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

10 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the

Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

- 11 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations
- b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

- 12 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

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

- 13 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

- 14 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).

- 15 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.

- 16 Prior to the first occupation of the development they shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 20% 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.

- 17 The level of noise emitted from any 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 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.

18 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.

19 a) No external lighting shall be installed and used until details of the appearance and luminance of the proposed lighting has 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.

20 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.

21 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.

22 Before the development hereby permitted is occupied, parking spaces and the access to the parking spaces shall be provided in accordance with Drawing No. A_BA1-S01_DR_0100 Rev. C submitted with the planning application. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that 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 2012 and Policy DM17 of the Development Management Policies DPD (2012).

23 Before the development hereby permitted is occupied 20% active and 20% passive parking spaces shall be installed with electric vehicle charging points. Such spaces shall be 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.

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

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

- 25 Prior to the commencement of the development works, 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 The Core Strategy (2012) and Policy DM17 of the Development Management Policies DPD (2012).

- 26 Prior to the commencement of the development hereby approved, details of any public right of ways within the site to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure that adequate public access is provided throughout the development.

- 27 a) Buildings A and B (the flats) shall not be occupied until details of the electronically controlled access to these building has been submitted to and approved in writing by the Local Planning Authority and the approved details have implemented.

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 2016 and advice in the Mayor's Housing SPG.

- 28 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A - H of Part 1 and Classes A, B, D, E and F of Part 2 of Schedule of that Order shall be carried out at the houses within the approved development.

Reason: To safeguard the amenities of neighbouring occupiers and the viability of adjacent retained trees in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

INFORMATIVES

- 1 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 £75250.00 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 £290250.00 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.

- 2 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 3 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 4 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary. Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 6 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse

collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

- 7 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.
- 8 Provision of a new footway or modification of the existing footway shall be Disability Discrimination Act (DDA) compliant.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 26/10/2017 or any other period of time agreed in writing unless otherwise agreed in writing, the Head of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

- 1) The proposed development makes no contribution towards affordable housing despite this being found to be viable. The proposals would be contrary to policy DM10 of the Adopted Barnet Development Management Policies 2012.

- on the south-eastern side, Hendon Tyres on Sheaveshill Avenue, Café Delight at 1 Colin Parade, and the car parking and vehicle access that serves the other properties in Colin Parade.

The adjoining residential properties to the rear, at Orchard Gate and Colin Park Road, are typical 1940s and '50s semi-detached, red-brick houses, with pitched tiled roofs and rear gardens of reasonable size.

The deepest parts of the site are to the rear of 33-96 Sheaveshill Court, where the site extends back to the shared boundaries with 5-61 Colin Park Road. Numbers 1-32 are separated by just the width of the estate access road from the rear of the adjacent properties at Orchard Gate, whereas the deeper spacing towards Colin Park Road is a more open area which is currently occupied by amenity space including lawns, trees and former allotment space along with pram sheds and bin stores.

There are a range of retail outlets and other facilities nearby, including a selection of cafes, pharmacies, a bank, hair and beauty salons, a greengrocer, newsagent, off-licence, dry cleaner, Costcutter supermarket, eat-in restaurants and takeaways, primary and secondary schools, sports fields, and doctors' and dental surgeries.

The site fall largely into an area with a PTAL 2 accessibility rating, with the northern-most part of the site PTAL 3.

The southern part of the site is within an area of Special Archaeological Significance. There are no other planning allocations or site-specific designations for this site.

2. Site History

The site has no relevant planning history.

3. Proposal

The application proposes the demolition of the existing bins stores, pram stores and 22 garages at the site and the development of the amenity space located towards the Colin Park Road boundaries to construct an additional 34 houses and flats, as follows:

- 10 x 3-bed, family units;
- 8 x 2-bed flats;
- 4 x 1-bed, wheelchair accessible flats;
- 12 x 1-bed flats.

The development will be linear in nature with the new buildings to be laid out more or less parallel to the existing Sheaveshill Court development. The flats would be within two separate three-storey buildings, each with 12 flats, Block A to the north and Block B to the south, with five semi-detached pairs of houses between them. The flats would be similar and essentially 'handed' versions of the same design, with two wheel-chair units in each building at ground level and walk-up units above. The five semi-detached pairs as submitted would all be identical, and for the purposes of this report, they are identified as buildings C - G.

It is proposed to introduce on-way traffic along the access road, with the flow from north to south.

An additional 35 car parking spaces will be provided as part of the scheme, and reordering of the existing car parking will result in a total of 104 proposed parking spaces for the whole estate with 10% of the spaces to be designated for wheelchair users. A parking permit scheme is operated for the estate by Barnet Homes, and priority will be given to the re-provision of existing permit holders within the additional spaces prioritised to family units and two bedroom flats.

The proposal is also intended to deliver improved communal amenity space for use by the whole estate, with better surveillance of these spaces. The ten family houses will have also private amenity spaces, and the flatted units will have private balconies.

Storage for refuse and recycling, and cycle storage, is also provided.

All of the homes are for affordable rent, are dual aspect and meet or exceed both internal and external space standards as set out in the London Housing SPG 2016 and the Barnet Sustainable Design and Construction SPD.

4. Public Consultation

Consultation letters were sent to 481 neighbouring properties.

13 letters of objection have been received, and a petition that opposes the scheme and has 59 signatories has also been submitted. The letters and petition raise the following issues:

- Density and overdevelopment. The height, mass and bulk of the three storey buildings (flats), which is accentuated by the changes in levels.
- Loss of trees which are an important amenity for the area and also block traffic noise from Edgware Road. It is unclear whether trees are covered by Tree Protection Orders or not.
- Structural damage that may result from the removal of large trees.
- Impact on privacy and overlooking.
- Loss amenities for neighbouring residents.
- Impacts on public services and infrastructure. Improvements to social infrastructure are needed including to bus services on Edgware Road.- Highways safety on Edgware Road, parking congestion on local roads and increased traffic.
- Concerns about site drainage.
- Loss of light;
- Non-compliance with London Plan SPGs and with PPS1 and PPS3
- Too much new development in this locality, which brings attendant disruption from construction for residents, particularly on elderly neighbours some of who are unwell.
- Since development was first proposed, Britain has voted to leave the EU - what are the implications for future housing demand ?
- Barnet has not fulfilled its past affordable housing obligations. If it had, this development would not be required now.
- The Council has also allowed an uncontrolled explosion of private extensions.
- Impacts on wildlife

An objection from the Hendon Society was made on a single issue related to archaeology; the Society stated that it would withdraw the objection if an appropriate condition is included in any permission granted.

These issues are considered in sections 5.3 and 5.4 of this report.

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 for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such.

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

- Policy 3.3 - Increasing Housing Supply
- Policy 3.4 - Optimising Housing Potential
- Policy 3.5 - Quality and Design of Housing Developments
- Policy 3.8 - Housing Choice
- Policy 3.9 - Mixed and Balanced Communities
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.3 - Sustainable design and construction
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.13 - Parking
- Policy 7.2 - An Inclusive Environment
- Policy 7.3 - Designing Out Crime
- Policy 7.4 - Local Character
- Policy 7.5 - Public Realm

Policy 7.6 - Architecture
Policy 8.1 - Implementation
Policy 8.2 - Planning Obligations
Policy 8.3 - Community Infrastructure Levy

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 DPD Policies:

CS NPPF National Planning Policy Framework - Presumption in favour of sustainable development
CS1 Barnet's place shaping strategy - 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
CS13 Ensuring the efficient use of natural resources
CS14 Dealing with our waste
CS15 Delivering the Core Strategy

- Relevant Development Management DPD Policies:

DM01 Protecting Barnet's character and amenity
DM02 Development standards
DM03 Accessibility and inclusive design
DM06 Barnet's Heritage and Conservation
DM08 Ensuring a variety of sizes of new homes to meet housing need
DM09 Specialist housing: Houses in Multiple Occupation, student accommodation and housing choice for older people
DM10 Affordable housing
DM11 Development principles for Barnet's town centres
DM12 Maintaining our local centres and parades
DM17 Travel impact and parking standards

The Council's approach to development as set out in Policy DM01 is to minimise impacts 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

Mayor of London's Housing SPG

- This sets out a range of Standards for residential development in London.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to assist in the design of new residential development. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- In respect of amenity, development should not be overbearing or unduly obtrusive and care should be taken to ensure that it does not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

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. The SPD approach includes providing building sustainability measures over and above those required by the minimum Building Regulations standards, provision for on-site renewable energy sources, and retention and enhancements of biodiversity within development sites.

Other relevant planning documents

London Borough of Barnet Characterisation Study (2011)

- This provides a valuable analysis of urban and suburban typologies with detailed descriptions of the main residential types within the Borough.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the living conditions of future occupiers would be acceptable;
- Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport;
- Whether the proposal is acceptable in terms of impacts on trees and biodiversity;
- Affordable housing provision;
- Building sustainability; and
- Archaeological mitigation.

5.3 Assessment of proposals

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the area and wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the living conditions of future occupiers would be acceptable;
- Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport;

- Affordable housing provision;
- Whether the proposal is acceptable in terms of impacts on trees and biodiversity;
- Building sustainability; and
- Archaeological mitigation.

5.3 Assessment of proposals

- Character and appearance

The proposed houses and flats are of contemporary design with brick elevations that provides a material link with the vernacular architecture of the existing estate buildings, Colin Park Road and the other adjacent streets. The development will create a new streetscape within the development drawn from local housing typologies, with the proposed three-storey flats buildings being of similar height to those existing at Sheaveshill Court and the two storey houses providing a link to the scale of the houses at Colin Park Road and Orchard Close. Facing brickwork is the predominant material within the surrounding area, including both Sheaveshill Court and the houses to the rear, and the proposed brick detailing and the angle of the roof pitches on the proposed buildings would be complimentary to these suburban surroundings. Contemporary brick colours and high quality materials including front doors in a range of natural colours, dark grey frames for the large format windows with reveal depths of at least 100mm, and slate grey roof tiles are proposed. Photovoltaic panels would be provided on the roofs. Fascias, soffit boards, rainwater pipes and gutters and balcony balustrades for the flats would also be coloured dark grey to match the window frames.

The proposed architecture and layout of the development is considered to be respectful to its suburban setting, and intended landscaping and improvements to the urban realm will assist in melding the development into the surrounding built environment.

London Plan policy 3.4 - Optimising Housing Potential - sets out a range of densities as a guide to providing new housing at appropriate densities. For mid-sized units (3.1-3.7 habitable rooms per unit), the target density ranges within suburban locations is 40-80 units / hectare, while for urban locations it is 55-145 units ha. Taking into account the existing 96 flats at the front of the site, density of the estate would rise from 60 to 81 units / hectare, which is at the top of the range for suburban areas. While the site is typically suburban, it is noted that the site also has some more urban characteristics, including the frontage to the busy A5 Edgware Road, and it is considered therefore that this density is appropriate for this location.

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

The development would introduce new housing to the rear of Colin Park Road within an area that currently has generous separation distances from the existing flats. Development of this form must be carefully managed in order to ensure that impacts on the amenities of neighbours is not unacceptable. The Residential Design Guidance recommends minimum separation distances and garden depths which new development should strive to meet. The recommended building separation distance is "about" 21m between facing habitable room windows, with 10.5m being the recommended minimum garden depth., although the SPD notes that these standards may not be met in all instances. With regard to back-to-back distances, it is noted that the alignment of rear boundaries for the properties at Colin Park Road varies, and it appears that this may be due to sections of an old path along the rear of the properties having been absorbed into some of the properties. This is the case at 33, 43, 45, 53 and 55 Colin Park Road, all of

which have slightly longer gardens than their neighbours as a result. This means that the proposed back gardens at the application site do not quite meet the 10.5 metre guidance in all cases, and most of the proposed houses have window to legal boundary distances of 10.2m. However there would be no directly facing habitable rooms between the existing and proposed homes which have a separation of less than 21m, while for the new flats the equivalent distances exceed 23m. It is considered that with appropriate boundary treatment in the form of 2m fences topped by the additional height of a trellis, along with new plantings along the boundary, an acceptable level of amenity for these closest neighbours will be retained.

The only other directly neighbouring residential properties are 1 and 2 Orchard Gate. These both have rear gardens approximately 10m in depth at the rear of the houses and there will be no direct views between habitable room windows at either property. 2 Orchard Gate is the closest of the two to the flats Building A, and this has an unusually wide plot, so that the flank wall of Building A will face this side / rear garden rather than the house. There are six windows in the flank wall, one each to serve a bathroom and a secondary living room window on each level. The bathroom windows would be obscure glazed and while this could also be provided by the secondary windows, the distance to this boundary will in itself protect the amenities of the neighbouring occupiers.

Separation distances to the front of the proposed dwellings, to the existing properties at Sheaveshill Court, are also 21m in most instances, although for the houses in Buildings C, D and E this distance is not quite met. However the existing flats and new houses will be separated by the access road, which will take on a more street-like character as a result of the development on either side of it. It is accepted that separation distances will sometimes be closer than the SPD minimum along residential street frontages and for residents in the closest existing flats, any impacts will be balanced by amenity gains from new landscaping and the resulting improved sense of enclosure along the Edgware Road frontage.

The application includes a very detailed sunlight and daylight analysis which has been carried out in line with the methodology the Building Research Establishment (BRE) Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice' (2011). The results of the analyses confirm that the proposed development would not impact negatively on the surrounding existing properties in terms of daylight, sunlight and overshadowing.

A construction management plan would be required by condition, to ensure that impacts of construction for neighbours both within and adjacent to the estate are properly managed. This would include allowable hours of construction and other on-site works.

Several neighbours have raised concerns regarding the structural impacts of removal of trees on their properties. A recommended condition would require a geotechnical report and insurance to ensure that any impacts of this type on neighbouring properties are properly assessed and mitigated, and that insurance is in place to ensure that any such damage if it occurs is properly rectified.

For the occupiers of the 96 existing flats, the layout provides a new play area for under 5 year olds to be located in front of the flats building B, a shared drying area to the north of that (in front of house pair G), another shared garden to the front of house pair F, and a small quiet shared garden in the front of the flats building A. While these areas are substantially reduced from the large areas of private amenity space currently available for the existing residents, the quality of these play and sitting out areas will be secured through the landscaping recommended condition.

- Whether the living conditions of future occupiers would be acceptable

Both the internal spaces within the houses and exterior garden spaces are designed to comply with standards within the London Plan and Barnet SPD, either meeting or exceeding the minimum internal and external space requirements as set out in in Table 3.3 at Policy 3.5 of the London Plan.

Some of the flats within Building B would face directly into the crown of one of the retained trees. While this would inevitably impact on levels of natural light and overall amenity for the applicants, the sunlight and daylight analysis noted above also analysed whether the design of the proposed dwellings would provide good day lighting conditions within the dwellings and gardens, and found that light conditions within the development would be acceptable.

Standard 11 in the Mayor's Housing SPG requires that 90 per cent of new build housing should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulation requirement M4(3) 'wheelchair user dwellings'. The development is designed to comply with these requirements, and a condition is recommended to provide for this.

Standard 13 requires that any access core serving 4 or more dwellings should provide an access control system with entry phones in all dwellings linked to a main front door with electronic lock release. This can also be provided for the flats by way of a suitably worded condition.

- Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport

The Highways Officer's comments are, in summary:

It is proposed that the rearranged estate road will become a one way road with an entrance through the western end (adjacent to McDonald's restaurant) access road and exit in the central part of the site (via the exiting vehicular access). A short section of the internal road will remain two-way as it is not connection to any further access points. Horizontal Traffic calming measures are proposed in form of chicanes and pinch points on the access road to ensure lower vehicle speeds and maintain accessibility for service and emergency vehicles, as well as for cyclists and pedestrians.

The applicant's consultant has assessed the Trip Generation for the proposed development and predicted that the trip generation is likely to be 33 and 27 two-way people trips during the AM and PM peak hours respectively. Of the predicted person trips, 17 trips during the AM peak and 14 during the PM peak are likely to be vehicle trips.

The development would rationalise the existing parking layout to provide a total of 105 parking spaces across the whole estate. Larger units will be given parking permit priority above smaller units, with each of the 3-bed family houses allocated a space. The proposal for the parking provision is as follows:

- 77 parking spaces for the existing residents with 6 parking spaces designated for the disabled use;
- 10 parking spaces for the new 3 bedroom houses;
- 8 parking spaces for the new 2 bedroom flats;
- 5 parking spaces for the new 1 bedroom units;

- 4 blue badge holder parking spaces assigned to the wheelchair accessible units; and
- 1 visitor parking bay for the new development.

Taking into account the PTAL rating for the site, the assessed car parking requirement for the new dwellings and residents would be 38 parking spaces. 28 additional parking spaces would be being provided, resulting in a shortfall of 10 spaces.

In order to assess whether this shortfall would result in an unacceptable impact on parking demand in the surrounding area, the applicant has therefore undertaken Parking Beat Surveys on four separate dates to assess the parking pressure in the vicinity of the development. These surveyed the availability of parking overnight at on-street locations within a 10 minute walk (500m walk distance), and were required by the Councils Highways Officer to supplement the parking data in the Transport Statement that was submitted with the application. The surveys were between the hours of 0200 and 0500 to account for the maximum demand for residential on-street parking. The applicant's consultants also reviewed the car ownership data within the Census information for 2011 to ascertain the car parking requirement for the proposed development.

This assessment provides a worst case scenario of possible demand for on-street car parking, by assuming that the proposed 34 residential units would generate a car ownership level of 43 vehicles, which is in line with the maximum parking provision level required to meet the Policy DM17 parking standards. The parking surveys showed that there were more than 60 spaces available overnight within a 10 minute walking distance from the site on the dates of the four surveys. Based on this information, the Highways Office is satisfied that the proposed parking provision of 28 parking spaces for the new development is acceptable on highway grounds. In addition, 52 cycle parking spaces are proposed, and cycle lock planters proposed outside the existing flats will provide up to 18 additional on-street cycle spaces.

The proposed one way operation will require installation of appropriate signage to ensure that there is no confusion and consequently no detrimental impact on public highway. This can be provided for by an appropriately worded condition.

- Impacts on trees and biodiversity

The Tree Survey submitted with the application identifies one 'A' grade trees, 21 'B' grade, 3 'C' grade trees and an unknown number of mainly young saplings in three further groups. The majority of the A and B grade trees are oaks, although there are a number of other native species present including sycamore, cherry, beech and one elm and also one false acacia (not a native species).

Key trees identified on the submitted tree removals plan are as follows:

- On the site of the proposed flats building A: 2 no. B grade and 1 no. C grade sycamores along with a weeping willow (T19) and a good quality hornbeam (T20 - both B grade) to the rear of the proposed building, close to the boundary with 69 and 71 Colin Park Road. The loss of the trees that would directly conflict with the development of the new building is considered to be acceptable; and discussion with the architects has established that it is likely to be possible to retain the good quality hornbeam. This would be provided for in the landscape condition.

- Adjacent to the proposed flats building B: Three good quality trees including the single 'A' grade tree at the site, a 25m oak, will be retained adjacent to the south side of this

building. A pollarded willow to the front of the building is identified for removal, while a good quality oak T6 will be retained to the rear of the building.

- On the site of the proposed houses: A group of seven larger oaks with one beech (T11 - T17) and a small group of younger trees of mixed species (G1) are located to the rear of house pairs D, E and F. Apart from one off-site oak in the group which would be retained (T11), these trees are identified for removal to facilitate the siting of these houses. Most of the oaks and the beech are B grade trees and some of them are very substantial oaks that are up to 24m in height (T13, T14, T17).

While these trees form an attractive landscape feature, and consideration is being given as to whether any of these trees can be retained within the development, their loss must be balanced against the gains of allowing the development of five of the six semi-detached houses within the house pairs D, E and F.

Their removal is justified by the gain that the scheme delivers through affordable housing which will be provided throughout the entire scheme in the first instance although the legal agreement will seek to secure 40% of units as affordable rented. In the case of this application therefore, the scheme will deliver 34 affordable rent units in reality which is considered to be an overarching sustainable development principle. In addition, the proposed development would also seek to secure replacement planting through a landscape management plan. The details of the landscaping management and planting plan can be evaluated and negotiated with the Council in respect of the most appropriate species as well as their densities, age and location in order to provide the most appropriate amenity for this site. On this basis, it is considered that the proposed development would be acceptable in this regard.

On this basis it is recommended that a landscape management plan be provided for the future maintenance of the retained trees, including the hornbeam T20 noted above, and for the eventual removal and replanting of any that might become too large for their locations in the future. As part of this, any younger saplings that have the potential to develop into good quality trees and that do not conflict with the development could be retained to allow for the faster reestablishment of the site's landscape.

An ecology survey was submitted with the application which includes recommendations for biodiversity improvements at the site. These should be incorporated into a biodiversity strategy in line with the recommended condition. It is noted that the position of the rear boundary was unclear at the time that the survey was undertaken in January 2016, due to the presence of two boundary fences adjacent to the Colin Park Road boundaries, and as a result, this part of the site including the group of trees noted above for removal was not covered by the survey. The biodiversity strategy recommended in this report would include a new survey to be carried out prior to the commencement of clearance works on this part of the site, including an emergence / re-entry survey for bats.

Affordable housing provision

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual private residential and mixed use schemes. This approach is reflected in Policy CS4 of the Core Strategy and policy DM10 of the Development Management Policies DPD.

While the policy sets a target of 40% affordable housing on sites that meet the 11 units and / or 0.4 hectare thresholds, this proposal is for 100% rental housing and there is no

intention for any of the housing to be sold on at this point, whether as shared ownership or open market housing. In order to meet the London Plan and Local Plan objectives it is proposed to secure 40% of these 34 units as affordable housing. This provision will be secured through a legal agreement.

- Building sustainability

A sustainability report was submitted with the application, which was prepared in July 2016. It set out that the development would achieve the following:

- 35% reduction in Carbon dioxide emission with reference to part L1A 2013 of the building regulations
- Code for Sustainable Homes level 4 certification.
- Internal water restrictions to 105 litre/person/day.
- All units would meet part M4(2) of the building regulations where it is technically feasible to do so.

Since the report was prepared, the Government has abolished the Code for Sustainable Homes. The other provisions noted above remain relevant, and provide compliance with the requirements of the Council's Sustainable Design and Construction SPD and the relevant policies in the London Plan. This provision can be secured by the conditions recommended below.

Details of surface water drainage were included with the application, and a condition requiring the submission and approval of a strategy based on the principles of sustainable urban drainage systems is included in the recommended conditions.

- Archaeological mitigation

Part of the application site is within a Local Area of Special Archaeological Significance, and considered to have a moderate potential for Medieval evidence along with a low potential for Roman evidence. An investigation of this part of the site's potential for archaeological remains will need to be demonstrated in line with Policy DM06 and advice in the NPPF. A Heritage Statement was provided in the application which sets out the position on this, and a condition is recommended below to provide for an investigation ahead of development taking place.

- Conclusion

In conclusion, it is considered that the proposal is acceptable and that, on balance, it not complies with the key policies of the development plan. Subject to the conditions recommended below, it would have an acceptable impact on the character and appearance of the surroundings, and will provide acceptable living standards for future occupiers while also ensuring that the amenities of neighbouring residents are not adversely impacted on. The application is therefore recommended for approval.

5.4 Response to Public Consultation

The issues referred to in neighbour letters are addressed in the above discussion.

In addition to the Highway's Officer's comments which are reported in detail above, the following consultee responses have also been received:

- Environmental Health has no objections, subject to conditions which are recommended in this report.
- Sustainable Drainage have also responded and while they note that due to the size of the site a Flood Risk Assessment should have been provided, conditions are also recommended to ensure that the development's drainage is provided in accordance with Sustainable Urban Drainage principles.
- Transport of London have also responded, and again do not object but have requested conditions in any permission granted.
- Historic England has recommended an archaeology condition be included in any planning permission for the scheme.
- Brent Council were also consulted, and have not objected to the scheme.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site 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, subject to conditions.



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LOCATION: Land Formerly known as British Gas Works, Albert Road, Barnet EN4 9SH

REFERENCE: 16/7601/FUL **Received:** 30 November 2016 **AGENDA ITEM 14**
Accepted: 08 December 2016

WARD(S): East Barnet **Expiry:** 09 March 2017

APPLICANT: One Housing Group

PROPOSAL: Demolition of the existing residential and non-residential buildings (1 to 9 Victoria Road, 15 to 23 Victoria Road and 1A, 2 and 2A Albert Road) and construction of 104 residential units (Use Class C3) within Buildings A, H, J1 and J2 (an increase of 52 residential units across the Victoria Quarter Redevelopment Area), 623sqm of commercial/retail/office floorspace (Use Class A1-A4/B1/D1/D2) within Building A and Building J1, the creation of new publically accessible open spaces and pedestrian routes together with associated access, servicing, car parking, cycle parking and landscaping. Relocation of an existing sub-station.

RECOMMENDATION:

Resolution to approve subject to:

Recommendation 1:

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

a) Legal Professional Costs Recovery

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

b) Enforceability

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

c) Affordable Housing

The applicant shall secure the provision of 19 affordable homes all as shared ownership.

d) Shared Ownership (19 Units)

10 x 2 bed 3 person

9 x 2 bed 4 person

e) Affordable Housing – Review Mechanism

A positive review mechanism with the trigger to be agreed with the council for provision of affordable housing additionality on the Victoria Quarter Site in later stages to be agreed, limited to a maximum of the equivalent value of 40% of the total units proposed.

e) Open Space Provision and Management

The applicant shall secure the provision of various forms of open space on the site in accordance with the specifications outlined within this application and detailed in an Open Space Management Plan to be agreed with the Local Planning Authority. The specification shall identify the various types of amenity and open spaces, to accord with planning policy which is to be maintained by the applicant landowner/ successor in title or nominated management company. These spaces shall be made available to the community prior to the occupation of the last residential unit of the development and retained thereafter.

f) Parks Contribution

The applicant shall pay to the council a Parks Contribution, which shall be agreed in writing to be paid on or prior to first occupation of Block A within the Gateway Site. The applicant is also responsible for delivering a new pedestrian access into Victoria Recreation Ground from the Gateway site, details of the works are to be submitted to and approved in writing by the Council in accordance with an agreed scheme with the Councils' Green Spaces Team.

g) Tree Planting and Landscaping

The applicant shall submit a detailed landscaping and management scheme for the site; including tree planting, this will be subject to a Landscape Management Plan to be submitted to the Council prior to first occupation of a unit on the site. The strategy shall include:

(i) The provision of a mix of indigenous species and tree sizes (including semi-mature species) in suitable locations including in public open spaces provided within the site to be agreed with the local planning authority.

(ii) The maintenance of trees planted along any roads to be adopted by the Council for a period of 5 years by the applicant landowner/ successor in title or nominated management company.

(iii) A financial contribution to maintain the trees thereafter shall be provided by the applicant. This figure shall be calculated on a unit basis based upon species size, type and location.

h) Tree Mitigation

The applicant shall pay to the council the Tree Mitigation Contribution on or prior to first occupation of Block A within the Gateway Site.

i) Employment and Training

The applicant shall secure the provision of a minimum of:

- 3 x Level 2 apprenticeships,
- 4 x work experience positions,
- site visits: min. 22
- workshops: min. 20

Including costs of wages and training to be delivered in line with the National Apprenticeship Service Framework, and the applicant shall be expected to enter into a Local Employment Agreement with the council.

j) Travel Plan

The applicant shall enter into a Travel Plan for the residential and commercial uses on the site that seeks to reduce reliance on the use of the private car. The Travel Plan shall include the following obligations to facilitate modal shift in the choice of transport mode available to occupiers of the residential and commercial units as follows:

Residential Travel Plan:

- Residential TP Statement (RTPS) that meets the requirements of the 2013 TFL TP guidance and is ATTrBuTE and iTRACEs compliant and contains targets to be submitted and approved by Council at least 3 months prior to 1st occupation.
- iTRACE compliant monitoring to be completed within 5 months of 1st occupation and updated RTPS to be submitted for approval within 6 months of occupation.
- iTRACE compliant monitoring to be completed in years 1,3,5 and then every other year until 5 years after the 1st occupation of the final unit.
- RTPS to be revised and RTPS Review submitted for approval within 2 months of monitoring being completed.
- RTPS to be re-submitted for approval prior to each phase.
- RTPS Champion to be in place at least 3 months prior to occupation and for lifespan of RTP.
- At least 1 car club space to be provided.

Commercial Travel Plan

Should the non-residential uses have more than 20 staff then the following would be required:

- Commercial Travel Plan (CTP) to be submitted that meets the requirements of the 2013 TFL TP guidance and is ATTrBuTE and iTRACE compliant to be submitted and approved by the Council within 6 months of 1st occupation of any commercial unit.
- CTP to cover any travel movements by staff, users and visitors to any commercial unit.
- iTRACE compliant monitoring to be completed in years 1, 3 and 5 and a revised CTP Review to be submitted for approval.
- CTP Champion to be in place within 3 months of occupation and for the lifespan of the CTP.
- CTP monitoring fee £5,000 payable to the Council to be submitted within twenty (20) working days of commencement of development..
- Each commercial unit to have a Travel Plan Ambassador.

If non-residential uses have less than 20 staff then the following would be required as part of the Commercial TP:

- CTP to include travel movements to and from the commercial units and targets, measures and actions for the commercial units.
- Each commercial unit to have a Travel Plan Ambassador.

k) Residential Travel Plan Incentives Fund:

£150 per unit Residential Travel Plan Incentive Fund to be used by 1st occupiers to get 1 TP incentive of the following:

- Oyster card with £150 credit
- Cycle shop voucher to the value of £150
- Car club credit/membership to the value of £150

Total incentive fund amounts to $£150 \times 52 = £7,800$

m) Travel Plan Monitoring contribution

Payment of a financial contribution of £5,000 to the Council towards its costs in promoting more sustainable modes of transport and monitoring the residential travel plan that will be submitted for the development within twenty (20) working days of commencement of development. .

o) Pedestrian Environment Review (PERs) Improvement Works

Provisions towards securing pedestrian improvements in the vicinity of the site as identified in the PERS audit including upgrades to crossing facilities.

p) Removal of existing Pedestrian Bridge

Removal of the existing elevated pedestrian bridge and replacement with improved access and public realm subject to approval by Network Rail and a scheme of works agreed with the Council including for an implementation date.

q) Provision of new Pedestrian Accessway into Victoria Recreation Ground.

The owner shall submit to the Council specifications and details for the works relating to the provision of a new pedestrian/cycleway access into Victoria Recreation Ground. The exact location and specifications for the access to be agreed in writing by the council and the works thereby approved to be carried out at the developers costs and to the specification and details agreed with the Council. Trigger for the delivery is prior to occupation of any Unit within Block A.

r) Highway Improvements

The details of the highway works will cover the access points off Victoria Road; the realignment of the Albert Road (East and West); proposed development block entrances including the ramped access into the underground car park; the proposed car parking laybys throughout the

development and proposed footways/cycle ways including new footpaths (adopted, unadopted and proposed for adoption).

s) Due to the scope of works proposed on the section of Victoria Road fronted by the development, suitable reinstatement works including resurfacing of the highways (including footways) should be undertaken and implemented by the developer at their own costs, but approved and supervised by Local Highway Authority. The approved works shall be completed at the applicant's expense based on an agreed layout with the Council, following the formation of a combined agreement under S38 and S278 of the Highways Act 1980 between the London Borough of Barnet and the Developer.

All proposed designs and improvements must be accompanied by acceptable Road Safety Audits statements.

t) Unnamed Access Road Improvements

Funding contribution or provision of an improvement scheme to the unnamed Access Road leading into Victoria Recreation Ground and Nightingale Day Nursery: This should be undertaken via an Agreement between the developer and LBB Green Spaces to compliment the provision of frontage footway access to the development units on the west side. Details of the scheme should be discussed and agreed with the Council's Green Spaces department. Trigger for delivery is prior to occupation of any development unit within Block H.

u) Cycleway Improvements

Funding contribution to general improvements for cyclists within the surrounding area should be provided by the developer. Details of the level of funding should be discussed and agreed with the Local Highway Authority. Trigger for delivery is prior to occupation of any development unit on the site.

v) Provision of a crossing facility in the form of a Toucan Crossing at Victoria Road north east of mini roundabout junction near Albert Road (West). This scheme should be a combination of the two schemes described above under the existing S106 requirements in order to provide and deliver a compact improved junction which has appropriate pedestrian and cycling crossing facilities. Details of the scheme should be discussed and agreed with the Local Highway Authority and implemented thereafter by the developer in accord with the approved scheme. Trigger for delivery is prior to occupation of the 28th residential unit on the site.

Carbon offset payment of £102,670 (index linked) to be paid on commencement of development.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Head of Development Management approve the planning application reference 16/7601/FULL under delegated powers and grant planning permission subject to the following conditions. The Committee further grants delegated authority to the Head of Planning to make any minor alterations, additions or deletions to the recommended conditions and obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-

Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

PROCEDURE FOR DETERMINING THE PLANNING APPLICATION

The planning application for the redevelopment of the 'Gateway', was submitted on 8th December 2016 and has undergone consultation for a period of 4 weeks. Approximately 1125 properties were notified of the planning application, including site and press notices.

CONDITIONS:

COMMENCEMENT

- 1) The development hereby permitted shall begin no later than 3 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 AND DOCUMENTS

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

Architectural Drawings

P-001 Site Location Plan P2
P-005 Existing Site Plan P3
P-010 Existing Elevations P2
P-011 Existing Elevations P2
P-040 Site Parking Strategy P6
P-090 Proposed Masterplan Site Plan P2
P-098 Proposed Site Plan P4
P-099 Basement Floor GA Plan P7
P-100 Ground Floor GA Plan P7
P-101 First Floor GA Plan P7
P-102 Second Floor GA Plan P7
P-103 Third Floor GA Plan P7
P-104 Fourth Floor GA Plan P7
P-105 Fifth Floor GA Plan P7
P-106 Sixth Floor GA Plan P7
P-107 Seventh Floor GA Plan P7
P-108 Roof GA Plan P4
P-119 Building A - Basement Floor Plan P3

P-120 Building A - Ground Floor Plan P3
P-121 Building A - 1st & 2nd Floor Plans P2
P-122 Building A - 3rd & 4th Floor Plans P2
P-123 Building A - 5th & 6th Floor Plans P2
P-124 Building A - 7th & Roof Floor Plans P2
P-130 Building H - Ground Floor Plan P3
P-131 Building H - 1st Floor Plan P3
P-132 Building H - 2nd Floor Plan P3
P-133 Building H - 3rd Floor Plan P3
P-134 Building H - 4th Floor Plan P3
P-136 Building H - Roof Plan P3
P-140 Buildings J1 & J2 - Ground Floor Plan P2
P-141 Building J1 & J2 - 1st Floor Plan P2
P-142 Building J1 & J2 - 2nd Floor Plans P2
P-143 Building J1 & J2 - 3rd Floor Plans P2
P-144 Building J1 & J2 - 4th Floor Plans P2
P-145 Building J1 & J2 - Roof Floor Plan P2
P-200 Street Elevations 1 of 4 P5
P-201 Street Elevations 2 of 4 P4
P-202 Street Elevations 3 of 4 P4
P-203 Street Elevations 4 of 4 P5
P-204 Courtyard Elevations 1 of 2 P5
P-205 Courtyard Elevations 2 of 2 P5
P-220 Building A - South Elevation P2
P-221 Building A - East Elevation P2
P-222 Building A - North Elevation P2
P-223 Building A - West Elevation P2
P-230 Building H - South Elevation P3
P-231 Building H - West Elevation P3
P-232 Building H - East Elevation P3
P-233 Building H – Courtyard West Elevation P3
P-234 Building H - Courtyard North Elevation P3
P-235 Building H - Courtyard East Elevation P3
P-240 Building J1 - South Elevation P2
P-241 Buildings J1 & J2 - East Elevations P2
P-242 Building J2 - North Elevations P2
P-243 Buildings J1 & J2 - West Elevations P2
P-244 Building J1 - Courtyard South Elevation P2
P-245 Building J2 - Courtyard North Elevation P2
P-246 Buildings J1 & J2 - Courtyard East Elevation P2
S-405 Phasing Plan P2

Unit Layouts

P-700 1B Type 1 P2
P-701 1B Type 2 P2
P-702 1B Type 3 P2

P-703 1B Type 4 P2
P-704 1B Type 5 P2
P-705 1B Type 6 P2
P-707 1B Type 8 P2
P-708 1B Type 9 P2
P-710 2B3 Type 1 P2
P-711 2B3 Type 2 P2
P-712 2B3 Type 3 P2
P-713 2B3 Type 4 P2
P-714 2B3 Type 5 P2
P-715 2B3 Type 6 P2
P-716 2B3 Type 7 P2
P-717 2B3 Type 8 P2
P-720 2B4 Type 1 P2
P-721 2B4 Type 2 P2
P-722 2B4 Type 3 P2
P-723 2B4 Type 4 P3
P-724 2B4 Type 5 P2
P-725 2B4 Type 6 P2
P-726 2B4 Type 7 P2
P-727 2B4 Type 8 P2
P-728 2B4 Type 9 P2
P-729 2B4 Type 10 P2
P-730 2B4 M Type 1 LF P2
P-731 2B4 M Type 1 UF P2
P-740 3B5 Type 1 P2
P-741 3B5 M Type 1 LF P1
P-742 3B5 M Type 1 UF P1
P-743 3B5 M Type 2 LF P2
P-744 3B5 M Type 2 UF P2
P-750 4B6 M Type 1 LF P2
P-751 4B6 M Type 1 UF P2
P-760 1B W Type 1 P2
P-761 2B3 W Type 1 P2
P-762 2B3 W Type 2 P2
S-410 GIA Layout Plans (1 of 2) P4
S-411 GIA Layout Plans (2 of 2) P4
S-412 GIA Schedule A4 n/a P4
S-415 NIA / Tenure Layout Plans (1 of 2) P4
S-416 NIA / Tenure Layout Plans (2 of 2) P4
S-417 NIA Schedule A4 n/a P4

Landscape Drawings

0900 Landscape Masterplan P9
0901 Landscape- Hardworks P8
0902 Landscape- Hardworks P8

0903 Landscape- Hardworks P8
0904 Landscape- Hardworks P8
0905 Landscape- Hardworks P8
0906 Landscape- Hardworks P8
0910 Landscape- Softworks P8
0911 Landscape- Softworks P8
0912 Landscape- Softworks P8
0913 Landscape- Softworks P8
0914 Landscape- Softworks P8
0915 Landscape- Softworks P8
0916 Landscape- Softworks P8
0917 Tree Retention and Removal P6
0920 Landscape- Sections P4
0921 Landscape- Sections P4
0922 Landscape- Sections P3
0923 Landscape- Sections P3
0924 Landscape- Sections P3

Supporting Documents

Covering letters dated 30th November 2016, 10th February 2017 and 27th March 2017
Planning Statement – November 2016
Design and Access Statement - November 2016
Addendum Design and Access Statement – February 2017 and March 2017
Consultation Statement - November 2016
Transport Assessment and Travel Plan - November 2016
Transport Assessment Letter – 28th March 2017
CIL Additional Information Form – 24th March 2017
Sustainability Statement – November 2016
Drainage Statement and Flood Risk Assessment – February 2017
Drainage Strategy Letter – 27th March 2017
Energy Statement – 27th March 2017
Utilities Assessment – November 2016
Arboricultural Method Statement – 27th March 2017
Arboricultural Impact Assessment – 27th March 2017
Arboricultural Survey – 27th March 2017
Noise Impact Assessment – November 2016
Air Quality Assessment – November 2016
Ventilation and Extraction Details – November 2016
Land Contamination Assessment – September 2016
Ecological Assessment – November 2016
Daylight and Sunlight Assessment – Within Development – 3rd April 2017
Daylight and Sunlight Assessment – Neighbouring Properties – 29th March 2017
Affordable Housing Viability Assessment – March 2017
Amenity Space Diagrams Rev B (1 of 2) – 12th April 2017
Amenity Space Diagrams Rev A (2 of 2) – 10th April 2017
Amenity Space Schedule Rev B – 12th April 2017

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

- 3) Notwithstanding the details shown on the plans, hereby approved, no development (other than for Groundwork's and Site Preparation Works) shall be undertaken unless and until:
- (a) details and appropriate sized samples of the materials to be used for all external surfaces of the proposed buildings and hard surfaced areas at the site shall have been submitted to and approved in writing by the Local Planning Authority; and
 - (b) sample panels shall be constructed on site, inspected and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in accordance with such details and samples as so approved before the dwellings approved are first 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.

DETAILS OF ARCHITECTURAL FEATURES

- 4) Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Groundwork's and Site Preparation Works) unless and until details (necessary details specified in brackets) of the following features and elements of the works have been submitted to the Local Planning Authority and approved in writing:
- Brick bonding (annotated plans at a scale of not less than 1:10).
 - External windows, winter gardens and doors (annotated plans at a scale of not less than 1:10).
 - Balustrading to balconies (annotated plans at a scale of not less than 1:10).
 - Door canopies (annotated plans at a scale of not less than 1:10).
 - Brick detailing including arches, recessed panels, blind windows, brick aprons and window heads (annotated plans at a scale of not less than 1:10).
 - Rainwater goods (annotated plans at a scale of not less than 1:10).
 - Privacy screens (annotated plans at a scale of not less than 1:10).
 - Boiler flues and other external air extraction, intake and ventilation points (annotated plans at a scale of not less than 1:10).

- Any roller shutters to the undercroft commercial areas (annotated plans at a scale of not less than 1:10).
- Gates at the site vehicular access points (annotated plans at a scale of not less than 1:10).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason:

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

5) Prior to the commencement of development of any phase, a site wide framework Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The framework CEMP shall include, but not be limited to, principles for the following aspects of construction to be taken forward within detailed Construction Method Statements for each phase as identified in Condition 6:

1. Site wide construction programme.
2. Contractors' access arrangements for vehicles, plant and personnel including the location of
3. Construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers.
4. Construction and demolition hours, which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.
5. Prior notice and agreement procedures for works outside agreed limits and hours.
6. Delivery and collection times for construction purposes.
7. Noise and Vibration (including piling) impact / prediction assessment, monitoring, recording protocols and consideration of mitigation measures in accordance with BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 - Vibration (or as superseded) including the use of best practical means to minimise noise and vibration disturbance from construction works.
8. Confirmation on whether a concrete crusher will be used
9. Dust suppression management and wheel washing measures, including the deposition of all debris on the highway
10. Site lighting details.
11. Drainage control measures including the use of settling tanks, oil interceptors and bunds.
12. Screening and hoarding details.
13. Access and protection arrangements around the site for pedestrians, cyclists and other road users.
14. Procedures for interference with public highways, (including public rights of way), permanent and temporary realignment, diversions and road closures.
15. External safety and information signing and notices.
16. Liaison, consultation and publicity arrangements including dedicated points of contact.
17. Membership of the Considerate Contractors Scheme.
18. Complaints procedures, including complaints response procedures.
19. Location of Contractors compound and method of moving materials, plant and equipment around the site.
20. Mitigation measures to maintain water quality.
21. Contractors compound and car parking arrangements;

22. Interim car parking management arrangements for the duration of the construction.
23. Community liaison contact for the duration of all works associated with the development.
24. Temporary pedestrian routes through the site.
25. Provision of a competent Banksman

Reason:

To ensure 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

- 6) Prior to the commencement of development of any phase, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the local planning authority. The CMS shall demonstrate how the construction of the approved phase accords with the principles established in the framework Construction Environmental Management Plan (CEMP). Thereafter the development shall be undertaken in accordance with the agreed details.

Reason: To ensure 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.

PILING

- 7) No piling shall take place in connection with the works approved under this application until a Piling Method Statement detailing all types of piling to be undertaken as part of implementation of the development and the methodology by which such piling will be carried out, including the measures to be used to prevent 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 carried out in connection with the works approved under this application must be undertaken in full accordance with the Piling Method Statement approved under this condition.

Reason:

To protect underground sewerage utility infrastructure in close proximity to the application site from piling work associated with the development proposed and to comply with policy 5.14 of the London Plan

SITE LEVELS

- 8) Notwithstanding the details submitted in the drawings otherwise hereby approved the development is not to commence (other than for Groundwork's and Site Preparation Works) unless and until details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be

implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers 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.

MEASURES TO ENSURE PRIVACY

- 9) Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason:

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

- 10) Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of all privacy screens to be fixed to the proposed buildings. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason:

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

REFUSE AND RECYCLING

11) Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied details of the:

- 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;
- satisfactory points of collection; and details of the refuse and recycling collection arrangements shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

12) Notwithstanding the details submitted with the application and otherwise hereby approved the submission of an Operational Site Waste Management Plan (OWMP) shall be submitted to and approved in writing by the local planning authority. The OWMP includes details of:

- a) Storage and collection of refuse within the site.
- b) the anticipated nature and volumes of waste.
- c) Measures to ensure the maximisation of the reuse of waste.
- d) measures to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
- e) the location and timing of provision of facilities pursuant to criteria b/c/d.

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.

WATER AND DRAINAGE

SURFACE WATER DRAINAGE SCHEME

- 13) The development hereby permitted shall not commence (other than for Groundwork's and Site Preparation Works) unless and until a Drainage Strategy detailing all on and off site 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. No foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works and Sustainable Urban Drainage System features identified in the approved Drainage Strategy have been implemented in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

WATER EFFICIENCY

- 14) 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 CS13 of the Barnet Local Plan and policy 5.15 of the London Plan

- 15) Before the development hereby permitted is first occupied details of the water efficiency measures to be installed in the scheme to ensure that it achieves a water usage standard of not more than 105 litres per head per day shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include sufficient particulars to demonstrate how the water usage standard of not more than 105 litres per head per day shall be achieved. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development

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

COMMERCIAL USES

- 16) Notwithstanding the plans and supporting details approved in condition 2, Class A5 of the Use Classes Order 2013 is excluded from the range of uses and is not included as part of the application hereby approved.

Reason:

To enable the Local Planning Authority to exercise control over future potential uses within the development to safeguard the amenities of occupiers of adjoining residential properties, in accordance with policy DM01 of the Barnet Local Plan.

- 17) Upon their first occupation the commercial units on the ground floor of the buildings hereby approved shall be occupied for uses in locations specified in the details approved under

condition 2 and falling within Class A1, A2, A3, A4, D1 and D2 of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.

Reason:

To enable flexibility for the first occupation of the commercial units hereby approved, in accordance with policies DM12 and DM13 of the Barnet Local Plan.

18) Notwithstanding the potential initial uses that are permitted to occupy the commercial units on the ground floor of the buildings hereby approved and as specified under condition 19 of this consent, following the first occupation and commencement of a use within each commercial unit, any subsequent change to an alternative use within those specified by this consent shall require the submission of a full planning application to the Local Planning Authority for express planning permission.

Reason:

To enable the Local Planning Authority to exercise control over future potential uses within the development to safeguard the amenities of occupiers of adjoining residential properties, in accordance with policy DM01 of the Barnet Local Plan.

HIGHWAYS AND TRANSPORT

DELIVERY AND SERVICING PLAN FOR COMMERCIAL USES (DSP)

19) Prior to commencement a full Delivery and Servicing Plan (DSP) for all commercial units within the development 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.

CAR PARKING

20) Prior to the commencement of the relevant phase, details of the number, location and layout of car parking spaces within that phase shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be provided in accordance with the approved details prior to occupation 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 Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.21. All residential units (Use Class C3) in the development hereby permitted shall all be constructed to achieve all the relevant criteria of Part M4(2)

CAR PARKING MANAGEMENT PLAN

- 21) Prior to the occupation of each of the phases 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
 - iv. The enforcement of unauthorised parking; and
 - v. Disabled parking spaces
 - vi. Electrical Vehicle Charging Points.

The Car Park Management Plan should include details of the proposed monitoring of EVCP and disabled parking spaces, to inform when additional spaces are required to be brought into operation. The Car 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

ESTATE ACCESS ROADS

- 22) Prior to commencement and notwithstanding the details approved, the applicant should submit a scheme showing details of the proposed internal road layout for approval, including layout and ramp gradient details for internal roads and access to car parks, details of swept paths and turning movements for Heavy Goods Vehicles and Refuse Collection vehicles entering the site and that Heavy Goods Vehicles and Refuse Collection vehicles can turn around within the internal roads.

Reason:

To ensure the safe form of access to the development to conform to London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

ELECTRIC VEHICLE CHARGING POINTS

- 23) Before the development hereby permitted commences (other than demolition, site clearance and ground works) details of the Electric Vehicle Charging Points with minimum 20% active and 20% passive shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To ensure that the Electric Vehicular Charging provision is in accordance with the London Plan requirements.

CYCLE PARKING

- 24) Prior to the commencement of the relevant phase of the development (other than demolition, site clearance and ground works), details for the provision of cycle parking and storage facilities to serve the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details and maintained for the life of the development.

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.

ENVIRONMENTAL HEALTH CONDITIONS

CONTAMINATED LAND

- 25) Before development commences other than for investigative work:
- a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.
 - b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:
 - A risk assessment to be undertaken,
 - Refinement of the Conceptual Model, and
 - The development of a Method Statement detailing the remediation requirements. The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.
 - c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been

carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

26) Prior to the commencement of the development hereby permitted (other than for Groundwork's and Site Preparation Works) a Scheme of Air Pollution Mitigation Measures to be provided in the development to protect the amenities of future occupiers shall have been submitted to the Local Planning Authority and approved in writing. The approved Scheme of Air Pollution Mitigation Measures shall be implemented in its entirety before the first occupation of the development.

Reason:

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

Servicing and Maintenance

27) Prior to the first occupation of the development hereby permitted a scheme detailing the servicing and maintenance regime to be in place for the air pollution mitigation measures installed in the development (as part of condition 26) shall have been submitted to the Local Planning Authority and approved in writing. The air quality mitigation measures in the development shall be serviced and maintained in full accordance with the approved details in perpetuity.

Reason:

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

28) Prior to the commencement of the development (other than for Groundwork's and Site Preparation Works) a full scheme of the measures to be incorporated in the development to mitigate the impact of noise from road traffic and any other relevant sources of noise on the occupiers of the development shall be submitted to the Local Planning Authority and approved in writing. The scheme of measures submitted shall ensure that the levels of noise as measured within habitable rooms of the new dwellings hereby approved shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am and the submission made shall include sufficient details and information to adequately demonstrate how these standards would be met. The development shall be implemented in full accordance with the approved scheme of noise mitigation measures in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan

- 29) Prior to the first occupation of the development hereby permitted details of all acoustic walls, fencing and other barriers to be erected on the site shall have been submitted to the Local Planning Authority and approved in writing. Prior to the first occupation of the development the acoustic walls, fencing and other barriers shown in the approved details shall be erected and installed in their entirety and be maintained as such in perpetuity thereafter.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 30) Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works), a report shall be carried out by a competent acoustic consultant, submitted to the Local Planning Authority and approved in writing which clearly sets out and assesses the likely noise impacts from all the ventilation and extraction plant to be installed as part of the development and the mitigation measures proposed to be used to reduce the noise impacts arising from the ventilation and extraction plant to be installed to acceptable levels. The report submitted 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 contents and recommendations. The mitigation measures proposed to reduce the noise impacts arising from the ventilation and extraction plant set out in the report approved under this condition shall be implemented in their entirety before the development is occupied.

Reason:

To ensure that the amenities of neighbouring properties are protected from noise from the development in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan

- 31) Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan

- 32) The level of noise emitted from the plant installed as part of 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 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 Barnet Local Plan and 7.15 of the London Plan

TREES, LANDSCAPE AND BIODIVERSITY

BIODIVERSITY

- 33) Prior to the commencement of the development details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

Reason:

To ensure that the development represents high quality design and 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 policies 5.11 and 7.19 of the London Plan

TREE PROTECTION

- 34) No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent to the application site 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.

- 35) No site works or other works associated with this development shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the site, 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.

EXCAVATION WORK AND TREES

- 36) Prior to the commencement of the development hereby approved 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. 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 2011.

- 37) No site works or works in connection with the development hereby approved shall be commenced until protective measures are undertaken in accordance with an Ecology Assessment Report, the report is to identify any works required to protect any wildlife species protected by law and the details of any mitigation measures including the timing of works and details of any special techniques, have been submitted to and agreed in writing by the council. The mitigation and techniques hereby permitted shall be implemented and maintained thereafter.

Reason:

To ensure that any protected species present are not affected by the development.

HARD AND SOFT LANDSCAPING

- 38) Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of the relevant phase of development or any site works, a detailed scheme of hard and soft landscaping and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- details of all tree, hedge, shrub and other planting proposed as part of the scheme;
- all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities reflecting a majority of Mosaic species;
- means of planting, staking and tying of trees, including tree guards, planter depths;
- detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
- existing site contours and any proposed alterations to these such as earth
- mounding;
- details of all proposed hard landscape, including proposed materials, samples;
- details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site; and

- Any ecological mitigations measures.

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.

- 39) 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 the relevant phase 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 neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 40) Any existing tree or hedge shown to be retained or trees, hedges 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 the relevant phase of the 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 protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

LANDSCAPE MANAGEMENT PLAN

- 41) The relevant phase of the development hereby approved shall not be occupied unless and until a Landscape Management Plan, including details of the long term design objectives, management responsibilities and maintenance schedules for all areas of the site, have been submitted to the Local Planning Authority and approved in writing. The management of the landscaping at the site shall be carried out in accordance with the details in the approved Landscape Management Plan.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

PLAY EQUIPMENT

- 42) Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of the relevant phase of the development a scheme detailing all play equipment to be installed in the communal or public amenity space 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 details as approved prior to the first occupation of the development and the play space shall thereafter be retained.

Reason:

To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan.

CONSTRUCTION MITIGATION MEASURES

- 43) Prior to the commencement of the development or the carrying out of any site clearance works, details comprising a scheme of measures to be put in place to ensure that the clearance of the site and construction of the development hereby approved is compliant with development plan policy and legislation on the protection of breeding birds, common toads and reptiles shall be submitted the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the scheme of measures approved under this condition.

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.

SECURITY AND LIGHTING

- 44) 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.

CRIME PREVENTION MEASURES

- 45) Notwithstanding the details shown in the plans submitted and otherwise hereby approved prior to the first occupation of the dwellings hereby granted consent details of the security and crime prevention measures to be included within the development shall be submitted to and approved in writing by the Local Planning Authority. The information submitted in this respect shall include (but not be limited to) details in relation to:
- The postal arrangements for communal entrances.

- The measures to be used to prevent unauthorised access to the undercroft parking areas.
- The means of enclosing the site.
- The contribution that the landscaping of the site can make to security and crime prevention.
- The development shall be implemented in full accordance with the approved details prior to the first occupation of the development

Reason:

To ensure that appropriate security and crime prevention measures are provided as part of the development in accordance with policy DM01 and DM02 of the Barnet Local Plan and policy 7.13 of the London Plan.

BREEAM

- 46) The commercial units within the scheme of development hereby permitted (Use Classes A1, A2, A3, A4, B1, D1 and D2) shall be constructed to achieve not less than BREEAM 'Very Good' within three months of first occupation of the building 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). 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. The non-residential buildings shall not be occupied until formal certification has been issued confirming that not less than Very Good has been achieved and this certification has been submitted to the Local Planning Authority for agreement in writing.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, and policies 5.2 and 5.3 of the London Plan 2016.

SITE WASTE MANAGEMENT PLAN

- 47) Prior to commencement of the development a Site Waste Management Plan detailing how the development will minimise waste in the construction process and source materials sustainably where possible, shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policy 5.3.

GATE DESIGN

- 48) Prior to the commencement of development details of the design and access controls for blocks A, J1, J2 and H shall be submitted for approval in writing by the local planning authority, the gates shall be installed prior to occupation of the relevant block and thereafter maintained in secure and good working order for the lifetime of the development.

Reason:

To ensure the safety and security of users in accordance with policies CS5 and DM01

ACCESS TO NATIONAL GRID SITE

- 49) Access to National Grid land across the site will be maintained at all times unless otherwise agreed in writing by National Grid and/or its successors in title.

Reason:

To ensure access is maintained in accordance with LB Barnet policies CS9 and DM17.

ACCESS TO VICTORIA RECREATION GROUND

- 50) No works associated to the proposed connection between the development and Victoria Recreation Ground to take place until the detailed design of the access, connections and associated construction program, management and maintenance program are agreed in writing by the council. Thereafter, the works shall be undertaken in accordance with the details approved and retained as such

Reason:

To ensure there is no unacceptable impact to the council's asset and its continued use as well as to ensure appropriate connections and measures to protect trees and habitat, in accordance with LB Barnet policies CS9 and DM17.

BOUNDARY TREATMENT TO VICTORIA RECREATION GROUND BOUNDARY

- 51) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not be occupied until details are submitted to the Local Planning Authority and approved in writing, which specify the details of boundary treatment to the Victoria Recreation Ground Boundary along the length of site. These details shall include materials, type and location of the boundary treatment. The development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

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

ENERGY & SUSTAINABILITY

- 52) Prior to the commencement of the development hereby approved (other than demolition, site clearance and ground works) a detailed strategy setting out how and when the various blocks of development will be connected to the Energy Centre 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 the development shall not be occupied until it has been demonstrated that the properties have been connected to the Energy Centre, as to be agreed in writing by the council.

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policies 5.2 and 5.6.

BAT AND BIRD BOXES

- 53) Notwithstanding the details approved in condition 2, prior to commencement of the relevant phase of the development, details and location of bat and bird boxes shall be submitted for approval in writing by the council. Prior to occupation 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 policies CS7 and DM16.

DIGITAL/SATELLITE TELEVISION EQUIPMENT

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

Reason:

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

TELECOMMS EQUIPMENT

- 55) 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.

INFORMATIVE(S):

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

2.0 BACKGROUND TO THE APPLICATION

The application site lies to the south of the former British Gas Works site, which is located to the north of Victoria Road; it abuts Victoria Recreation Ground to the north east and has its north west boundary formed by the railway embankment.

The application pertains to a 1.05 hectare site located on the edge of New Barnet town centre, approximately 200 metres from New Barnet train station, see Appendix 1.

The Site has a Public Transport Accessibility Level (PTAL) of 3 (Moderate) according to Transport for London's (TfL) website.

The Site is currently occupied by several commercial and residential properties most of which are vacant. The northern area of the site lies within the former New Barnet Gas Works boundary which is currently undergoing remediation as part of the approved planning application for the Victoria Quarter area (LPA Ref: B/04834/14).

This current application seeks revisions to the southern part of the previous scheme of redevelopment involving changes to Blocks A, J1 and J2 and a replacement Block H on land more recently assimilated.

The inclusion of additional land and buildings along the southern boundary of the Gas Works site, fronting Victoria Road, has not only allowed for a revised 'Gateway' access arrangement into the Gas Works site via Albert Road, but also provides for an increase in the overall number of residential units and amendments to the commercial floorspace granted under the previous planning approval B/04834/14.

This current submission therefore seeks to obtain permission as a 'drop in' application to augment the previous approval; as such this application looks to obtain a standalone approval for the changes proposed and the increase in the number of residential units and amendments to the commercial floorspace.

As with the previous approval for the former Gas Works site, there will be a Section 106 agreement entered into covering various areas of works and contributions for this current application, which will also take account of some of the requirements contained within the original Section 106 for the Gas Works site.

Policy Support

The Gas works and adjoining areas of land have been identified in the New Barnet Town Centre Framework as an opportunity area for regeneration together with future enhancement and improvement to the existing town centre fringe. The former gas works site already has approval for development and the current application which incorporates additional land and buildings provides added development value which will help with the viability for the site bearing in mind the level of remediation works currently taking place.

Notwithstanding the need to improve the area in and around the Gas Works site, the proposed redevelopment is consistent with the sustainability principles advocated by national planning policy in the National Planning Policy Framework.

The proposals will bring forward a much needed transformation of the area and the removal of a somewhat isolated and blighted site. It will create a balanced, mixed and inclusive community and will significantly enhance the physical environment of the area and the nearby town centre, bringing about improvements to the quality of life for existing residents and the wider community through the provision of enhanced social and environmental infrastructure.

Affordable Housing

The development will provide a total of 104 residential units, with a mix of private homes (85 units) and affordable homes (19 units). Having regard to the former approved blocks the 'drop in' application pertaining to this current submission provides for an additional 52 units above that already approved with the previous scheme.

The current application therefore intends to deliver 18.3% affordable housing (36.5% on the uplift), giving an overall figure of 17.9% affordable housing when including that already approved with the former permission for the Gas Works (previously 15%). The viability of the affordable housing provision has been independently reviewed and confirmed to be the maximum viable amount and the s106 would also include a review mechanism.

The development will introduce a range of household sizes (1, 2, and 3 bedroom properties) in the form of housing and apartments all with access to private amenity space and will provide high quality sustainable dwellings.

Urban Design

The Design Principles have been based on a rigorous analysis of the previous planning approval for the site, including the character of the surrounding area together with consultation with existing and adjoining residents. The scheme is in compliance with policies in the Local Plan and London Plan which encourage high quality, accessible, legible environments that are responsive to local characteristics.

The resulting scheme of development will allow for a mix of tenure with a range of household sizes, located within a well-defined and attractive public realm facing onto Victoria Road and running through to Victoria Recreation Ground. All the accommodation meets the required standards for minimum floor spaces as well as Lifetime Homes and wheelchair housing.

The scheme does however have a shortfall in outdoor amenity space 105sq metres for which the applicant is to agree to make an off-site contribution to mitigate this shortfall.

Transport and Parking

The proposed new access arrangements and highways impacts have been subject to review and assessment by the Council's Traffic and Development Team who raise no objections to the development. The resultant vehicle trips will be satisfactorily accommodated within the existing transport network.

Having regard to the moderate level of accessibility of the site (PTAL3); 49 (0.55) car parking spaces and 9 visitor car parking spaces will be provided for the development.

Across the whole development car parking equates to 392 spaces and 10 visitor spaces which is in accordance with the Council's parking standards. These will largely be accommodated in basements, parking areas within courtyards and on street parking. Cycle and disabled parking will be provided in accordance with the London Plan standards.

The application will deliver a package of transport improvements including the improvement to vehicle access points, the pedestrian and cycle environment and the provision of a Toucan and Puffin Crossing.

Sustainability and Energy

The proposed redevelopment would make efficient use of brownfield land, would improve and promote public transport accessibility and create a mixed and balanced community.

The development has been designed to minimise its impact on the environment and has an emphasis on using less energy. All of the dwellings will be built to Sustainable Standards Part M/L of the Building Regulations and the development would deliver a carbon saving of 42% through efficient building design and the installation of a CHP plant and solar photovoltaic panels. However, it is established that there will be an annual excess of carbon emissions of approximately 57.0 tonnes this will result in a carbon offset payment of £102,670.

Open Space and Recreation

The proposals include the creation of new areas of public open space within the site and additional landscaped areas for tree/shrub planting. These areas would provide opportunities for mature tree planting, wildlife enhancements and informal and formal play space.

The development is also in very close proximity to Victoria Recreation Ground and the proposed improvements to the access into the park will make the facility more attractive to residents and the wider community.

Biodiversity

Use of green roofs, tree planting and other ecological enhancements are promoted with the scheme to improve biodiversity and help create green links to the park and the proposed development on the former gas works site.

Conclusion

In conclusion officers consider that, on balance; the development is acceptable having regard to relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is also acceptable and it is in accordance with approved development on the remaining part of the Gas Works site.

The scheme would deliver 104 high quality homes with an appropriate mix and with 18.3% of residential units (36.5% of the additional units) being provided as affordable (Shared Ownership) which, although below the policy target of 40%, is fully justified through the financial viability provided by the applicant and independently reviewed assessment.

1. MATERIAL CONSIDERATIONS

1.1 Environmental Impact Assessment (EIA)

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'Regulations'), EU Directive 85/337/EEC (as amended), Circular 02/99 as well as the National Planning Practice Guidance (2016). While the EIA Regulations were amended in May 2017, this only applies to the consideration of applications received after this date and as such the application needs to be considered in the context of the 2011 regulations.

Screening for EIA development

In respect of EIA screening, the proposed development does not fall within 'Schedule 1' development. However, the development is considered to constitute the 'Schedule 2' development namely, an 'urban development project' in accordance with Section 10(b) of Schedule 2 of the Regulations. The threshold identified for such projects is an area exceeding 0.5ha. Although, it is noted that the site is not located in a sensitive area as defined in the regulations.

Prior to the submission of this application, an EIA Screening Opinion was sought by the applicant in October 2016 pursuant to section 13 of the Town and Country Planning Act 1990. Following assessment, officers considered the whole scheme of development, incorporating the extant permission, and took the view that it did fall within Schedule 2 of the Regulations. However, the current 'drop in' application as a stand-alone submission was not of such significance to warrant an EIA submission.

Notwithstanding this, the matters which would have been possibly scoped into an EIA report for the scheme have in fact been mitigated through prior assessment or through condition/Section 106 contribution towards those aspects of possible concern. As such officers consider that a separate EIA submission will not be required in this case.

1.2 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan and the

development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

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

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

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application, is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The London Plan

The London Plan (2016) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy

(Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative

Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land).

London's Transport

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Mayors Housing SPG (March 2016?)

The Housing SPG has been updated to reflect the Further Alterations to the London Plan (FALP) and the Minor Alterations to the London Plan (MALP). It provides updated guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and viability appraisals.

This SPG replaces the 2012 Housing SPG and the Mayor's Housing Standards Policy Transition Statement.

The proposals in the Bill will have implications for how we plan for affordable housing delivery in London. The Housing SPG has been updated to reflect the Further Alterations to the London Plan (FALP) and the Minor Alterations to the London Plan (MALP). It provides updated guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and viability appraisals. This SPG replaces the 2012 Housing SPG and the Mayor's Housing Standards Policy Transition Statement. The proposals in the final Bill will have implications for how we plan for affordable housing delivery in London. It is likely that further guidance or advice on affordable housing will be required once more detail is known about the Government's approach and its implications for London.

Draft Affordable Housing and Viability SPG (November 2016)

The SPG provides guidance to ensure that existing policy is as effective as possible. It does not introduce any new policy. The SPG's main aim is to speed up planning decisions and increase the amount of affordable housing delivered through the planning system. Importantly, it will help embed the requirement for affordable housing into land values and make the viability process more

consistent and transparent, as well as speeding up the planning process for those schemes which are delivering more affordable homes. The SPG sets out the Mayor's preferred approach and Local Planning Authorities (LPAs) are strongly encouraged to follow this approach for all schemes of ten or more units

Sustainable Design and Construction (May 2006)

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

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

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

Accessible London: Achieving an Inclusive Environment (April 2004)

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

Planning for Equality and Diversity in London (October 2007)

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

All London Green Grid (March 2012)

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

Relevant Local Plan (2012) Policies

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

CS - NPPF National Planning Policy Framework – Presumption In Favour Of Sustainable Development.

CS1 - Barnet's Place Shaping Strategy – Protection, Enhancement And Consolidated Growth – The Three Strands Approach.

CS3 - Distribution Of Growth In Meeting Housing Aspirations.

CS4 - Providing Quality Homes and Housing Choice In Barnet

CS5 - Protecting and Enhancing Barnet's Character To Create High Quality Places.

CS6 - Promoting Barnet's Town Centres.

CS7 - Enhancing and Protecting Barnet's Open Spaces.

- CS8 - Promoting a Strong and Prosperous Barnet.
- CS9 - Providing Safe, Effective and Efficient Travel.
- CS10 - Enabling Inclusive and Integrated Community Facilities and Uses.
- CS11 - Improving Health and Well-Being In Barnet.
- CS12 - Making Barnet a Safer Place.
- CS13 - Ensuring The Efficient Use Of Natural Resources.
- CS14 - Dealing With Our Waste.
- CS15 - Delivering The Core Strategy.

Development Management Policies (Adopted 2012):

- DM01 - Protecting Barnet's Character and Amenity.
- DM02 - Development Standards.
- DM03 - Accessibility and Inclusive Design)
- DM04 - Environmental Considerations for Development.
- DM05 - Tall Buildings.
- DM06 - Barnet's Heritage and Conservation.
- DM08 - Ensuring a Variety of Sizes of New Homes to Meet Housing Need.
- DM10 - Affordable Housing Contributions.
- DM11 - Development Principles for Barnet's Town Centres.
- DM13 - Community and Education Uses.
- DM14 - New and Existing Employment Space.
- DM15 - Green Belt and Open Spaces.
- DM16 – Biodiversity.
- DM17 - Travel Impact and Parking Standards.

Supplementary Planning Guidance And Documents:

A Number of Local and Strategic Supplementary Planning Guidance (SPG) and Documents (SPD) are material to the determination of the application.

Local Supplementary Planning Documents:

- Sustainable Design and Construction (April 2013)
- Residential Design Guidance (April 2013)
- Planning Obligations (April 2013)
- Affordable Housing (February 2007 With Updates In August 2010)

Strategic Supplementary Planning Documents and Guidance:

- Accessible London: Achieving an Inclusive Environment (April 2004)
- Sustainable Design and Construction (May 2006)
- Health Issues In Planning (June 2007)
- Wheelchair Accessible Housing (September 2007)
- Planning For Equality and Diversity In London (October 2007)
- All London Green Grid (March 2012)
- Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
- Housing (November 2012)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Should permission be granted, obligations would be attached to mitigate the impact of the development which, are set out in Section 10 of this report.

1.3 Relevant Planning History

Planning Permission for the redevelopment of the British Gas works site now referred to as the Victoria Quarter site was granted on the 1st May 2015 (LPA Ref: B/04834/14) for 305 residential units and 674sqm of non-residential floorspace.

The Committee Report for the Planning Application acknowledged that land assembly to the south of the Victoria Quarter site was complex and potentially hindering delivery of the Council's vision for the redevelopment of the Victoria Quarter character area (herein referred to as the Victoria Quarter Redevelopment Area).

The planning history mainly comprises historic applications relating to the use of the site by National Grid, the majority of which are of no relevance to this current application. However a number of planning applications have been submitted as outlined below;

16/6576/ESR - EIA Screening Opinion. Decision: EIA not required..

16/3894/CON - Victoria Quarter Land Formerly Known As British Gas Works Albert Road, Barnet. Submission of details for condition 74 (Excavations and Earthworks) pursuant to planning permission B/04834/14 dated 01/05/15. Approved 21/7/16.

16/03565/CON Victoria Quarter Land Formerly Known As British Gas Works Albert Road, Barnet. Submission of details of condition 69 (Bat boxes) pursuant to planning permission B/04834/14 dated 01/05/15. Approved 15/7/16.

16/3459/CON - Victoria Quarter - Land Formerly Known As British Gas Works Albert Road, Barnet. Submission of details of conditions 59 (Tree Protection) 60 (Tree Method Statement) 61 (Tree Excavations) pursuant to planning permission B/04834/14 dated 01/05/15 for the Demolition, Remediation and Enabling phase only. Approved 24/8/16.

14/07829/192 - Land Formerly Known As British Gas Works Albert Road, Barnet: Involving remediation works to include stripping off soil and replacing it to the same level and gradient and replacement of fence. The proposal meets the criteria set out in Class F, Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended. Approved 8/1/15

B/04834/14 (APPENDIX 1) – Residential-led, mixed-use development of the Former Albert Road Gas Works comprising the erection of 305 residential units (Use Class C3), 116 sq m of Retail floorspace (Use Class A1/A2/A3/A4) and 558 sq m of flexible Commercial floorspace (Use Class A3/D1/D2); the creation of new public open space; alterations and additions to existing highways arrangements; the removal of an existing elevated footbridge and the creation of new pedestrian routes; together with associated works including landscaping, provision of basement and surface car parking, servicing and plant area. Relocation of an existing sub-station. Approved 1/5/15.

H/02892/13 – EIA Screening Opinion. Decision: EIA not required, 02/08/2013.

B/00200/09 Demolition of existing buildings and erection of a mixed use development comprising 211 residential units, supermarket (10,526sqm gross floor space) and additional 1,893 sqm gross non-residential floor space comprising A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) and D1 (non-residential uses), public space, car parking, access and related highways works and associated works. Withdrawn 01/07/2009.

16/6118/FUL – Whilst not directly affecting the site this application does have implications for the recreational use associated to the Gateway Development -Erection of a two storey leisure centre (Use Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) on land at Victoria Recreation Ground off Lawton Road, New Barnet, incorporating swimming, adaptable space (including library use - use class D1), fitness suite, studios, changing facilities, ancillary offices and welfare facilities, reception, cafe and plant, new car park and service area, including separate staff parking area; two tennis courts and 1 basketball court, associated landscaping including a relocated Children's Play Area. Approved 27/02/2017.

1.4 Pre-application & Post Consultation by the Applicant

A statement of community involvement has been submitted with the Planning Application which outlines the consultations which the applicant carried out prior and during the submission of the application. This included meetings with Local Ward Councillors and residents associations as well as a Public Consultation Event.

1.5 Public Consultation by the Council and Views Expressed - December 2016:

Local residents (1125) were consulted on the planning application by letter on 20.12.2016. The application was advertised in the local press and site notices were put up on site. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

1.6 First Consultation: The comments made by local residents are summarised below:

Housing

- no truly social affordable housing,
- scheme does not deliver type of affordable housing needed in area,
- recent developments in the area have not contributed enough affordable housing, especially affordable rented,
- need to build more low level development of 2 – 3 storey of a scale to fit with other properties in the area
- Too many flats are being built in the area, which will unbalance the population
- should be more homes with gardens,
- development does not comply with sustainable design and construction SPD particularly 21m between buildings
- too high a density

Officer Response:

The scheme is to provide overall 18.3% of affordable housing, totalling 19 affordable homes for shared ownership. This is the maximum viable contribution available for this drop in application; this is bearing in mind the level of decontamination that is taking place on the overall site area including the main gas works site. The mix of dwelling sizes and types is considered appropriate, given that the site is designated for development and is in a very sustainable location. Further responses are contained in the relevant appraisal sections.

Parking and Transport

The comments made by residents are summarised below

- too much/not enough parking
- The development will significantly increase traffic congestion on the local road network.
- Raised entry treatments should also be provided at Albert Road East and Albert Road West to provide pedestrian passage at the same level as the Victoria Road pavement. This will calm traffic approaching Victoria Road and add to the physiological impression that this is an area where pedestrians and cyclists should have priority.
- A second raised-table crossing should be provided at the entrance to Victoria Park, as this is a popular crossing point for school children.
- Despite the recent 20 mile an hour restriction on Victoria Road, traffic is still too fast,
- bus routes are crowded already this will increase numbers,
- public transport capacity should be increased,
- highway infrastructure already overloaded,
- traffic noise already excessive,
- junction needs improvements for footpaths and speed humps, to slow traffic in/out of victoria road junction.
- unclear about puffin and toucan crossings.
- At this Gateway location, a raised table with a change in materials/colour is needed as an informal crossing at the top of Victoria Road for pedestrians.
- Scheme does not comply with policy DM 17 "Parking standards"

Officer Response: The site has a PTAL of 3 (moderate) as such the parking provision is in line with policy for accessible sites such as this. This particular element of the development is not considered to produce a significant or unacceptable increase in traffic on the local road network.

Improvements to public transport can be carried out using CIL monies. There is also to be provision within the proposed highway works to allow for a new Puffin crossing and a Toucan Crossing and there is to be a level of junction improvements with some road realignment and footpath improvements on the east side of Victoria Road.

Further responses are contained in the relevant appraisal sections.

Design and Appearance

The comments made by residents are summarised below:

- The proposed development should not be higher than the existing buildings and should not be 6 – 8 floors this is too high.
- The visual appearance of the development is out of character with the more domestic character of the area
- Make buildings smaller and not as dense,
- Not in keeping with surrounding buildings and character of the area
- Scheme does not comply with policies CS1, CS4, CS5, CS6, DM01, DM11 and DM17.
- Inappropriate design in terms of layout, scale and massing
- overdevelopment with inadequate roads and infrastructure

Officer Response:

The scale of the buildings proposed is considered appropriate for this sustainable location in close proximity to the town centre, and would be in keeping with the emerging character of the area. Further responses are contained in the relevant appraisal sections.

Amenity

The comments made by residents are summarised below:

- traffic noise excessive already
- inadequate amenity space for the flats

Officer Response:

Conditions are imposed to mitigate the possible noise impacts from the commercial uses proposed and road traffic. The level of amenity space is discussed later but is generally compliant with policy and as a result of a small shortfall the developer is to make a contribution towards improving existing facilities in the recreation ground. Further responses are contained in the relevant appraisal sections.

Other

- Overdevelopment of the area generally and excessive density.
- It is unclear what retail outlets are proposed and if they are needed
- GP services in the local area are already stretched and the development will increase demand for education.

- Does not comply with these policies
 - CS 1 "Protect and enhance high quality suburbs"
 - CS 4 "Providing quality homes"
 - CS 5 " Protecting and enhancing Barnet's character to create high quality places"
 - CS 6 " Promoting Barnet's town centre"

Development Management Policies:-

- DM 01 "Protecting Barnet's character and amenity"
- DM 11 "Development principles in the town centres"
- DM 17 "Parking standards"

Officer Response:

The density proposed is considered appropriate in this very accessible location. The development would provide policy compliant levels of amenity, play space and open space; however where there is a shortfall the developer has agreed to make an off-site contribution to open space provision. Conditions are imposed requiring surface water to be managed to avoid flooding. The commercial uses are proposed to create a retail element for the development. Further responses are contained in the relevant appraisal sections.

Elected Representatives

Cllr Phillip Cohen – Objection - While I support the Gasworks development in principle I object to the height of the proposed accommodation blocks A and H which do not fit with the rest of the scheme. They constitute overdevelopment, will block the sight line for residents facing in Victoria Road and are an unnecessary addition. The success of the Tesco/Spen housing project in Victoria Road has precisely been because it has been well integrated into the local area in terms of design, materials and height of structures. The proposed One Housing blocks facing Victoria Road also encroach on the previously agreed building line meaning they will take up part of what is an already narrow pavement. This will jeopardise road safety as ward councillors have been discussing with council Highways Officers how to enlarge the pavement for the benefit of pedestrians, such as school children who walk to and from JCOS school. The development as set out would make this almost impossible.

Officer response:

This written response was prior to the reduction in height of block H and the revised siting of the buildings fronting Victoria Road, the increased set back and the reduction in height should go a long way to resolving part of the Councillors objection to the application. As part of the previous planning approval Block A was already approved at 6 storeys, the additions to 8 storeys is not considered to be excessive when the block is set back into the site, is intended to form a focus for the gateway entrance as well as provide a townscape feature, it will also adjoin a number of new tall blocks, up to 5 storeys, which are to be built as part of the Gas works site. Considering the viability of the site and the reduction in the number of units along the frontage onto Victoria Road, the addition of two storeys to allow the relocation of some of the units lost with the height reduction in Block H, helps significantly with the viability for the site. Overall the changes to the scheme; following the original consultation exercise, have resulted in changes which significantly resolve many of the objections originally made to the application.

The Rt. Hon. Mrs Theresa Villiers MP – Objection 24/1/17 - I am writing to set out my views on the application by One Housing to develop the former gasworks site in Albert Road, now known as the Victoria Quarter.

I agree that this site should be developed for housing and I supported the application for the consented scheme for the site which was previously approved. I cannot, however, support the revisions to the development proposed in this current application. There are a number of issues about which I am concerned which have been drawn to my attention by constituents. I would ask that this application be rejected and the developer comes forward with alternative proposals.

I note that block A now has an additional 2 floors making it 8 storeys with the result that it will tower over the development. This block was already due to be very tall even under the consented scheme and a further 2 storeys is not acceptable and it is not in keeping with the surrounding area.

In principle, I welcome the creation of a gateway to the development and the replacement of some of the shops in Victoria Road with new homes. However, I believe that One Housing need to think again about the design they propose for this gateway.

If block H is allowed in the location proposed, this 6 storey building (which is replacing 2 storey properties fronting Victoria Road) will have a negative impact on pedestrians as the building is sited right up to the edge of the very narrow pavement, ignoring the building line.

I have already received representations from a local resident whose home will be overshadowed by this block and who believes it will be out of character with the existing neighbourhood.

He has suggested to me that terraced homes on the frontage to Victoria Road would be more appropriate with the existing properties and cater for families. As he points out, flats for smaller families and young professionals will be available within the development.

With regard to parking provision, I note that there is an additional planning application (16/7602/FUL) to create a temporary 83 space car park on part of the site, serving the 'Gateway' flats. However, I understand most of the parking on the site will be in an underground car park below blocks A, C, D, E & F which will be created later in the development.

The scheme currently allows a parking ratio of 1.25 spaces per unit. When the 83 space temporary car park closes after 3 years, 'gateway' residents will also have to use the underground car park which reduces the parking density on the whole scheme to 1 space per unit.

I fully support efforts to encourage the use of public transport, but a suburb like Barnet will always have a significant degree of car dependency, not least because of the primarily radial nature of London's public transport network. Therefore I believe that the proposed ratio of parking spaces to dwellings will lead to parked cars overflowing from this large development on to the very narrow local roads causing congestion.

I take the view that the plans in their present form are not in keeping with the surrounding buildings or character of area, and are an over-development of the site. Furthermore, I have concerns about the parking proposals and the impact that these will have on existing residents in neighbouring roads.

However, as I have already mentioned, I am keen to see new homes built in this part of my constituency developed and I hope that the plans can be amended to make the scheme more acceptable.

If and when the developer produces alternative plans which could be accepted, I would urge the Council to ensure that section 106 money is spent in the immediate location in New Barnet and at least part of it is used to mitigate the impact of the development on surrounding roads.

I would be grateful if you could draw my comments to the attention of the Planning Committee.

Officer response:

This written response was prior to the reduction in height of block H and the revised siting of the buildings fronting Victoria Road, giving a much greater set back from the main road, the increased set back and the reduction in height have gone a long way to resolving part of Theresa Villiers MP's objection to the application. As part of the previous planning approval Block A was already approved at 6 storeys, the additions to 8 storeys is not considered to be excessive when the block is set back into the site, is intended to form a focus for the gateway entrance as well as provide a townscape feature, it will also adjoin a number of new tall blocks, up to 6 storeys, which are to be built as part of the Gas works site. Considering the viability of the site and the reduction in the number of units along the frontage onto Victoria Road, the addition of two storeys to allow the relocation of some of the units lost with the height reduction in Block H, helps significantly with the viability for the site. The car parking provision across the wider site is also compliant with the relevant policies in the London Plan 2016 and the Barnet Local Plan 2012. Overall the changes to the scheme; following the original consultation exercise, have resulted in changes which significantly resolve many of the objections originally made to the application.

Cllr Rebecca Challice – Objection 30/1/17 - I would like to object to the following planning application: 16/7601/FUL - My reasons being, I believe it to be, overdevelopment, not in keeping with surrounding buildings and the negative impact it will have on traffic.

Officer response:

Section 3 (Planning Considerations) of this report sets out how the proposed development complies with relevant planning policy regarding density, character and appearance and transport.

Resident Associations

The Barnet Society – Objection - We have viewed the proposed amendments dated 10/13 February and consider these fail to meet the concerns we expressed in our initial objection to this application.

The buildings fronting Victoria Rd remain far too bulky for the prevailing character of the area, with the height and building line creating an overbearing presence in such a prominent spot.

We remain of the view that this piecemeal addition is not an appropriate way to proceed with a scheme that was originally devised through a careful public consultation process. If there is a desire to increase the number of homes on site then the whole scheme should be reviewed with the objective of putting the higher buildings towards the back of the site.

Officer response:

The applicant has amended the application in response to comments made, as such it is considered that the amendments go a long way to resolving many of the issues raised and it is considered to represent a comprehensive redevelopment that responds to the surrounding character of the Site as set out within section 3 (Planning Considerations) of this Report.

Victoria Road Walksafe Campaign – Objection 7/3/17 - we are writing to you to register our objection to the proposed 'gateway' development on Victoria Road. We set up our Walksafe campaign back in January 2014 to address major concerns for the safety of users of Victoria Road. So far with the support of local Councillors, our MP Theresa Villiers and the 'Save New Barnet' campaign, we have secured a 20mph speed limit and some physical measures to improve safety along the road, notably at the southern end. However, the northern end of the road and particularly the junction with the A110 East Barnet Road remains a concern. The proposed 'gateway' development will have a huge impact on the safety of Victoria Road, should the scheme go ahead in its current form.

Our main concern about the planning application, should it go ahead, is that the building and roof line will give the impression to drivers that Victoria Road is simply a continuation of the A110. Furthermore, the density and scale of the proposed development is out of character with Victoria Road, which is narrow and residential. This will set an unacceptable precedent for future development in the area. Any future development must not compromise the safety of Barnet residents and the future character of the area.

We fully support appropriate regeneration in New Barnet and cite the Tesco/Spennings Hill scheme on the former OpTex site on Victoria Road as an example of a development which has enhanced the area, respecting the building and roof line of the existing houses, with any taller buildings kept further back within the development.

There is consensus that the northern end of the road is particularly dangerous. In the light of this, residents supported by Councillor Cohen, Theresa Villiers MP and the Save New Barnet campaign agreed that measures are desperately needed at the Victoria Road / A110 East Barnet Road (north) mini roundabout junction. On 21 October 2015 the Chipping Barnet Area Sub-Committee agreed to consult with residents on the Victoria Road Area Traffic Management Scheme, with the caveat that certain elements be set out in an annex.

These elements were not included in the initial phase (which has now been implemented), as it was agreed that they would be affected by the development works currently underway on the former gas works site. Please see annex attached. These elements relate to the northern end of Victoria Road. Not only has the proposed development delayed the urgent improvements to Victoria Road, it will, unfortunately, exacerbate the traffic situation. The perception that Victoria Road is a continuation of the main road will encourage inappropriate use, speeding traffic and rat running.

A glance at the comments relating to the planning application reveals that many other residents share our concerns. For example, one respondent notes that while the 20 mph speed limit is a good thing, there are no built design features to send a message to drivers to slow down. A raised table with a change in materials/colour is suggested as an informal crossing at the top of Victoria Road for pedestrians and a second raised-table crossing is suggested at the entrance to Victoria Park, as this is a popular crossing point for school children. Other ideas include raised entry treatments at Albert

Road East and Albert Road West to provide pedestrian passage at the same level as the Victoria Road pavement. "This will calm traffic approaching Victoria Road and add to the physiological impression that this is an area where pedestrians and cyclists should have priority," continues the respondent.

We trust that we can count on Barnet Council to support residents in ensuring that the safety of all users of Victoria Road is not compromised by the proposed developments. This is a significant opportunity to enhance the area with a welcoming gateway that integrates the park into Victoria Road, with appropriately scaled housing and road safety measures which prioritise the safety of pedestrians.

Officer response:

As mentioned previously, the applicant has subsequently amended the building line and height of Block H, which fronts onto Victoria Road. The pavement along Victoria Road in front of Block H has been widened as a result of setting the building back further than originally proposed. This has enabled a 2.5m to 7.9m pavement to be created and will further improve the proposed pedestrian environment throughout the scheme for the existing and future community.

The current zebra crossing on East Barnet Road will be replaced with a puffin crossing and a new pedestrian crossing facility will also be provided on Victoria Road to the north east of the mini roundabout. The new pedestrian crossing will support pedestrian movements and help to limit vehicle speeds on Victoria Road. These measures would be secured via the s106 legal agreement.

1.7 Second Public Consultation

Second Consultation (April 2017) – Revised Layout and Changes to Design, Including Reducing Height of Proposed Building H:

All 1125 representations made to the original application were re-consulted by either letter or email following the amendments to the scheme in February/March 2017. The amendments to remove 8 flats and reduce the height of the buildings in Block H by one floor was again advertised on site and in the local press at that time.

The section below provides a summary of the comments received in response to the second consultation. Responses are provided in the relevant section of the report.

To conclude this section of the report, the additional responses made in response to the second public consultation exercise were received at the time of preparation of this report. In total, for both consultation exercises, 317 individual letters of representation have been made.

In support of the application, a petition containing 40 co signatories, together with 87 individual letters of support for the development have been received.

The remaining comments; 230 individual letters were all objections; two of the objectors have requested to speak at committee.

None of the supporting responses have requested to speak.

Elected Representatives

The Rt. Hon. Mrs Theresa Villiers MP – Support 24/4/17 – I understand that an amended application has been submitted with regard to the development at Victoria Quarter, the site of the old gas works in Albert Road.

You will be aware that I responded to the earlier consultation and, while I agreed that the site should be developed for housing, I was unable to support that proposal. Since then, I have been engaging with local residents and the developer to see if the plans could be amended to allay as many of the concerns of my constituents as possible.

With regard to the present proposal, I note the changes to the road layout within the site and entrance to Building A.

I also note that in this revised application, Block H will be set back to the building line of the existing houses in Victoria Road. This will give more pavement space and will also mean the new block becomes much less visually intrusive than the previous proposal. In my view this will mean the design and appearance of the building is more in keeping with the surrounding area.

I believe this change is positive and addresses the worst aspects of the previous application. I also welcome the fact that the height of Block H has been reduced by one storey. I would prefer it to be lower still but I can accept what is proposed as a compromise.

I would make similar points regarding Block A in the development. I am worried about the height of the building. I would prefer it to be lower. However I acknowledge the need for new homes; and the fact that the site will be costly to decontaminate. I also appreciate that the developer has tried to listen to the concerns of residents regarding other aspects of the application.

Overall I believe that sufficient concessions have been made to enable me to support this revised application. I would be grateful if you could make this know to the planning committee when they make their decision.

Please would you also make clear that I believe that it is very important that the financial contribution from the developer under Section 106 or CIL, or other provisions, goes primarily to benefit the area immediately surrounding the development? It is particularly important that every effort is made to mitigate the impact the new homes may potentially have on traffic and parking in local roads

Officer Comments:

Clearly the amendments undertaken by the developer have resolved many of the issues highlighted with the original letter of objection from the Rt. Hon. Mrs Theresa Villiers MP, particularly the height of the buildings. Further responses are contained in the relevant appraisal sections.

1.8 Consultation Responses from Statutory Consultees and Other Bodies

Thames Water – Waste Comments

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of

backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

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 for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

No 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: 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.

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

Officer Comments: Appropriate conditions and informatives have been proposed.

Transport for London – comments:

With regard to the above application, TfL has the following comments:

1. The site of the proposed development is adjacent to the A110 East Barnet Road, which forms part of the Strategic Road Network (SRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.
2. TfL was previously consulted on the above mentioned application for which the most recent comments were provided 25/01/17, where 115 residential units were proposed as part of the Victoria Quarter Redevelopment (VQR) scheme.
3. It is understood that the application seeks to make amendments to provide a total of 104 residential units (34 one bedrooms, 65 two bedrooms, 3 three bedrooms and 2 four bedrooms).
4. It is understood that 58 car parking spaces (8 Blue Badge spaces and 9 visitor spaces) will be provided which results in an increased car parking ratio of 1.1 spaces per unit across the VQR scheme. In the previous comments, TfL had concerns that the ratio was above 1. The applicant should therefore consider reducing the proposed quantum of car parking consistent

with the London Plan objective to reduce traffic and congestion levels and avoid undermining sustainable travel.

5. Notwithstanding point 4, TfL requested the applicant to clarify whether 20% of the car parking spaces will be Electric Vehicle Charging Points (EVCPs) and if a further 20% will be passive EVCPs. This remains unaddressed and should be confirmed by the applicant.
6. Although welcomed that 8 of the car parking spaces will be Blue Badge, the London Plan requires a minimum of one Blue Badge space for each wheelchair accessible/adaptable unit which should typically be 10% of the residential units.
7. A shortfall in cycle parking spaces was identified in TfL's previous comments and needs to be addressed. To reflect the proposed amendments, a minimum of 174 long-stay cycle parking spaces and 2 short-stay spaces should be provided in line with the London Plan. Long-stay spaces should be located in secure, sheltered and accessible locations while short-stay spaces should be spread around the site near building entrances.
8. Previous comments were provided on a Delivery and Servicing Plan, Construction Traffic Management Plan and Travel Plan which were considered broadly acceptable. The Travel Plan should be updated to reflect the amendments and final version secured through the S106 agreement with updated and final versions of the Delivery and Servicing Plan and Construction Traffic Management Plan secured by condition.
9. The footway and carriageway on the A110 East Barnet Road should not be blocked during the works of the development. Temporary obstructions during the works should be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A110 East Barnet Road. All vehicles should only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.
10. Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the Strategic Road Network (SRN).

Officer Comments – Comments reference to the above points.

In regard to Point 4 above - The applicant has reduced the car parking provision from the previously consented ratio of 1.25 spaces per unit to 1.1 spaces per unit which ensures compliance with LB Barnet Development Management Policy DM17.

In reference to Point 5 above, Electric charging points for the permanent residential car parking will be provided at a rate of 20% active and 20% passive provision in accordance with London Plan Policy 6.13; which is secured by condition.

Point 6 mentions the need for wheelchair car parking, the developer has amended the plans accordingly, as such the development provides for 35 wheelchair car parking spaces, across the wider Victoria Quarter Redevelopment Area thereby ensuring that every wheelchair accessible/adaptable unit has a dedicated Blue Badge parking space.

Point 7 above refers to the number of cycle spaces required for the development, the applicant is providing 206 cycle parking spaces. The long stay cycle parking is located within the basement or secure storage areas within the proposed buildings which is accepted by TFL.

Point 8, the applicant agrees to the requirement that the Travel Plan be updated to reflect the amendments and final version for the scheme to be secured through the S106 agreement with updated and final versions of the Delivery and Servicing Plan and Construction Traffic Management Plan secured by condition.

Point 9 has been noted by the applicant.

Clearly the matters referred to above have been agreed to by the developer and TFI have not objected to the application.

Environment Agency: The submitted Flood Risk Assessment is satisfactory and the development should be carried out in accordance with it's recommendations.

English Heritage: No archaeological requirements recommended.

London Fire and Emergency Planning Authority: The scheme is satisfactory with regard to fire brigade access.

Metropolitan Police (Secured by Design): Satisfied that reasonable measures to mitigate the risk of crime and disorder have been incorporated into the design.

1.9 Internal Consultation responses

Traffic and Development Team Comments:

The proposal is acceptable, subject to conditions and s.106 obligations requested.

Environmental Health Service Comments:

The proposal is acceptable, subject to conditions relating to the impact of noise on the completed development and on neighbouring occupiers, along with air quality and contaminated land.

Green Spaces Comments:

Access and landscaping works to the park, including the unnamed access road via the shooting club and nursery, should be secured through s.106 obligations and provided by the developer at their cost. Details to be agreed prior to commencement, delivered prior to occupation and relevant licences obtained.

Urban Design Officer Comments:

On a general note the gateway development attempts to provide a legible environment that would provide a variety of publically accessible sequence of open spaces and routes, which connect new developments and the existing town centre to the adjacent Victoria recreation ground. In addition the proposed architecture aims to provide a new typology of modern living in New Barnet.

The pedestrian experience is at the top of Council priorities because it is what people perceive on the ground and where activity actually takes place. The plot coverage of the site is quite reasonable and allows for the creation of wide way finding routes for pedestrians, with soft landscaping features. In addition publically accessible open space with soft and hard landscaping features is proposed which

is very welcome and we anticipate current residents of New Barnet to use these spaces when completed.

The rights of way and new public spaces within the Gateway development would provide a necessary link to the Recreation ground and the future sports and leisure provision of the New Barnet Leisure centre.

The non-residential uses planned fronting Victoria road should support SME's (small medium enterprises) which are very important to the Town centre rather than anchor tenants. This frontage would effectively act as an addition to the Town centre's retail provision which should benefit both existing residents and future residents by providing products that are currently missing from the retail provision.

The public space fronting building A is envisaged to house activities for all in an environment where some food and beverage provision can spill out onto the square. This location will have excellent views across the Victoria recreation ground as it sits higher than the park due to topography changes.

The modern style of buildings is welcome as we anticipate developments to be in keeping with current and future building trends, rather than replicating the older residential environment. This will help with future vibrancy and ensure the sustainability of the project. We will need to stress that this is not a conservation area and a lot of the adjacent residential buildings are not of any particular architectural importance; there are also no listed buildings near the site with the exception of the War Memorial on Station road.

The general character is relatively low rise with residential buildings ranging from 2 to 3 storeys; predominantly brick or simple render facades with pitched roofs which constitute the motif that dominates most of New Barnet. It is notable to say that modernisation of the older residential stock is evident in places on Victoria road, with some cases directly fronting the Gateway development.

The new addition on the corner of Victoria road and E. Barnet road sets the precedent of new style of mixed use building in the area.

With regards to the height, it is considered that the proposed heights can work within the area and provide a legible height to width ratio on Victoria road due to the appropriate setbacks on the upper floors of the proposed structures and appropriate setbacks to be applied on the ground plane. To add to this the proposed structures are in excess of 15 meters from habitable rooms of residencies on Victoria road. From East Barnet road and Victoria road corner the height of existing structures is 13.1m on the corner (mixed use building) and drops down to 8.8 meters and then up to 9.4 meters on Sambroke Square.

This results in buildings of 2 storeys plus pitch roof height of 3 storey buildings with a mansard roof. Attention has been given to varying the roofline so as to strike the right amount of sky exposure on the street and complement the height to width ratio of Victoria road.

To conclude this urban design perspective it is stressed that the proposed development would add to the area rather than detract from it. This is apparent through the publically accessible features proposed, such as the new open spaces, larger sidewalks, links to the recreation ground and new retail.

In addition the adjacent areas are undergoing modernisation and this is apparent from the mix of architecture opposite the proposed Gateway development and the new development at Sambroke Square.

Finally as New Barnet becomes a more popular destination for people that work in the city , this development will add to the demographic mix of the area, enhancing the local economy by default and promoting New Barnet Town centre as a successful town environment.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 SITE DESCRIPTION AND SURROUNDINGS

The Site is currently occupied by several commercial and residential properties all currently vacant. The northern extent of the Site lies within the former New Barnet Gasworks boundary which is currently undergoing remediation as part of the approved planning application for the Victoria Quarter area (LPA Ref: B/04834/14).

Figure 2 below shows the relationship between the Site and the consented planning application for the Victoria Quarter area. A detailed Site location plan is also enclosed within Appendix 2.

As shown within Figure 3 below and Appendix 3, the Site lies to the north of Victoria Road and abuts Victoria Recreation Ground to the north east.

The site measures 1.05 hectares, is approximately 200 metres from New Barnet train station and on the edge of the town centre. Approximately half of the site falls outside of the boundary of the New Barnet Town Centre; mainly Block A and part of Block J2, this is defined on Map 8 within the Development Management Policies DPD.

A culverted watercourse below the site connects headwaters from the west to join an open watercourse running along the edge of Victoria Recreation Ground which is the beginning of Pymmes Brook, part of the London Blue Ribbon Network.

The Site has a Public Transport Accessibility Level (PTAL) of 3 (Moderate) according to Transport for London's (TfL) website.

For clarity the Salvation Army building, located between J1 and J2, is the only building being retained. No.8 Albert Road has previously been demolished in accordance with the extant planning permission (LPA Ref: B/04834/14). The principle of demolishing the following properties was also approved as part of the extant planning permission:

- No.1 and 3 Victoria Road; and
- No.2 Albert Road.

No.5 Victoria Road currently falls within the application Site and was occupied by the drycleaners.

In order to facilitate the proposed development, the applicant has purchased No.15 East Barnet Road and has agreed to relocate the drycleaners into this property.

With regards to 7 to 9 Victoria Road, whilst the 4 bed properties have only recently been completed, their demolition is necessary to enable a comprehensive development to come forward.

Further to the east of the Site along Victoria Road lies 3 residential properties and the derelict former Burlington coachworks (No.21 to 23 Victoria Road). These properties would also require demolition.

The single storey East Barnet Shooting Club lies directly to the east of the Site. The Nightingale day nursery lies to the east of the pedestrian footpath into Victoria Recreation Ground from Victoria Road. Two and three storey residential housing sits further to the east and two public bars, along with some other low rise industrial buildings sit directly to the west of the Site.

A new four storey development sits directly opposite the site (No.15 East Barnet Road) to the south and marks the corner into New Barnet Town Centre, which is generally characterised by three and four storey commercial properties of varying architectural styles.

To the north of the application Site and the previous consented redevelopment, lies the National Grid depot and the pressure reduction facility associated with the high pressure gas pipeline. It should be noted that National Grid have a right of access across the application Site and the previously consented development

The railway line lies to the west of the Site and forms a barrier to pedestrian and vehicular movement. The main east to west link is via Station Road directly to the south west of the Site. Between the previously consented site and the National Grid depot is a pedestrian footbridge. In accordance with the extant planning permission (LPA Ref: B/04834/14), the caged bridge that connects Victoria Recreation Ground with Cromer Road is to be stopped up, demolished and then replaced with a new pedestrian link at ground level.

The wider context is formed from a combination of residential developments to the North and East, with more commercial buildings to the south and west associated with New Barnet Town Centre and along Station Road. Station Road to the west has a number of higher rise commercial and residential buildings up to eight storeys high.

There are no protected trees, listed buildings or conservation areas within the area surrounding the Site.

The Site is within a well-established urban area with a range of local amenities, services and facilities. As highlighted within Section 1.3, a planning application for a new leisure centre in Victoria Recreation Ground has also recently been approved.

2.2 ORIGINAL DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant is seeking planning permission for Demolition of the existing residential and non-residential buildings (1 to 9 Victoria Road, 15 to 23 Victoria Road and 1A, 2 and 2A Albert Road) and construction of 115 residential units (Use Class C3) within Buildings A, H, J1 and J2 (an increase of 63 residential units across the Victoria Quarter Redevelopment Area), 623sqm of commercial/retail/office floorspace (Use Class A1-A4/B1/D1/D2) within Building A and Building J1,

the creation of new publically accessible open spaces and pedestrian routes together with associated access, servicing, car parking, cycle parking and landscaping, including relocation of an existing sub-station.

Amendments to the scheme.

These comprise of:

- Reduction in Height of Block H onto Victoria Road

The design of this building has been reviewed and subsequently amended. This has resulted in the height of the building reducing from 6/4 storeys to 4/2 storeys.

- Position of Block H

The pavement along Victoria Road in front of Block H has been widened as a result of setting the building back. This has enabled a 2.5m to 7.9m pavement to be created and the existing building line maintained.

- Access Improvements to Gateway Square

The design of the Gateway Square at the front of the Site facing onto Victoria Road has been reviewed. The level of this space has been amended to ensure that there is level ground in front of the non-residential floorspace that is proposed.

- Transport Amendments

In response to the comments received from your transport colleagues, the applicant has amended the basement floor plan to ensure that:

- The access into the basement is 6m wide along the entirety of the ramp into the basement; and
- That the Block F cycle store door does not clash with the transfer zone around the disabled car parking space.

The landscaping plan has been amended to:

- Realign Albert Road East and create a better visibility splay;
- Introduce a zebra crossing on the main pedestrian link between Block J and Block A;
- Materials amended to comply with LBB guidance;
- Tree positions altered; and
- Exit from basement of Block A altered.

Amendments to the Unit Numbers and Mix.

For clarity, the number of residential units within Block H will reduce from 38 to 33 units as a result of the proposed amendments. The number of residential units proposed within the application would reduce from 115 to 100. The overall uplift across the Victoria Quarter Redevelopment Area is now 58 residential units and the total number of residential units across the Victoria Quarter Redevelopment Area would be 363.

The changes to the unit mix as a result of the amendments above are as follows:

Size	1 bed	2 bed	3 bed	4 bed	Total
Submitted Unit Mix	44	63	6	2	115
Revised Unit Mix	34	65	3	2	104

- Affordable provision amendments:

	Gateway application – Initially Proposed			Gateway – Now Proposed		
	Block J1	Block J2		Block J1		Block J2
	Rent	SO	PD	SO	PD	SO
1b/2p	6			6		
2b/3p	5	3	1	1	4	4
2b/4p	2	3	3		2	6
3b/5p M			2			2
Total	13	6	6	7	6	12

Proposed Gateway & Wider Victoria Redevelopment

Number Percentage

- Revised Car Parking Ratio

The car parking ratio across the Victoria Quarter Redevelopment Area has increased slightly from 1.07 spaces per dwelling to 1.09 spaces per dwelling as a result of the proposed amendments.

- Revised Density

The density of the scheme has reduced from 110 dwellings per hectare (dph) to 99dph as a result of the proposed amendments.

2.3 REVISED DESCRIPTION OF DEVELOPMENT

The revised description of development is therefore as follows:

Demolition of the existing residential and non-residential buildings (1 to 9 Victoria Road, 15 to 23 Victoria Road and 1A, 2 and 2A Albert Road) and construction of 104 residential units (Use Class C3) within Buildings A, H, J1 and J2 (an increase of 52 residential units across the Victoria Quarter Redevelopment Area), 623sqm of commercial/retail/office floorspace (Use Class A1- A4/ B1/ D1/ D2) within Building A and Building J1, the creation of new publically accessible open spaces and pedestrian routes together with associated access, servicing, car parking, cycle parking and landscaping. Relocation of an existing sub-station.

The amended scheme has resulted in the following:

NEW HOUSING MIX

Barnet's Core Strategy as expressed in Policy CS4 is seeking to ensure a mix of housing products in the affordable and market sectors to provide choice for all households. Barnet's plan found that our dwelling size priorities are for family accommodation across all tenures. Four bedroom properties are the highest priority with 3 bedroom medium priority (but highest for social housing). This proposed

development overall has 2 x 4 bedroom properties and 3 x 3 bedroom giving an overall figure for the whole of the Gas Works site as 30 x 4 bedroom properties and 80 x 3 bedroom properties within the scheme over all phases of development. This mixture of housing is considered to be acceptable by officers.

NEW AFFORDABLE HOUSING ELEMENT

Barnet has a delivery target of 40% affordable homes (with a minimum of 5,500 by 2025/26). The proposed 18.3% affordable units for this particular element of the development and the overall 17.9% affordable housing element for the whole of the Gas works site development is considered acceptable bearing in mind the level of viability for the scheme and the extensive de-contamination works involved with the whole of the Gas Works site.

Proposed Gateway & Wider Victoria Redevelopment - Housing Mix		
Unit Type	Amount	% of Total
1 bed, 2 person	83	23.2%
2 bed, 4 person	164	46%
3 bed, 5 person	80	22.4%
4 Bed 6 person	30	8.4%
Total	357	100%

The housing mix is set out in the table above; 32% of the flats would be family-sized three/four bedroom units. A total of 19 intermediate affordable housing units are proposed on the current application site, which is 36.5% on the uplift of 52 units from the extant permission.

Tenure Split across the whole of the Victoria Quarter Redevelopment Area:

	Affordable Rent	Shared Ownership
1B2P	1	9
2B3P	1	15
2B4P	6	18
3B4P	0	2
3B5P	10	2
Total	18 (28%)	46 (72%)

All the new dwellings would be built to adaptable standards; 38 being Wheelchair Standard units across the whole scheme.

COMMERCIAL FLOORSPACE

623sqm of commercial floorspace is proposed and this would be located along the Victoria Road frontages of Block J1 (270sqm) with some commercial area being located within Block A (353sqm). This would comprise either Use Class A1 (retail), A2 (financial/professional services), A3 (restaurant/café) Floorspace, A4 (drinking establishment), B1 (office), D1 (community) or D2 (sports/leisure). Use Class A5 (Hot Food Takeaway) has been restricted from all the commercial uses.

HIGHWAYS ASPECTS, VEHICULAR ACCESS AND PARKING

Vehicle access is proposed utilising Albert Road (East and West) via Victoria Road into a network of internal streets, including the priority route to the existing National Grid gas works site which runs north to south across the site.

The present access arrangements require that vehicles entering the site use the eastern arm of Albert Road whilst those exiting may use either arm. With the new access arrangements the arrangements remain the same however the road alignment is to change on the eastern arm of Albert Road.

Car parking would be provided through a basement car parking area in Block A, open parking courtyards and on street spaces.

Cycle and refuse storage is generally located in secure enclosures within the buildings, basement parking areas and courtyards, although some stand-alone cycle rack areas are proposed adjacent to the retail frontages.

The scheme is also to allow for two new pedestrian crossings on Victoria Road and East Barnet Road, these are to be a Puffin crossing and a Toucan crossing. There will also be a level of road re-alignment and footway/cycle way improvements which will be part of the Section 106 agreement.

BUILDING DESIGN

The Proposed Development has been designed to complement the surrounding streetscape whilst also ensuring that it integrates and compliments the previously approved development that would adjoin the Site to the north.

In physical terms, the development would comprise 4 separate blocks, labelled A, J1, J2 and H.

Building A: This building is a feature building which would form the heart of the new neighbourhood and assist with way finding between the Town Centre, Victoria Recreation Ground and the proposed new leisure centre within Victoria Recreation Ground. The building would step up from 6 storeys towards an 8 storey element (previously approved at 6 storeys) which will overlook a new public square and the Recreation Ground with its new access way. Non-residential uses are located on the ground floor of this building and would help to introduce more activity and people into the public spaces that are to surround the building.

Buildings J1 and J2: Block J is 4 to 5 storeys The scale and massing of these buildings has been developed to be sympathetic to the surrounding context, whilst ensuring that a new public square is formed at the southern end of the site onto Victoria Road.

The south eastern corner of Building J1 has been chamfered to help create a 'funnel' at the entrance that draws people into the Site. As highlighted above, the ground floor of Building J1 has been identified as a key location for non-residential uses due to its proximity to the town centre. Building J1 would be four storeys tall but the fourth floor would be stepped in, away from the principal building line.

Building J2 lies to the north of the existing Salvation Army building and is set back within the scheme facing onto a new open space to the north. Building J2 would be 5 storeys tall.

Building H: This building marks the eastern side of the gateway into the Site. The massing and form has been developed following pre-application discussions and whilst the frontage onto Victoria Road and Albert Road East was primarily 5 storeys and the corner of the building would have been 6 storeys, this has been reduced significantly to 2 to 4 storeys thereby reducing the building element to try to conform more to the lower scale building to the east and west of the site.

The architecture of the proposed blocks would be contemporary, incorporating the use of two types of brick.

UNNAMED STREET INTO VICTORIA PARK

The mews street to the east running down to the Recreation Ground would be 2 storeys high along the western side of the road and would create a residential street that reflects the existing residential fabric further to the east, it also provides natural surveillance over the existing pedestrian footpath into Victoria Recreation Ground.

The ground floor areas of Blocks J1 and A will incorporate Use Classes A1/A2/A3/A4, B1, D1 and D2 Floorspace.

PUBLIC REALM AREA

The building line of blocks J1 and H has been further set back to allow for a new larger area of public realm to be created fronting Victoria Road, which could possibly also serve as a 'spill out' area for the commercial uses, providing greater connectivity to the public realm area. In total the scheme proposes 2,916sqm of new public realm/open space within the development.

PEDESTRIAN WALKWAY

Between the Victoria Quarter Redevelopment Area and the National Grid land is an elevated, caged pedestrian walkway (approx 3-4m above ground level) which crosses the site from east to west and provides a pedestrian route via a tunnel beneath the network rail track between Victoria Recreation Ground (to the east) and Cromer Road (to the west). This is a public right of way.

BOUNDARY TREATMENT

The boundary treatment adjacent to Victoria Recreation Ground, which adjoins the site would be replaced to enable an extension of the park into the scheme and a new entrance to the Park to be formed. The access roads, external parking areas and pedestrian footpaths would be constructed using a variety of hard surface materials and would be interspersed with hard landscaping and planting.

3. PLANNING CONSIDERATIONS

3.1 PRINCIPLE OF THE USES PROPOSED

Along East Barnet Road within the town centre, building heights generally range from 2 to 4 storeys with small building footprints and narrow frontages. The exception being the Sainsbury's store and church which are larger buildings.

Massing is higher to the west of the railway bridge on Station Road and Station Approach with a number of large blocks extending up to 10 storeys in height (see Appendix 4).

Beyond the main retail area (including the retail units along Lytton Road), the scale and massing of development is more domestic, reflecting a suburban character, with typical building heights of 2-3 storeys.

The surrounding residential areas are characterised by low rise Victorian and Edwardian housing. Further north is the Bevan estate (consisting of Hertford Road, Hertford Close, Westbrook Square and Westbrook Crescent) which was built in the 1950's and consists of predominantly two storey semi-detached houses.

Victoria Recreation Ground is situated to the east of the site and is identified as a local park in the adopted Development Management Policies DPD. This public open space includes grass football pitches, a children's playground, tennis courts, MUGAs, bowling green, a single storey building with toilets and roller shutter front and hard stand car parking, more recently planning permission has been granted for a swimming pool facility.

A number of footpaths run through the park linking the adjoining residential area with New Barnet town centre and the beginning of the Pymmes Watercourse runs along the Southern boundary.

The site lies within the New Barnet area, encroaching on part of the Town Centre boundary shown on the New Barnet Town Centre Boundary Map 8 contained within the Barnet Local Plan Development Management Policies. This policy requires development proposals to support strategic policy directions for these areas, optimise residential output, provide necessary infrastructure, promote sustainable transport and support the regeneration of the wider area.

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

Policies and guidance:

Strategic and site specific guidance - The three dimensions to achieving 'sustainable development', the fundamental principle underpinning the planning system as specified in the NPPF, are particularly relevant to this application, namely:

- **Economic Role:** The principle bringing back into use a vacant, underused and contaminated brownfield site on the edge of the New Barnet town centre, is highly desirable, adding additional population and complimentary non-residential floorspace in the right place and at a time that could support the revitalisation of the area, in a way that is coordinated, reflecting the specific guidance contained in the New Barnet Town

Centre Framework as well as offering the potential of wider infrastructure improvement through CIL contributions and s106 obligations. The proposed development would also create construction jobs and permanent jobs once completed.

- **Social Role:** The contribution of additional homes including family sized affordable housing to address local needs and priorities. The high quality housing meets floorspace standards, adaptable homes standards and wheelchair standards, as well as amenity and playspace requirements. The site is accessible to the town centre and Victoria Recreation Ground. It will cater for the needs of current and future generations. Impacts posed by the scheme are further mitigated through planning contributions and CIL levy, seeking to respond to infrastructure provision including but not limited to health, education, highways and community facility provision and enhancement.
- **Environmental Role:** The scheme responds to the environmental constraints and a combination of the controls on construction, the operational design and aspects of it controlled by various conditions of approval will protect and enhance the natural environment. This includes the adjacent Pymmes Brook in Victoria Recreation Ground as well as the flora and fauna present on the site and surrounding area, including the retention and protection of trees on site and adjacent. In addition, the scheme addresses the Mayors energy hierarchy and seeks to minimise CO2 emissions. The scheme maximises its contribution to mitigating against climate change whilst providing an environment that is adaptable to it, being a step towards low carbon form of development. In addition and as discussed in the following sections of this report the scheme is considered to reflect the priorities of contributing to the revitalisation of town centres through its range of uses and its design as discussed in later sections of this report. It also delivers a wide choice of high quality homes as part of a high quality scheme overall. It contributes to healthy communities in terms of the design of homes, amenity space provision and supporting infrastructure as well as in the improved links and access it provides to Victoria Recreation Ground. This accords with the strategic intent of the NPPF.

MAYOR'S PLANNING POLICIES AND GUIDANCE

In respect of reflecting the regional priorities as contained in the London Plan and associated guidance, similarly to the NPPF, the proposal is considered to accord with the Mayor's planning policies and guidance. For example, in seeking to meet housing demand which is a critical priority, optimising the use of sites near to public transport nodes and particularly, the bringing into use brownfield sites, vacant and under-used areas of land and buildings and supporting town centres, the scheme achieves this. In addition, the scheme represents a high quality development with new housing that meets the necessary amenity requirements without adverse impact to the amenity of neighbours. As with the NPPF, it addresses potential transport impacts as well as impacts to the natural environment and climate change mitigation.

This accords with the intent of the London Plan with the following sections of this report identifying specifically how the development details address the specific policies and guidance of the Mayor.

LOCAL GUIDANCE

In respect of local guidance, the site is nominated within the New Barnet Town Centre Framework. The framework was adopted on November 29 2010. The Framework sets out a vision for the future of the town centre and provides detailed guidance to direct future development in New Barnet in a well-planned and coordinated manner. The Framework is a material consideration when considering any planning applications for the area it covers.

The Framework brings together existing spatial and other strategies and establishes further planning guidance to proactively direct future development towards a realisable vision in a well-planned and coordinated manner (Framework para 1.5). It is intended to respond to the various opportunities to transform the town centre by virtue of a number of significant development sites within, and on the edge of, the town centre which have become available for redevelopment over the past few years which have sparked significant developer interest, with an approach reflecting community aspirations and the localism agenda (Framework paras 1.3 and 1.4).

The Framework provides a guide for developers in drawing up development proposals which will enable the vision for the town centre to be realised, and will assist the Council in the determination of future planning applications (Framework para 1.6). Figure 2.1 of the Framework identifies the majority of the larger gas works site as disused with lesser sections being used (informally) for car parking as well as small scale business uses fronting Albert Road East and West and Victoria Road.

Figure 3.4 of the Framework identifies the site as a character area 'Victoria Quarter' to be promoted as a residential-led mixed use redevelopment. Chapter 8 'Opportunity Sites' sets out the key specific guidance for key opportunity sites, for which Victoria Quarter is Site 1. It describes the existing development and uses, key site constraints and development principles for layout, land use, scale/quantum and vehicular access when considering proposals. The following sections of this report considers how the previous approved scheme addresses the Framework and how this current drop in application fits with the scheme and assists with its viability position.

DENSITY

NPPF para 47 seeks to boost significantly the supply of housing, including identifying sites for delivery and the approach to density with regard to local circumstances. London Plan policy 3.4 seeks to optimise the housing potential of sites. This provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting. It is noted that the Council's New Barnet Framework does not suggest a density range for 'Victoria Quarter'. Although Core Strategy policy C3 and the Residential Design SPD both identify sites or further opportunity sites set within the London Plan context.

The scheme has a PTAL of 3. The previous GLA stage 1 advice confirms that the site setting for the purposes of PTAL can be regarded as part 'Urban' given it is on the edge of the town centre. Indeed, it is identified as forming part of it according to the New Barnet Town Centre Framework. The London

Plan therefore suggests a guideline density range of 200-450 habitable rooms per hectare (70 to 170 dwellings per hectare)

The drop in application provides for scheme that is 372 habitable rooms per hectare or 99 dwellings per hectare which is well within the range advocated by policy. Which falls within the guidelines for density in this location within the Town Centre Framework.

This reflects the approach to optimising housing in London Plan Policy 3.4, it being noted that density is not intended to be applied mechanically (London Plan para 3.28). Furthermore, the previous GLA Stage 1 advice reaffirms this view and further states that town centre and edge-of town centre locations are the best location for higher density development according to the London Plan.

LAND USE MIX

In addition to the 'in-principle' strategic land use priority for housing, planning policies also address the appropriate range of uses within a mixed-use redevelopment in town centre locations. NPPF para 23 as well as London Plan policies 2.15, 4.7 and 4.8 seek to promote town centres including their expansion, enhancement and range of uses to contribute to their competitiveness, quality and diversity, having regard to their scale and function within the hierarchy of town centres.

Barnet Core Strategy Policy CS6 seeks to manage development opportunities in centres such as New Barnet which is identified as a District Town Centre in Map 9.

Barnet Development Management policy DM11 seeks a suitable mix of appropriate uses for development within town centres. The New Barnet Town Centre Framework identifies a mixed use approach suggesting the incorporation of food/drink uses at ground floor, replacement community uses plus a range of supporting uses including office leisure and residential.

The scheme proposes the following uses:

- A block - 253sqm flexible Class A1, A2, A3, A4, B1, D1 and D2 Floorspace with no end user currently identified.
- J1/J2 Blocks - 270sqm flexible Class A1, A2, A3, A4, B1, D1 and D2 Floorspace with no end user currently identified.

The flexible range of uses, the size of units and their location within the development being along the pedestrian link is considered to support the enhancement of the New Barnet Town Centre. With respect to the framework and the uses specified, the following is noted, although Class A1 floor space is included in Blocks A and J1/J2 this is not considered to detract from the town centre because, the amount of floor space is modest, it is part of a flexible floor space approach seeking to maximise the chances of occupation and the benefit of establishing an active frontage.

In respect of leisure and sport uses and the link to Victoria Recreation ground, the application site boundary does not include the neighbouring council owned land which is beside Victoria Recreation Ground which is currently in use by local leisure/sport groups.

As such, the current and future potential of this council owned site for leisure and sporting uses are not prejudiced by this scheme. The scheme accords with the above mentioned policies in respect of the mix of uses proposed.

LOSS OF EMPLOYMENT SITES

In respect of the former commercial uses within the buildings currently forming the frontage to Victoria Road, these uses have no protection under the London Plan as confirmed in Stage 1 advice from the GLA with the original gas works application, nor is the site designated in the LB Barnet Core Strategy as a locally significant commercial or industrial area.

However, a level of new employment is envisaged with the commercial uses being proposed within the overall scheme.

HOUSING QUALITY

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan, Barnet Core Strategy Policies and Development Management DPD policies as well as the Barnet Sustainable Design and Construction SPD and the Residential Design Guidance SPD. The following sections assess the scheme against the relevant policies and standards.

UNIT MIX

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (Barnet Development Management Policies DPD policy DM08). The council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

The Gateway application provides for 18.3% (19 out of 104) units to be affordable. The total site includes an uplift of 52 new units and 36.5% of the uplift will be affordable.

UNIT MIX & TENURE ACROSS WHOLE SITE

Unit size	1 bed	2 bed	3 bed	4 bed	Total
Market	73	124	66	30	293
Private Rented					
Social Rent	1	7	10	0	18
Shared Ownership	9	33	4	0	46
Total	83	164	80	30	357

The unit mix outlined above is considered acceptable and the approach is considered to accord with the stated borough priorities.

Across the original Gas Works site, the approved affordable units were to be 15% of the 305 units approved, with the current proposal this rises to 17.9% on 357 units.

FLOORSPACE STANDARDS

Table 3.3 in the London Plan 2016 and Standard 24 in the Mayors Housing SPG 2016 provides a minimum gross internal floor area for different sizes of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal. Table 3.3 Minimum Space standards for new dwellings (adapted from London Plan)

Dwelling Type (bedroom/persons-bed spaces) Gross Internal Area Standard (m²).

Table 3.3 Minimum space standards for new dwellings[7]

Number of bedrooms	Number of bed spaces	Minimum GIA (m ²)			Built-in storage (m ²)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0

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

ADAPTABLE HOMES AND WHEELCHAIR HOUSING STANDARDS

Barnet Local Plan policy DM03 requires development proposals to meet the Highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All developments should provide 10% wheelchair home compliant units, as per London Plan policy 3.8.

Annotated drawings and supporting information demonstrate that all dwellings achieve this criteria, as such the current application provides the required provision of wheelchair adaptable standards. Therefore the scheme satisfies policies and guidance for wheelchair housing provision.

DUAL ASPECT

The majority of units are multiple aspect with only (23) being single aspect, none of which are north facing.

AMENITY SPACE AND PLAYSPACE PROVISION.

Barnet's Sustainable design and Construction SPD sets the minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to be provided with 5sqm of usable outdoor communal or private amenity space per habitable room proposed and houses considerably more as detailed in the table below.

For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Table 2.3 Outdoor amenity space requirements (Adapted from the Sustainable Design and Construction SPD):

Flats Provision Per habitable room (5m²)

The GLA Housing SPG specifies a minimum of 5m² of private outdoor space this should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.

All flats proposed have private balconies or terraces, all of which would meet the SPD minimum width requirement of 1.5 metres, therefore comprising usable amenity space.

'Block H' has a rear terrace running down the unnamed road to the park, these properties have first floor private garden areas and rear terraces, providing compliant private amenity space. Overall the total provision for private amenity space on balconies and terraces totals 1,613m².

All of the proposed residential units comply with the Mayor's private amenity space standards. Whilst the scheme does not fully comply with the private amenity space standards in LBB's Sustainable Design and Construction SPD, a variety of private, communal and public amenity spaces are proposed. In terms of public amenity space, the proposed development would deliver 2,916sqm of new public open space that residents can easily access as well as the nearby Victoria Recreation Ground. The total amenity space provision equates to 4,529sqm.

In addition, it is noted that the spaces would be fully accessible, would receive natural light and surveillance.

In addition to the above, the scheme makes provision for children's door step playspace in accordance with the Mayor's 'Providing for Children and Young People's Play and Informal Recreation' SPG.

There is however a small shortfall of private amenity space of 502m² in overall amenity space provision, however this shortfall is considered acceptable on balance and the contribution to be made, via the Section 106 agreement, to mitigate any shortfall of open space is considered to overcome any open space shortfall.

DESIGN

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

DPD (2012) DM01, DM02, DM03, DM05 and the New Barnet Town Centre Framework. In regard to this the following considerations have been made in regard to this current application:

LAYOUT

The New Barnet Town Centre Framework Chapter 4 'Urban Design' seeks to enhance the quality of the town centre. It provides guidance on urban structure for the area. This includes an indicative location of new public square (Framework figure 4.1), public realm enhancement as part of improving connectivity to Victoria Recreation Ground including tree planting (Framework Figure 4.3). It specifies the contribution the site should make to active frontages in the context of being a 'Secondary Frontage' for the town centre (Framework figures 4.3 and 5.1). Chapter 6 Transport and Movement identifies the area of carriageway enhancement and improved pedestrian crossing facilities at the junction to the south of the site (Framework figure 6.1). The scheme proposes improvements to the footpaths and junction to the northside of Victoria Road fronting the site as well as adding two controlled crossings as mentioned above.

A key aspect in delivery of this current application has been the complex and extensive land assembly at the southern end of the application site. This has been a significant issue previously with the larger gas works site, however; the applicant has managed to acquire additional land and properties along the Victoria Road frontage to allow for an enhanced scheme of development associated to the overall Gas Works site. It has not been possible in practice to assemble all the properties along this frontage such as the Salvation Army building, currently located between Blocks J1 and J2, does not form part of this current application.

Therefore, the scheme has had to balance the realities of the site boundary with the aspirations of the Framework and the limitations of the land available. In addition other wider constraints such as maintaining access for properties along Albert Road East and West as well as the National Grid land to the north and the east west pedestrian link. Additionally, environmental constraints of tree protection and watercourse protection have had to be accommodated.

Despite the various constraints the scheme reflects the main intent of the Framework and key features for urban structure. The public square concept has been translated into Victoria Square fronting Blocks J and H. This square will act as a natural focal point for the setting of the development along with the taller Block A which is a point of interest and orientation.

These focal points are located within the site along the desire line as a series of public space linkages through to Victoria Recreation ground. They benefit from soft and hard landscaping which includes tree retention as well as additional tree planting. This will reinforce the active ground floor frontages and non-residential uses which front Victoria Road and extend back to Block A, midway along the linkage to Victoria Recreation Ground.

Legible, well landscaped and clearly defined routes are established through the site including the central spine road through the redesigned surface level east west pedestrian link forming part of the original Gas Works approval, between Cromer Road and Victoria recreation ground as well as the redefined frontages of Albert Road East and West which are now framed by Block J and Block H.

As well as clearly defined pedestrian connections, strong visual connections as well as actual pedestrian connections to Victoria Recreation Ground are made possible by the spacing between Blocks A, J and H.

CHARACTER AND APPEARANCE

The proposed buildings will establish a completely new identity for the site. In terms of assessing the existing character, other than the existing properties on Victoria and areas of Albert Road which will be demolished as part of the redevelopment and which otherwise possess little if any interest or street scene value, the remainder of the site is to be cleared. All that remains of the whole gas works site and the current drop in application is the gas holder and depot buildings of the national Grid site to the north and the Salvation Army building.

In terms of evaluating the surrounding character and appearance, the New Barnet Town Centre Framework states; in respect of architecture generally, that the town centre "suffers from a generally poor quality built form which lacks coherence or a dominant style, although there are some interesting individual buildings" (Framework Para 2.4).

Framework Figure 4.2 identifies the public house adjacent the junction as a "character building" to be retained and enhanced. Regard has also been had to properties outside the red line boundary including the Albert Road East and West properties which include the Salvation Army hall as well as the terrace and dwellings of Victoria Road. The recreation ground and network rail land contribute a verdant character. Further still the wider suburban residential character is from last century.

The proposed buildings are contemporary in style, employing a limited pallet of durable materials and finishes with an emphasis on brickwork and punctuated fenestration, recessed and projecting balconies. Within the contemporary interpretation, the classical approach of breaking buildings down into base, middle and top and using repeated fenestration elements of window/door way openings provides a balance between a consistency, differentiation and interest in the architecture.

These design tools assist in for example, the breaking down of the bulk, mass and scale of the proposed blocks. Along with the increase in height of Block A, which creates a unique focal point building in the architectural arrangement of the development.

Material changes (inset corner balconies and chamfers on the blocks) as well as limited terracing also assist the proposed blocks to address the low scale residential and commercial neighbours.

The materials and fenestration pattern also establish a coherent group when viewed obliquely along the central spine road whilst each unit has its individually defined form, proportioned and detailed in its own right whilst providing an overall coherence to the design.

The mews house format and flatted development for Block H, provides direct connection, active surveillance and strong edge to the existing access into Victoria Recreation Ground between the shooting club and the nursery.

Block J1 is adjacent to the junction of Victoria Road and East Barnet Road and helps to create a funnel that connects the town centre with the recreation ground. It echoes the modern and

regenerative intervention of the previously approved development across the road at 15 Victoria Road (ref: B/00939/13).

As a group, the proposed blocks retain an intimate scale with the varied architectural character of Albert Road West and Block J starts to establish a street character and form to Albert Road east.

In addition to the buildings and spaces between them, the other change to appearance and character is the removal of the east west pedestrian bridge and construction of a stairway, to maintain a surface level link with the network rail tunnel which remains unchanged and at the level of the bridge. This was agreed with the original gas works application for redevelopment its removal and replacement will however be regulated by the section 106 attached to this application.

The staircase has a far reduced impact compared to the caged bridge it is to replace but is similarly utilitarian and functional in appearance.

Blocks A and H address their relationship to Victoria Recreation Ground with their appearance, working with the layout, massing, scale and height such that they are not considered to be too overt or overbearing to the setting of the recreation ground.

The mature trees as well as additional landscaping and border planting will further soften the architecture and appearance when viewed from the recreation ground.

There is no impact to National grid land to the north and the proposed residential properties beyond.

In summary, the architecture presents a consistent and high quality appearance which responds to its surroundings. It provides an attractive development which is contemporary in appearance yet employs a number of architectural devices, creating a new character for the site that is considered appropriate and acceptable.

HEIGHT, BULK, SCALE AND MASSING

The building heights vary in response to the surrounding character and context as follows:

- Block A: 6 to 8 storeys;
- Block J: 4 to 6 storeys; and
- Block H: 4 to 2 storeys.

As noted above, the bulk, scale and massing of the scheme is broken down into a series of blocks responding to the surrounding context, including the neighbouring properties on Victoria Road and Albert Road East and West, Victoria Recreation Ground and Network Rail land. It strikes a balance of optimising the density whilst providing a scheme that is appropriate in respect of character and appearance as well as achieving high quality accommodation for occupiers and maintaining amenity for neighbours.

SAFETY, SECURITY AND CRIME MITIGATION

The Metropolitan Police crime prevention design advisor has reviewed the scheme and is satisfied with the design in terms of overlooking and surveillance subject to particular aspects such as

defensible planting to the border with Victoria Recreation Ground and the design of the basement gate which is to be conditioned if the council was considering approval.

Metropolitan Police commented in respect of the potential effects of the scheme and alterations to the east west pedestrian link through the network rail tunnel between Cromer Road and Victoria Recreation on safety, security and crime. Although there is not a safety security and crime issue identified currently by them or by the council's Future CCTV service (part of the Barnet Safer Communities Strategy) and the changes proposed by this scheme are beneficial, it will nonetheless result in a change to the area which may have some affect to safety, security and crime.

CONSERVATION AND ARCHAEOLOGY

The site does not include any listed buildings and is not within a conservation area, nor are there any listed properties whose setting would be adversely impacted upon by the proposal.

AMENITY

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9).

Amenity is a consideration of London Plan 2016 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces', in addition to Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD.

PRIVACY, OVERLOOKING AND OUTLOOK

Neighbour relationships and potential privacy, overlooking and outlook impacts to consider are in relation to the neighbours in properties on Victoria Road and neighbours on Albert Road West. Otherwise, neighbours are much further afield as a consequence of the intervening Network Rail, National Grid and Victoria Recreation Ground.

There are no potential impacts posed by the proposed blocks in respect of the other nearby properties, the following aspects are considered relevant:

- Block A: This block is a significant distance away from any existing residential properties on Albert Road West or Victoria Road, there are therefore no issues with overlooking or loss of privacy. Otherwise, the building faces the forecourt parking of a single storey building on council owned land, identified for redevelopment, with no privacy, overlooking or outlook impacts to consider at this time.
- Block J: this block is approximately 7m away form a north facing flank wall of a commercial premises (Public House). As such, there is no impact to consider but it is nevertheless noted that the property has an outlook to its forecourt and Albert Road West.
- Block H: Has relationships across Victoria Road and Albert Road East: The closest relationship is to the adjoining residential property to the east of the block which is approximately 17m distant from the gable wall of the property, the gable wall only has a kitchen, bathroom and stairway window facing Block H and as such there is no impact to consider from this aspect. The relationship to 4 properties on the south side of Victoria Road, which has approximately 20m separation distance from proposed Block H, presents new habitable room windows directly fronting habitable room windows in 4 residential properties. Notwithstanding this; 20 meters is considered to be acceptable bearing in mind Victoria Road

is a busy route and it separates the properties from the new block, it is considered therefore that the situation is acceptable from an overlooking and privacy aspect.

The revised scheme, which now incorporates a setback to align with existing building frontages now reflects the established building setbacks of the area and indeed, lesser setbacks across London streets is not untypical and on balance it is considered reasonable given local context and character.

Otherwise, the nearest residential neighbour is no. 1 Albert Road West which is further north and opposite the Salvation Army Hall rather than the application site. As such there are no direct relationships to consider.

Relationship to Salvation Army hall: Notwithstanding that the property is non-residential and as such, there is no impact to consider, the scheme adjoins both flank walls of the hall and a service path and not its principle openings.

NOISE AND GENERAL DISTURBANCE

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site and extending to an increased use of Victoria Recreation Ground and local streets for example, the use is consistent with the residential character of the wider area and is also appropriate in the context of the edge of town centre location. Nor is the additional non-residential floorspace considered to pose any impact to warrant refusal given the uses are appropriate and acceptable in this edge of town centre location.

In respect of future occupiers, the following potential impacts have been identified: potential noise and disturbance for J1 and J2 Blocks as a consequence of the surrounding non-residential uses including the public house potential noise and disturbance from Network Rail track. Potential impacts to the upper floors J1 and J2 blocks as a consequence of the ground floor non-residential uses These potential impacts have been considered in detail by the Council's Environmental Health team and addressed through appropriately worded conditions for improved window glazing. This is in addition to the insulation requirements between floors as required separately by Building Regulations.

Additionally, the Class A5 (Takeaways) land use has been deleted from the application in an effort to minimise potential sources of disturbance outside of buildings. Notwithstanding that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

AIR QUALITY

In respect of air pollution, no impacts are identified by the council's environmental Health Team. It is noted that any extraction that may be required for food premises (Class A3) will extract above roof height via voids within the building, the detailed design of which will be controlled by an appropriately worded condition.

In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the green travel plan which will be secured as part of planning obligations will encourage transport by other modes. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies, whilst there is a shortfall this is to be mitigated by a Carbon Offset contribution of £102k.

MICROCLIMATE

In respect of wind, the proposal does not involve 'tall buildings' as defined by the GLA or the council and as such a microclimate assessment is not required. Nevertheless, it is noted that soft landscape planting is likely to have an ameliorating effect at ground floor level, as will solid balconies and terrace balustrading for the elevated amenity spaces.

DAYLIGHT, SUNLIGHT AND OVERSHADOWING

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

The proposed development design achieves a very high level of compliance with the BRE recommendations. The majority of the neighbouring windows and all neighbouring gardens tested meet or surpass the BRE numerical recommendations. Whilst isolated windows do not meet the recommendations, the results are not unusual in the context of an urban location. The BRE guide explains that the numerical guidelines should be interpreted flexibly, since natural lighting is only one of many factors in site layout design. The proposed development would not result in any significant or unacceptable harm to surrounding properties; and

In relation to the proposed development, the design achieves a very high level of compliance with the BRE recommendations.

CONSTRUCTION IMPACTS

The potential impacts of construction including noise, disturbance and air quality will be mitigated through the construction management plan required by condition.

TRANSPORT, HIGHWAYS AND PARKING

The NPPF 'sustainable development' imperative involves amongst other things, improvements to conditions for travel (para 9) as well as actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling (para 19).

Sustainable development is the focus of London Plan Chapter 4 'Promoting Sustainable Transport'. The importance of the transport and parking implications of development, particularly the appropriate approach for Outer London is addressed in London Plan 2016 policy 2.8 and generally in Chapter 6 'London's Transport' including policies 6.3, 6.9, 6.10 and 6.13. In addition, Barnet Core Strategy DPD 2012 Policy CS9, Development Management Policies DPD 2012 policy DM17 as well as Ch6 Transport and Movement of the New Barnet Town Centre Framework.

The application is supported by a transport assessment and draft green travel plan considering the existing situation; the impact of the proposal; as well as having regard to the future cumulative affects of other schemes and the proposed mitigation measures proposed to be secured as part of s106/s278 agreements with the council.

VEHICULAR ROUTES, MOVEMENT AND SAFETY

The in-principle connections to the site and routes through it, namely Albert Road East and West as well as the central spine road are retained and renewed as part of the wider scheme of development.

Apart from an increased setback to the curb edge and possible surface treatment changes, Albert Road West will not change considerably in transport terms given the compact land holdings and carriageway, other than as a consequence of the junction improvements at Victoria Road and East Barnet Road.

Change will be much more apparent to Albert Road East and the central spine road where parking, servicing and street tree planting will be key features contributing towards the regeneration of this brownfield site. Access to the basement parking area below Block A, will be from Albert Road East. Servicing bays will be provided along the central spine road as well as the location of 2 car club spaces. Visitor parking for non-residential uses will also be provided on the central spine road and Albert Road East. The central spine road will maintain the right of access to National Grid land to the north whilst also accommodating fire fighting and refuse vehicle access with a turning head at its northern end.

In addition to the changes on site, an essential aspect of the scheme is the consideration of impacts on the surrounding local network. In evaluating the impacts of the scheme and considering future cumulative effects, a package of s106/s278 highway improvements have been proposed as part of the recommendations put forward by the transport assessment. The improvements include the following:

- o Victoria Road pedestrian crossing
- o Victoria Road / East Barnet Road puffin crossing
- o Albert Road East and West improvement including footway widening
- o Victoria Road and West Road including footway widening
- o Victoria Road and Barnet Road junction widening
- o PERS audit pedestrian improvements

Although the detailed construction design is for the separate approval of the s278 Highways Act works and still to come, an implicit aspect of the detailed design are highway safety audits to consider the public safety implications of the changes to the highway.

The council's Traffic and Development Team and TfL have considered these highways improvements at some length and are satisfied that these changes will mitigate the additional traffic impacts modelled for this scheme in interest of the maintaining the functioning of the network.

PUBLIC TRANSPORT IMPACTS

It is noted that the site is in very close proximity to New Barnet Overland Rail station as well as several TfL bus routes operating through the town centre.

The application was referred to Network Rail and TfL for consideration.

No improvements to the station itself have been identified as being necessary in regard to this application and it is further noted that the station is not identified as an infrastructure priority elsewhere in policy and guidance including the London Plan table 6.1 'Indicative List of Transport Schemes' which identifies rail upgrades nor in the Council's New Barnet Town Centre Framework.

PEDESTRIAN AND BICYCLE ROUTES, MOVEMENT AND SAFETY

The scheme delivers the following key pedestrian/public realm improvements:

Connection between town centre and Victoria Recreation Ground via the network of public open spaces 'Victoria Square' and 'Victoria Walk';

Improvement to the east west pedestrian link through network rail land which links Cromer Road area with Victoria Recreation Ground, through a Network Rail foot tunnel.

As part of the wider scheme the elevated caged bridge which is a very oppressive and foreboding link to use will be removed, returning pedestrians to a ground level footpath and including building a new staircase up to the retained Network Rail foot tunnel and improved public realm along the link between the site and the railway station as recommended by the PERS audit In respect of bicycle routes, although the Town Centre Framework makes reference to improvements, there are no specific provisions identified for this site or generally in the area other than improved parking facilities for the station (Development Principle 6.3).

However, given the proximity to the station it is envisaged that users from this site would walk to the station. Instead, this scheme makes provision for cycle parking which is conveniently accessed in the site and a green travel plan requirement in the s106 will otherwise promote cycling. This accords with the intent of para 6.3 'Cycling' which states developers should consider how cyclists will access their site and how their needs are accommodated by proposals.

SERVICING AND PARKING PROVISION

Following consultation with Council's Transport and Development Team and TfL, a parking strategy has been submitted. The following various provisions are made for servicing and parking:

- Servicing: There is no designated loading bay for the commercial uses, however bearing in mind the small area of commercial uses it is not considered that this will cause any significant issues with loading/unloading from Albert Road.
- Car parking: The resident parking has been increased from 373 to 392 spaces plus 10 visitor spaces on Albert Road East being within the public highway and therefore cannot be designated to particular commercial uses, this provision results in a parking ratio of 1.10. This is the Council's preference and considered to be an appropriate approach having regard to the site characteristics and needs of the development,
- Motorcycle parking: Although there is no Barnet criteria for motorcycle parking, space is set aside on the central spine road as well as space allocated for 12 motorcycles in the basement of Block A.
- Bicycle parking: A total provision of 571 bicycle parking spaces is made as follows:
 - Basement: Total of 296 spaces befitting blocks A (48 spaces), C (62 spaces), D (62 spaces), E and F (124 spaces)
 - Block A, in addition to the spaces in the basement, there are 36 cycle spaces at ground floor level in a dedicated store;
 - Block B: 57 spaces in a ground floor undercroft parking area
 - Block G apartments: 4 spaces in total, 1 per flat
 - Block G terraces: 56 spaces in total, 2 per terrace in individual secure stores in the front setback
 - Block H: 50 spaces in total
 - Block J: 44 spaces in total,
 - Visitor spaces: 19 spaces located in the storage areas of Blocks A and B

In summary, it is considered that a package of improvements will be secured through s106/s278 to ensure the impacts of the scheme are mitigated for the continued functioning of the network. The site

also maintains and improves on the basic road layout and access whilst making significant improvements to pedestrian connectivity, the scheme also contributes to improved provisions for cyclists. The impact of the car is further minimised and more green modes of transport encouraged by securing a commitment to a green travel plan. For these reasons, the impact of the scheme in transport terms is considered to be sufficiently mitigated to recommend the scheme for approval, subject to the planning agreement and appropriately worded conditions to cover the abovementioned aspects.

WASTE AND RECYCLING

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2016 Chapter 5 'London's Response to Climate Change' policy 5.17 seeks suitable waste and recycling storage provision in new developments as does the Barnet Core Strategy DPD 2012 policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill. For Blocks A, J1, J2 and H, waste rooms are located on the ground floor within associated core access areas of the blocks with some located within the basement parking area beneath Block A. A management company will be responsible for bringing the bins to the nominated point on collection day. The Block H mews houses have their bins open-air to the rear of the terrace.

ENERGY, SUSTAINABILITY, AND RESOURCES

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

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

Residential developments are required to achieve zero carbon development. Policy 5.2 and 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

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

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

SUSTAINABLE HOMES

The application is supported by an Energy Strategy produced by WSP. The non-residential floorspace would achieve BREEAM Very Good Standards and is conditioned accordingly.

The specific features of the scheme include the following:

- **Be lean:**

Consideration of the design and construction of elevations the materials used
Building features specifically to mitigate overheating and minimise artificial cooling Low energy lighting throughout Controls and metering to monitor temperature and consumption to mitigate against unnecessary use, variable controls for the energy centre and basement parking ventilation system to mitigate against unnecessary use

- **Be clean:**

Combined heat and power (CHP) supplemented by gas fired boilers.

- **Be green:**

Photovoltaic cells on roofs of all blocks and houses, generating approximately a total 21,673kW per year.

The measures result in a 42% reduction in CO2 emissions which, is considered to acceptable on the basis that the supporting information demonstrates consideration of a range of available technology and has maximised the CO2 savings having regard to the site characteristics.

There is however a shortfall of 57 tonnes of carbon and as a result the developer will have to pay a carbon offset contribution of £102K.

In addition, 20% passive and 20% active electric car charging points will be secured through an appropriately worded condition.

In summary, although the scheme achieves 42% CO2 reduction target the application nevertheless accords with the intent of the abovementioned policies and guidance which is to maximise the CO2 reductions in the interests of climate change mitigation.

WATER RESOURCES:

In addition measures are incorporated to minimise water usage in the development, the following matters are noted:

FRA/SUDs: In respect of Flood Risk Assessment (FRA) the site is located within the EA Flood Zone 1 (low probability).

The scheme includes a variety of SuDS features that will control and treat water run-off from the site. The measures proposed will reduce surface water runoff from 33% to 79%.

An appropriately worded condition is recommended for tree protection measures during construction to protect mature trees along the Victoria Recreation Ground boundary, if the Council is minded to approve the application;

WATERCOURSE CONSENT

The headwaters to Pymmes Brook traverses the site through an underground culverted watercourse. Whereas Pymmes Brooke and its formal designation as part of the Blue Ribbon Network begins in Victoria Recreation ground. The culvert has been surveyed as part of the construction stage and it has been agreed that the existing culvert can be retained with some minor repairs. .

Although no issues or impacts are identified as part of the planning application, it is noted that separate approval from the local planning authority is required for works to the watercourse, an appropriately worded condition is recommended if the Council is minded to approve the application.

PROTECTION OF PYMMES BROOKE AND BLUE RIBBON NETWORK

The combination of measures including decontamination of the site; waste and waste storage and collection regime; SUDs as well as waste water disposal; tree protection and locally occurring species selection for soft landscaping which are implicit in the design and secured by way of appropriately worded conditions, will all contribute to the positive protection and mitigation of downstream impacts upon Pymmes Brooke, the blue ribbon network and its riparian flora and fauna.

LANDSCAPING AND BIODIVERSITY

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

Along most of the boundaries shared with Network Rail land to the west and Victoria Recreation ground to the east, are subterranean barriers (walls). This is most likely a relic which controlled the effect of activities on the gas works site and the surrounding sites.

Today, it has the practical effect of creating a barrier preventing the spread of tree roots from surrounding sites into the gas works site and will also offer those trees and other vegetation, practical protection from the decontamination and construction works on the application site

In respect of biodiversity, although the site is not identified as a Site of Importance to Nature Conservation (SINC) the combination of habitats meets the criteria for Habitat of Principal Importance, known as Open Mosaic Habitats on Previously Developed Land.

However, the appraisal suggests that the plants species on site are common and widespread and as such, not a rich and noteworthy example of this kind of habitat. The appraisal has identified low potential for bat roosts, medium potential for supporting reptiles and high potential for supporting breeding birds. The site has low potential for badgers, negligible potential to support crested newts or breeding black redstarts.

CIL AND PLANNING OBLIGATIONS

MAYORAL CIL

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

Furthermore, pursuant to Table 3: Mayoral CIL Charging Rates of the Mayor's April 2013 SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £35 applies to LB Barnet.

The financial viability of the scheme has been independently reviewed. The abnormal costs associated with bringing a heavily contaminated industrial site back into use for residential development as well as inherent constraints of diverting and reinstating a watercourse, purchasing additional land and property have a significant bearing on what the scheme can afford to deliver, compared to an alternative site which does not have these same development constraints.

The CIL liability for this current proposal is approximately £394,345 (not including indexation or affordable housing relief) based on the current floorspaces proposed as part of the application. It should be noted that this is an estimate only and CIL is calculated at the time it becomes chargeable, which is at commencement of development.

Nevertheless, the viability assessment has been through review and negotiations have resulted in an improved affordable housing offer from 16.5% to 18.3%. This is considered to be the maximum that the scheme can afford. Nevertheless, positive cascade review clauses will be secured as part of the planning agreement to capture any additional value if the viability of the scheme improves as the successive phases of the development come forward in the future.

LB BARNET CIL

Pursuant to the LB Barnet Planning Obligations SPD, the CIL charging rate is £135 per sqm. In the case of Barnet's CIL, ancillary car parking space is chargeable (SPD Para 2.2.14). The latest estimate of the CIL liability is £1,521,045 (not including indexation or affordable housing relief) based on the floorspaces proposed as part of the application. It should be noted that this is an estimate only and CIL is calculated at the time it becomes chargeable, which is at commencement of development. The estimate also excludes any CIL relief on affordable housing.

SOCIO-ECONOMIC IMPACT:

Overall, the development is expected to contribute positively to the local socio-economic situation in a number of ways, including increased retail expenditure, enhanced open space, housing and employment delivery.

MONITORING OF THE SECTION 106 AGREEMENT

A contribution of £2,000 index linked towards the monitoring and management of the S106 planning obligations. This is required by the Planning Obligations SPD.

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.

The new buildings proposed as part of the application would be required to comply with current legislative requirements in respect of equality and diversity related matters, for example access for the disabled under Part M of the Building Regulations. In addition to this the development, as controlled by the conditions recommended, would ensure that in several regards the buildings constructed would exceed the minimum requirements of such legislation. Examples of this would include all the proposed residential units being constructed to meet the relevant standards, the provision of level or appropriately sloping access within the site, not less than 10% of the residential units proposed being constructed to be wheelchair accessible or easily adaptable for residents who are wheel chair users and the inclusion of disabled standard parking spaces.

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 design of the proposed development is such that the site would allow greater access to open space and community facilities making them significantly more accessible to all members of the community. In this sense the development would have a positive effect in terms of equalities and diversity matters.

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

5. CONCLUSION

In summary, the proposed development would deliver a number of key objectives contained within the Development Plan regime for Barnet and the London Plan. In particular the development will help join up the recreational facilities at Victoria Recreation Ground and the town centre adding some additional commercial and retail provision.

The scheme would also make a significant contribution towards the borough's housing delivery targets and these homes would be located in a highly sustainable location.

The scheme would achieve a high standard of design and would have an acceptable visual impact. Strong controls are in place to ensure that the buildings are constructed to a high standard of detailing. The layout of the development would ensure a legible network of streets and would enhance the frontage of Victoria Road, whilst providing high quality homes for future residents, with appropriate amenity space provision.

A high standard of landscaping is proposed and the scheme also incorporates proposals to enhance the edges of Victoria Recreation Ground and provide a new access from the development site directly in to the recreation ground.

The development would provide an appropriate mix of unit sizes and tenures and would deliver the maximum number of affordable homes possible, having regard to the viability of the development.

The scheme provides an appropriate level of car parking on site, with the emphasis on parking restraint in this accessible location. Travel Plans and Statements are involved which will encourage users of the site to use more sustainable modes of transport and further mitigation will be secured by condition to control details of construction, delivery and servicing and car parking management.

More generally the application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new homes would meet Building Regulation requirements and the commercial units would meet BREEAM 'Very Good'. There are also requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

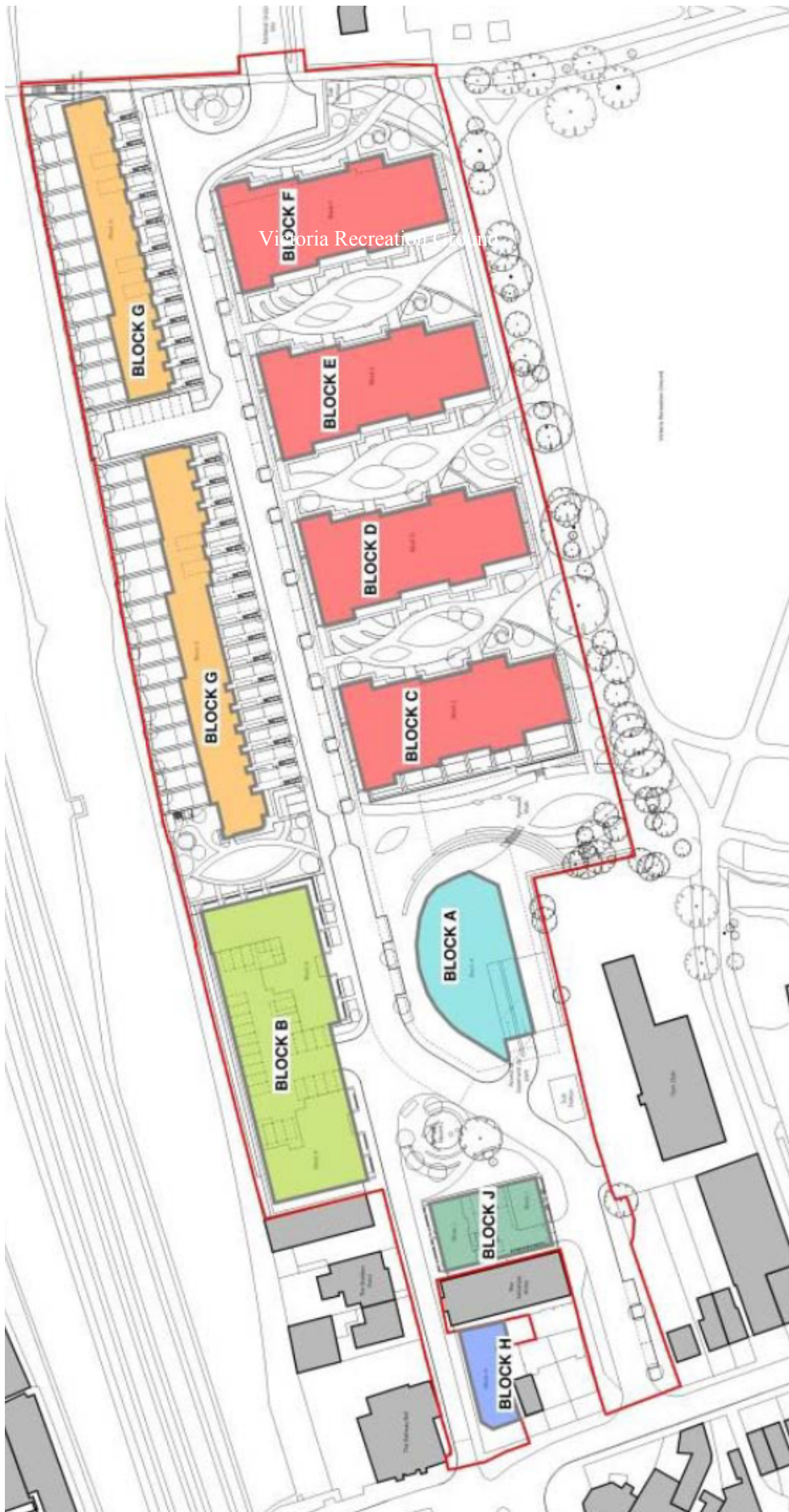
A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers or biodiversity, achieves the benefits that the submission advances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

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

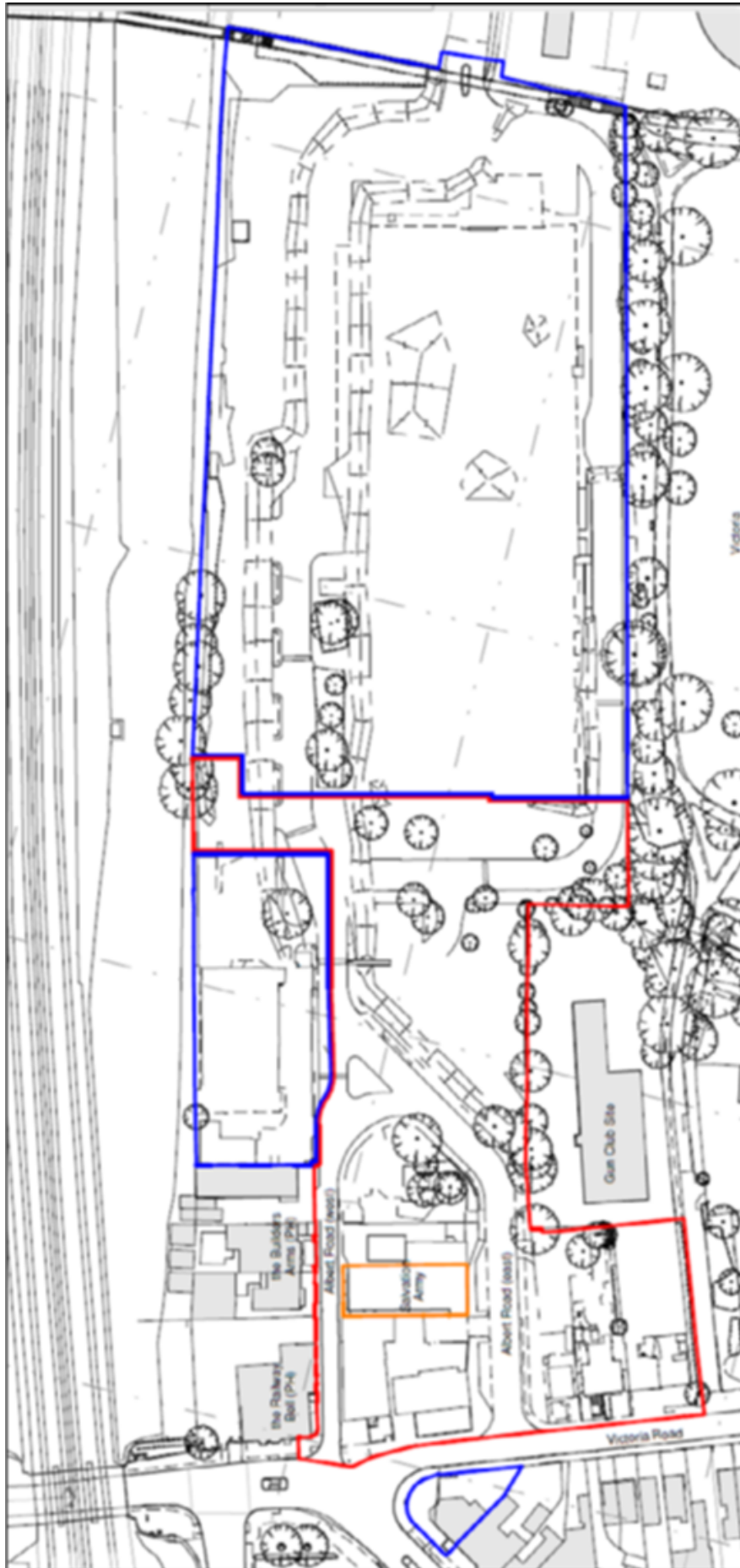
conditions is recommended, as set out in the recommendations section at the beginning of this report.

APPENDICES

APPENDIX 1 – EXTANT PLANNING PERMISSION – B/04834/14



APPENDIX 2 – DROP IN APPLICATION – GATEWAY SITE



APPENDIX 3 – GROUND FLOOR SITE LAYOUT FOR GATEWAY APPLICATION



Location 12 - 18 High Road London N2 9PJ

Reference: 16/2351/FUL

Received: 11th April 2016

Accepted: 26th April 2016

Ward: East Finchley

Expiry 26th July 2016

Applicant: Safeland PLC

Proposal: Demolition of existing buildings and construction of 2 no. 4 storey buildings providing 21 no. self-contained flats and 265sqm of B1 office space at ground level to block A with associated refuse and recycling storage, cycle store, 2no off street parking spaces and amenity space

AGENDA ITEM 15

1. Summary:

The Planning Committee previously approved this planning application on 22/02/2017. Residents have subsequently written to the case office requesting the clarification of certain issues. This report is written to the Planning Committee for its approval in order to clarify these matters.

Please note that items are not normally referred back to committee where representations are received – in this case the objections raised additional issues that officers felt needed clarification.

Further to comments raised by residents in relation to the previous plans and compliance with part M4(2) and M4(3) of the Building Regulations, additional plans have been submitted to show lift access to the top floor of Block B.

The original committee report is attached as an appendix to this report.

2. Revised Schedule of conditions.

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

HR-G-AG01 E
HR-G-AG02 D
HR-G-AG03 E
HR-G-AG04 F
HR-G-AGP01 H
HR-G-AGP02 F
HR-G-AGP03 G
HR-G-AGP04 F
HR-G-AGP05 F
HR-G-AE01 E
HR-G-AE02 C
HR-G-AE03 D

HR-G-AE04 B
HR-G-AE05 F
HR-G-AE06 G
HR-G-AE07 E
HR-G-AE08 D
HR-G-AE09 B
HR-G-AE10 C
HR-G-AE11 C
Design and Access Statement
12-18 High Road - East Finchley Site Analysis
Daylight and Sunlight Report
Construction Management Plan
Transport Assessment
Revised Environmental Assessment
Planning Statement
Air Quality Assessment
Travel Plan
Heritage Statement

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5 a) No development other than demolition work shall take place until details of the location within the development and specification of the 2 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

b) The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2015.

6 The development shall be implemented in accordance with the measures detailed within the approved construction management plan.

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

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

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development

Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

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

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

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

9 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason: To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM06 of the Local Plan Development Management Policies DPD (adopted September 2012).

10 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

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

11 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

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

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

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

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

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

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

13 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

14 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

15 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

16 a) A scheme for air pollution mitigation measures based on the findings of the air quality report shall be submitted to and approved by the Local Planning Authority prior to development.

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

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

17 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or

diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

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

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

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

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

20 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2015.

21 No flat within the development shall be occupied until cycle parking and cycle storage facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

27 The ground floor of block A shall be used for an office and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country

Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

28 No parts of the roof of the first floor roof shown on plan HR-G-AGP03F, or the second floor roof on plan HR-G-AGP04E, or the third floor roof on plan HR-G-AGP05 E (with the exception of the third floor areas specifically annotated as roof terraces) shall be used as balcony, amenity or sitting out area.

Reason: To safeguard neighbouring amenity.

29 Prior to the commencement of the development, details of the access and access road(s) shall be submitted to and approved in writing by the Local Planning Authority. Highways Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200. The estate road as approved shall be constructed in accordance with the approved details before the site is occupied. For further guidance and contact details please refer to the Development Team, Environment and Operations Directorate.

Reason: To ensure the safe form of access to the development and to protect the amenity of the area and to conform to London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

30 The buildings shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

31 Details of the gated access system must be provided, including a maintenance agreement, and all equipment for the access barrier system must be installed within the site's boundaries and not encroach on the public highway.

Reason: To control on site parking in the interest 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.

32 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.

33 The applicant must enter a Section 278 Agreement with the Highways Authority, for any works required on the public highways as a result of the proposal.

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.

34 Prior to the occupation of the development a Waiver of liability and indemnity agreement in relation to the non-adopted roads in each phase within the development must 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.

35 a) 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) 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 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 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.

3. Amendment to RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 26/09/2017 unless otherwise agreed in writing, the Head of Development Management REFUSE the application under delegated powers for the following reason(s):

The proposals would make inadequate provision for off street parking and as a result would generate significant parking pressures on surrounding roads which would result in harmful impact on highway and pedestrian safety. The proposals would be

contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The proposals make no provision for necessary highways works which would result in harmful impact on highway and pedestrian safety. The proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The application does not provide any on site affordable housing or a contribution towards affordable housing in the local area. It has not been demonstrated to the satisfaction of the Local Planning Authority that it would not be viable to provide affordable housing on the site or a contribution towards this. The application is therefore unacceptable and contrary to policies DM10, CS NPPF, CS4 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.12 and 3.13 of the London Plan (adopted July 2011 and October 2013), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Documents and the Mayoral Housing (adopted November 2012) Supplementary Planning Guidance.

4. Amendment to Informative(s):

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £58,180.50 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £224,410.50 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

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

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

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

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

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

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

- 5 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non-residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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

- 6 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 7 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 8 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 9 The applicant is advised that the High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Saturday. Careful consideration must also be given to the optimum route(s) for construction traffic.
- 10 The applicant is also advised that the development is located on a 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.
- 11 For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses
- 12 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 13 The costs of any associated works to the public highway, including reinstatement works, will be borne by the applicant and will require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by the Highways Authority.
- 14 The applicant advised that an application under the Highways Act (1980) will need to be submitted for any works proposed on public highway to facilitate the development. The works on public highway shall either be carried out under S184 or S278 of the Highways Act (1980). As part of the application, the applicant shall submit proposed design and construction details to Development Team for approval. The applicant is also advised that any consequential damage to public highway as a result of the development proposal shall be borne by the applicant.
- 15 The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.
- 16 To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section – Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 17** The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.
- 18** The applicant is advised that although the Travel Plan is not required as the development falls below the appropriate Travel Plan thresholds, they are encouraged to develop a Voluntary Travel Plan to promote more sustainable forms of travel. Further advice can be sought via abetterwaytowork@barnet.gov.uk or tel: 020 8359 7603.
- 19** The applicant is reminded that the development needs to incorporate sprinklers compliant with the Building Regulations in order to comply and provide fire safe development.

4. Background

The item was previously presented to the Finchley & Golders Green Area Planning Committee on 19th January 2017 was referred up to Planning Committee, following the vote, by the requisite number of Members (2), in accordance with the Constitution.

The item was subsequently referred to the Planning Committee on 22/02/2017 and was approved by Members of the Committee.

Further to the decision of the Committee, correspondence was received from local residents requesting clarification regarding certain issues. This has included but not been limited to :

The item is now referred back to committee in order for these issues to be clarified. The applicant has provided a revised set of plans with minor changes and clarifications in order to assist.

5. Consultation

Consultation with residents

Further consultation on the final amended plans was undertaken on 19/04/17 and on 30/06/2017. This follows receipt of amended plans to attempt to address concerns from residents about the scheme taken to the Planning Committee on 22/02/2017. A total of 41 objections were received in response to these plans from the 19/04/2017 consultation.

A further consultation was undertaken on 30/06/2017 and 10 further objections were received.

All of the objections are summarised below:

Procedural Issues:

- Concern of relationship between Capita and GI Hearn (agent)
- Planning conditions are being used in an inappropriate manner
- Accommodation Schedule includes removed balconies

Heritage Issues:

- Report is littered with inaccuracies
- Does not source historic data
- Photos do not relate to building itself
- There are no other buildings of this age in East Finchley
- Report does not comply with Historic England requirements.

Character and Appearance Issues:

- The drawings are misleading about the height of block B in relation to the surrounding houses.

- Ingram Road houses have been drawn on the assumption that the ridge at no.1 is the same height
- as the ridge of the shop unit corner Baronsmere Road. In fact is in lower and then steps down the
- hill. Block B appears to be 1.7m higher than no. 9 and the houses south of that step down the hill,
- therefore will be even higher in relation. In fact the difference is likely to be greater. Block B is too
- tall and should be at least one storey lower and moved away from the boundary.
- Building is big and ugly
- Yew tree is not shown on the drawings and not taken into account
- Poor Quality Design

Amenity Issues:

- Overlooking
- Third floor could still be used for roof terrace despite condition
- Impact of front terrace has not been assessed
- GIA of some flats is below London Plan standards

Accessibility Issues:

- Scheme is still not Building Regulations compliant
- The applicant has not shown the necessary sprinklers on the plans. Do the sprinklers comply with Building Regulations?

Highways Issues:

- Parking Impact
- Reversal of vehicles onto the High Road
- *How can you install a pedestrian crossing point on a small slip road?*
- *How can the crossing point be set back?*
- *Council officers' should be looking critically at the developer's Transport Assessment and not just accepting it unquestioningly. A turning space of less than 7m is inadequate for vans and larger cars*
- *Road safety audit should be undertaken*
- *Council should not accept developer's 2016 Parking Survey*
- *There are no unrestricted spaces on this stretch of High Road*
- *Council should not allow a development that is so poorly designed as to make the regular emptying of waste containers a risk to pedestrian safety and an obvious cause of disruption to traffic.*
- *Parking permits were issued in error at other developments*

Infrastructure Issues:

Lack of GPs and Infrastructure.

Consultation with external bodies

The London Fire Brigade were consulted on the current application on 27/04/2016, 20/06/2017 and again on 10/07/17. A response was received on 11/07/2017 which objected on the grounds that the proposals did not comply with part B5 of the Building

Regulations. The applicant has subsequently confirmed that Building Regulations compliant sprinklers will be incorporated into the development and the London Fire Brigade have confirmed that they no longer object to the scheme. Officers anticipate that it would be possible to incorporate sprinklers without significantly changing the plans.

7. Additions to Report

7.1 Loss of the existing building

In response to concerns expressed by residents a Heritage Statement has been provided by the applicant, which has been produced by Martin O'Rourke.

The Heritage Assessment states that:

'The villa on this site was always a modest cottage-style domestic building of a vernacular type. Such buildings are not rare, and many survive in almost their original condition on the fringes of London and elsewhere. When relatively unaltered, such villas have a modest charm and significance. Such significance is greatly enhanced by being part of a street or village group with their associated garden setting.

In this case, the inappropriate concrete tile roof, modern crude entrance porch and the dominating extensions have had a particularly damaging effect on the original character and appearance of this modest and reticent building, as has the loss of the garden setting through building extensions.'

It goes on to summarise that *'The villa at the centre of the site of Nos.12-18 was always a simple building of limited heritage significance. It is now severely detrimentally altered and extended. The setting is also greatly altered by poor quality extensions which detract from the villa in scale, materials and design.'*

Officers note the assessment above. Officers still consider that the building has some historical significance within East Finchley Town Centre. A number of consultation responses have referred to existing building on site and it's historic significance within East Finchley. The building appears to be of Victorian era and notable features include it's attractive brick façade, sash windows and detailing. However it must also be noted that the existing building has been altered substantially in the past.

As such, it is recognised that the building is of some historic significance. It is accordingly considered as a non-designated heritage asset. Therefore the loss of the existing building must be considered against paragraph 135 of the National Planning Policy Framework.

This states that: *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

Paragraph 7.9 of the Mayor's London Plan states that *'The significance of heritage assets should be assessed when development is proposed and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their*

conservation and the establishment and maintenance of sustainable communities and economic vitality.'

The loss of the building therefore needs to be weighed up against the benefits of the scheme, i.e. provision of housing units and office space and redevelopment of a town centre site. It must be noted that the building has been substantially altered in the past, especially the rear of the building. It is considered that whilst there is some harm resulting from the building being demolished, the significance of the building is moderate. Retention of the building would also be likely to be prejudicial to the redevelopment of the site given its low site coverage and siting and it is difficult to see how the building could be retained whilst unlocking the potential of the site to contribute through development. In this way policy 7.9 of the London Plan has been considered, and the Local Planning Authority would not insist on the retention of the existing building on site.

It is therefore considered that the loss of the building could be acceptable if it could be considered that this outweighed but wider benefits of the scheme.

7.2 Whether the development will have an acceptable impact on Highway and pedestrian safety

The item has been referred back to the committee for final decision. Committee members previously considered that car free development was acceptable. Officers do not consider that any comments raised since this would warrant taking a different view. It is noted that some of the highways conditions were previously omitted in error and these are now attached. For clarification the Highways Officer has updated their comments below:

Parking

The parking survey submitted as with the application has been reviewed and the number of bays available has been re-measured and found that the number of bays counted was less by P&D 20 bays; Residential 17 bays; SY 52 bays; and UN 2 bays. In recalculating the available space it is reduced but there is still space available to park.

The Highways Officer has reviewed the parking survey submitted by residents on 3rd February that includes Ingram Road; Baronsmere Road to the junction of Park Hall Road; High Road 167m to the north and 150m to the south; and 36m into Fairlawn Avenue. The results show that 13 spaces are free overnight and 4 spaces daytime. The survey area is constrained, for a town centre location with competing demands we would accept the extent submitted by the applicant. The applicant is willing to accept the removal of the rights of residential parking permits which is adequate mitigation in accordance with our policy.

The results of the CPZ parking review are to be considered at the Finchley and Golders Green Area Committee on Thursday 16th February the focus was placed by residents on a range of issues. The main issues being:

- Intra-CPZ commuter parking/request for separate permit zone from remainder of CPZ: 26 mentions;
- Parking related to the Phoenix Cinema causing problems in the evenings: 6 mentions;
- Problematic parking in Brompton Grove, which is a private road.

The results are that there do not appear to be any significant parking issues to consider.

The site is located opposite the East Finchley Station and is ideally suited for a car free development for 1 and 2 bed units. Car parking permits will not be issued for the development, although this does not prevent for a resident from purchasing a vehicle it does restrict parking on-street in controlled hours that includes Saturday. Air pollution is of concern throughout London and therefore where there is good public transport and access to amenities car parking should be reduced as a sustainable solution to reduction in carbon emissions. A car club will be provided for those who require a car for trips for longer distance where public transport is limited.

Access

Trip Generation to the site has been estimated from similar sites within the TRICS database which is a database of surveys throughout the UK and is the industry default for estimating development trips. Sites are selected on type of use, location and size as well as other characteristics. The sites used for the residential use are between 2007 and 2015 and for the office are between 2007 and 2013. The total daily vehicle trips for residential are 12 arrivals and 13 departures and for the office are 4 arrivals and 4 departures. The comment has been raised in regard to larger vehicles used for deliveries and these are shown as OGV (Ordinary Goods Vehicles). Other deliveries will be made by smaller vehicles. The office space is 265 sqm and is not a large office, based on an average of 15 sqm per person this would hold 17 staff. An estimate of 100 vans per week made by residents is an exaggeration.

In addition the point made was the number of deliveries made by larger vehicles, there may be additional trips by car size delivery vehicles. The TRICS database with similar sites was used using similar sites from surveys carried out between 2007 and 2014. The office is small with vehicle trip numbers very low.

A pedestrian crossing point is a place that gives people a safer place to cross a road or access and can be uncontrolled or controlled. Based on the expected traffic movements from this site this would be uncontrolled in the form of tactile paving defining the point to cross.

If a driver reverses out the access than it is correct to say that visibility would be reduced and a driver would not have a view of the pavement or carriageway. In my opinion this is a very unlikely occurrence as drivers who are unfamiliar with the location would not try and access a gated access; they would first stop at the entrance on the High Road before making a turn to see if it is clear. If the gate is closed than they would park elsewhere, it is not likely they would block the gate. It is much easier for a delivery vehicle to stop at the access and not turn in to make a delivery, they will not be within the running lane as be protected by parking.

Pedestrians will not be crossing at the back of footway as there are chairs and tables to the north and to the south the desire line is at the front of the footway as pedestrians will not cross into the side of a building. In my opinion there is not a highway safety issue.

Officers have identified minor issues with the access that has been conditioned for amendments to be submitted and this will be prior to the start on site. This is not considered a reason for refusal.

Highways officers have considered loading from this site and generally on the High Road. The view is there is no local need for loading facilities on the High Road as the parking bay

is often free for loading or visitor parking to take place. The nearest parking bays are pay by phone and therefore have a high turnover. Although there is rear access to the current premises this is not able to accommodate delivery vehicles as there is not space to turn around due to parked vehicles. At present some deliveries are made from the High Road. If there was a serious parking issues the Council would be receiving complaints about double parking and severe congestion and this is not the case. The number of deliveries is not deemed a serious issue by Highways Officers and parking team.

Safety

The gardens at the back of the arcade have been concreted over to provide for parking as can clearly be seen on aerial views. From observations on the High Road a number of deliveries are made to this shopping arcade.

It is clear that deliveries are made from the High Road. At the same time the pay and display bays are clear allowing parking for delivery vehicles or visitors to the development.

Loading can be made from the High Road where there are no loading restrictions. There are no issues with unloading from the access without making a turn. The Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions show exceptions to parking in a controlled area in regulation 22.

Other Highways Matters:

- Pedestrians cross further away from the building where there is greater visibility. The existing pedestrian point is set forward of the building line.
- The Transport Assessment was reviewed and a swept path is provided that shows a 4x4 type vehicle turning within the space provided without hitting any walls. The Transport Assessment states that the width is 7 metres. A Land Rover is below 5 metres in length and therefore there is over 1 metre either side to manoeuvre. Car parks are generally designed with 6 metre aisles that enable a vehicle to turn. If the gates are controlled this would avoid larger vehicles having access. It is not likely that a delivery vehicle driver would hinder itself by reversing in or out of the access as it is far easier for them to pull in parallel with the access as they can leave quicker and more safely.
- It is considered that as an existing access with no accident history the reduced number of trips would not create any additional safety concerns.
- The planning process will consider access design on the public highway in outline but will require detail design through the Highways Act under Section 278 or Section 184.

Overall highways officers consider that on balance the proposals would have an acceptable impact on highway and pedestrian safety and the free flow of traffic. Additional conditions are suggested as originally put forward by the highways officer, where it is considered justified.

7.3 Privacy

Block B is sited to the rear of the site and is closest to neighbouring residential properties.

It should be noted that the plans do not show the extensions to properties on Ingram Road to the east. No.9 appears to have been extended in the form of a single storey rear

extension. No.7 appears to have been extended at roof level. The houses on Ingram Road are L shaped and have rear two storey outriggers.

Block B would be sited the following distances from houses to the rear on Ingram Road:

- The proposed development would maintain a distance of 12m to the rear boundary at ground and first floor level, except for the central projection which would maintain a 10.5m gap.
- The proposed development would maintain a distance of 12m to the rear boundary at second floor level.
- The proposed development would maintain a distance of 14.2m to the rear boundary at third floor level.

In this way the proposals would comply with requirements of the Residential Design Guidance Supplementary Planning Document in respect of overlooking distances to neighbouring gardens which specify a minimum distance of 10.5m. Additional distance is provided at the third floor.

The distances to houses to the rear from block B are clarified below would as follows. It should be noted that the properties on Ingram Road are L shaped with a two storey outrigger and as a result distances vary across properties on Ingram Road.

Neighbouring Property	Floor	Distance to closest point between windows
5 Ingram Road	Ground Floor	21.4m to rear single storey element adjoining two storey outrigger
	First Floor	22.1m to rear two storey outrigger
	Second Floor	22.1m to rear two storey outrigger
	Third Floor	24.3m to rear two storey outrigger
7 Ingram Road	Ground Floor	21.1m to rear single storey element adjoining two storey outrigger
	First Floor	21.8m to rear two storey outrigger
	Second Floor	21.8m to rear two storey outrigger
	Third Floor	24.0m to rear two storey outrigger
9 Ingram Road	Ground Floor	16.4m to single storey rear extension
	First Floor	19.3m to rear two storey outrigger
	Second Floor	20.8m to rear two storey outrigger
	Third Floor	23.0m to rear two storey outrigger
11 Ingram Road	Ground Floor	20.4m to rear single storey element adjoining two storey outrigger - note that two storey projection extends on other side of property from outrigger
	First Floor	21.1m to rear two storey outrigger - note that two storey projection extends on other side of property from outrigger
	Second Floor	21.1m to rear two storey outrigger - note that two storey projection extends on other side of property from outrigger
	Third Floor	23.0m to rear two storey outrigger - note that two storey projection extends on other side of property from outrigger
13 Ingram Road	Ground Floor	20m to rear single storey element adjoining two storey outrigger
	First Floor	20.7m to rear two storey outrigger
	Second Floor	20.7m to rear two storey outrigger
	Third Floor	22.9m to rear two storey outrigger

As can be seen above, the proposals broadly comply with the 21m window to window distance within the Supplementary Planning Document: Residential Design Guidance though there are some areas where the scheme is deficient, namely the ground and first floor windows at 9 Ingram Road, and to more marginal extents the ground floor of no.11 and ground, first and second floors of no.13.

The SPD states that shorter distances may be acceptable between new build properties where there are material justifications. It must be noted that the proposals seek to redevelop a town centre site and make more efficient use of land. It is considered that

though there are some contraventions of the 21m distance within the Supplementary Planning Guidance, there would not be harmful overlooking taking into account proximity to the town centre, and the lack of continuous façade at upper floors. It should be noted that this is guidance and breach does not automatically mean that any application should be refused.

Overall it is not considered that the proposals would cause harmful overlooking that would warrant the refusal of planning permission.

Overlooking impact on other residential properties

The other property directly facing the site is sited further away from the site though any impact would be similar to no.9 and no.11 Ingram Road. Though this property has a roof level, it is not considered that any impact would be materially harmful to the living conditions of the occupiers of this property.

The proposed Block A is sited to the front of the site. Overlooking from this block is unlikely given that residential properties are some distance to the north and east of the site.

Furthermore, the scheme has been designed to prevent any possible overlooking to the nursery at Park House to the south. It should however be noted that there is no policy seeking to prevent overlooking to schools and there would be no grounds to refuse an application on these grounds.

Overall it is not considered that the proposals would cause harmful overlooking that would warrant the refusal of planning permission.

7.4. Impact on Trees of Special Amenity Value

The Yew tree to the front of the adjacent Council-owned Park House, relatively close to the boundary with the application site, has now been included in a Tree Preservation Order. The tree is a material consideration and would allow the Council to impose conditions, if appropriate, for the protection of the tree or replacement planting to mitigate its loss.

It is suggested that a planning condition is attached to ensure that mitigation is provided to ensure that the impact on the tree of the proposals is minimised. It is recognised that the tree is in close proximity to the existing buildings and proposed development.

7.5 Accessibility

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2) and M4(3). The applicant has confirmed that in their view the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies. Advice has been sought from the Building Control Team on this issue and they have advised that in their view the proposals are generally compliant though a lift may be required for the third floor flats in block B. This has now been provided in the most recent amendments to the plans. A condition has been attached to ensure compliance and if the developer could not comply with this a new scheme would need to come forward.

Policy 3.8 of the London Plan requires 10% of new dwellings to be wheelchair adaptable or accessible. It is noted that residents have raised concerns that the development would not comply with part M4(3) as their view the units are too small for wheelchair access. The applicant insists that the development would comply with this requirement. Officers looking at the issue do not believe that there is any reason the units could not comply, and a condition is attached to secure this.

8. Response to Public Consultation

Additional officer comments on the latest consultation:

Procedural Issues:

Concern of relationship between Capita and GL Hearn (agent) –

Residents have raised concern regarding the relationship between the applicant's agent (GL Hearn) and Capita. GL Hearn was acquired by Capita in July 2015.

The application has been processed by officers under the employment of Regional Enterprise which is a joint venture between London Borough of Barnet and Capita.

In this case the following measures have been in place to prevent any possible conflict of interest:

- *The item will be determined by Members of the committee so the final decision would not be made by officers.*
- *The committee's decision will follow public discussion and residents will have their right to make representations to the committee.*
- *Officers have dealt with GL Hearn as they would have with any other planning agent.*

Planning conditions are being used in an inappropriate manner – It is not uncommon for large numbers of conditions to be attached to a major planning application. The conditions are considered to meet the tests of the National Planning Guidance.

Heritage Issues:

- *Residents concerns regarding the Heritage Assessment are noted. The assessment is considered in the report above. It should be noted that officers do not necessarily agree with all of the findings of the report.*

Character and Appearance Issues:

- *The drawings are misleading about the height of block B in relation to the surrounding houses. – Officers consider that the height of the building in any event is acceptable.*

- Ingram Road houses have been drawn on the assumption that the ridge at no.1 is the same height – *Noted and officers have not relied on this to make a judgement.*
- Yew tree is not shown on the drawings – *The location of the Yew tree is noted.*

Amenity Issues:

- Third floor could still be used for roof terrace despite condition – *Conditions are suggested and it is not considered that with privacy screening this could arise.*
- Impact of front terrace has not been assessed – *The front terrace is not considered to result in any overlooking given the distance to nearest property.*

Accessibility Issues:

- Scheme is still not Building Regulations compliant – Addressed in main report. The proposals before the committee have to be assessed on their merits. Officers have raised the issues put forward by residents and
- Issues to be dealt with under the Building Regulations do not form basis for withholding planning permission.

Highways Issues:

Addressed in main report

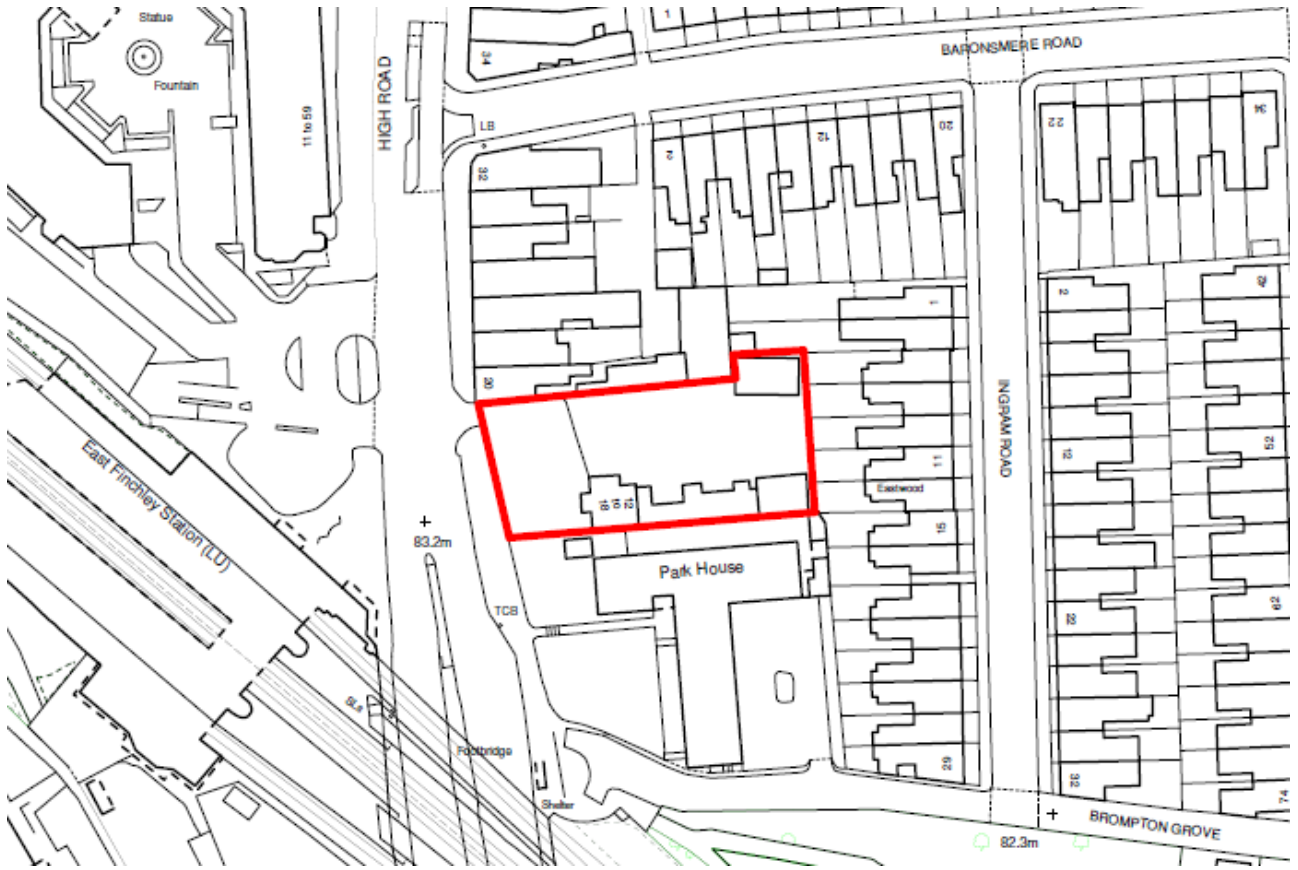
Infrastructure Issues:

A contribution would be provided towards the Community infrastructure Levy.

9. Conclusion

Officers consider that the amended plans and clarifications within this report further illustrate that the proposals would on balance be acceptable.

The proposals would involve the redevelopment of a town centre site and provide contribution to office stock within the borough as well as additional residential units. The development would make a significant contribution to affordable housing within the borough. The development would not have a harmful impact on highway safety subject to legal agreement and not materially harm neighbouring living conditions. Whilst there is some harm arising from the loss of the non-designated heritage asset, this is considered to be moderate and outweighed by the benefits of the scheme. The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



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	<h2>Planning Committee</h2> <h3>22 February 2017</h3>
<p style="text-align: center;">Title</p>	<p>Referral from the Finchley and Golders Green Area Planning Committee: 12-18 High Road – 16/2341/FUL</p>
<p style="text-align: center;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: center;">Wards</p>	<p>East Finchley</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix A – Cover Sheet Appendix B - Referral from F&GGAPC , 12 to18 High Road</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Abigail Lewis, Governance Officer Abigail.Lewis@barnet.gov.uk 020 8359 4369</p>

Summary

Agenda Item 8 (12-18 HIGH ROAD - 16/2351/FUL) of the Finchley and Golders Green Area Planning Committee on 19th January 2017 was referred up to Planning Committee, following the vote, by the requisite number of Members (2), in accordance with the Constitution. The Planning Committee is therefore requested to consider the recommendations and take a decision on them.

Recommendations

- 1. That the Planning Committee consider and determine the application as set out in the report previously considered by the Finchley and Golders Green Area Planning Committee on 19th January 2017.**

1. WHY THIS REPORT IS NEEDED

- 1.1 The Constitution allows a requisite number of Members, in this case 2, of an Area Planning Committee to refer any item that it considers with a recommendation to the relevant committee within whose terms of reference it falls, by indicating immediately after the decision is taken that they require the decision to be referred up.
- 1.2 The attached report was considered by the Finchley and Golders Green Area Planning Committee on 19th January 2017. The Committee resolved to approve the application, with the Chairman using her casting votes, as per the Officer's recommendations.

2. REASON FOR REFFERAL

- 2.1 Immediately following the decision, 2 members of the committee referred the decision to the Planning Committee in accordance with the council's Constitution. The reasons for referral were as follows:
- Loss of heritage to the area,
 - Issues regarding overlooking,
 - Overdevelopment of the site,
 - Loss of light
 - and insufficient parking.

3. REASONS FOR RECOMMENDATIONS

- 3.1 As set out in the substantive report.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 As set out in the substantive report.

5. POST DECISION IMPLEMENTATION

- 5.1 As set out in the substantive report.

6. IMPLICATIONS OF DECISION

- 6.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 6.2 As set out in the substantive report.

6.3 Legal and Constitutional References

- 6.3.1 Responsibility for Functions, paragraph 6.4, of the council's Constitution states that two members of an Area Planning Committee are required to refer up an application to the Planning Committee.

6.4 **Risk Management**

6.5 As set out in the substantive report.

6.6 **Equalities and Diversity**

6.7 As set out in the substantive report.

6.8 **Consultation and Engagement**

6.9 As set out in the substantive report.

7. **BACKGROUND PAPERS**

7.1 None.

- The £870,000 figure mentioned in the report is a commuted sum towards off-site affordable housing. The '23%' figure within the report identifies what percentage of the 21 units would be affordable if they were to be provided on site.
- It is recommended that condition 1 in the report is amended to read:

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

HR-AGE01

HR-G-AG01 E

HR-G-AG02 D

HR-G-AG03 D

HR-G-AG04 E

HR-G-AG05 D

HR-G-AGP01 **G**

HR-G-AGP02 E

HR-G-AGP03 D

HR-G-AGP04 E

HR-G-AGP05 E

HR-G-AE01 D

HR-G-AE02 B

HR-G-AE03 **C**

HR-G-AE04 B

HR-G-AE05 C

HR-G-AE06 D

HR-G-AE07 C

HR-G-AE08 B

HR-G-AE09 A

HR-G-AE10 B

HR-G-AE11 B

Design and Access Statement

12-18 High Road - East Finchley Site Analysis

Daylight and Sunlight Report

Construction Management Plan

Transport Assessment

Revised Environmental Assessment

Planning Statement

Air Quality Assessment

Travel Plan

4061/500 Rev A

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

Location 12 - 18 High Road London N2 9PJ

Reference: 16/2351/FUL Received: 11th April 2016
Accepted: 26th April 2016

Ward: East Finchley Expiry 26th July 2016

Applicant: Safeland PLC

Proposal: Demolition of existing buildings and construction of 2 no. 4 storey buildings providing 21 no. self-contained flats and 265sqm of B1 office space at ground level to block A with associated refuse and recycling storage, cycle store, 2no off street parking spaces and amenity space (AMENDED PLANS - MINOR CHANGES)

Recommendation: Approve subject to s106

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. 3. Highways Improvements - an agreement to provide junction improvements at the High Road Access on the public highway that are approved by the Highway Authority.
4. A financial contribution of £2,000 towards the amendment of Traffic Management Order to ensure to revoke the right to purchase a residential parking permit for the development site.
5. Car Club associated with the development
6. Commuted sum towards Affordable Housing - £850,000
7. Monitoring of the Agreement - £100

RECOMMENDATION II:

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

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

HR-AGE01

HR-G-AG01 E

HR-G-AG02 D

HR-G-AG03 D

HR-G-AG04 E

HR-G-AG05 D

HR-G-AGP01 F

HR-G-AGP02 E

HR-G-AGP03 D

HR-G-AGP04 E

HR-G-AGP05 E

HR-G-AE01 D

HR-G-AE02 B

HR-G-AE03 A

HR-G-AE04 B

HR-G-AE05 C

HR-G-AE06 D

HR-G-AE07 C

HR-G-AE08 B

HR-G-AE09 A

HR-G-AE10 B

HR-G-AE11 B

Design and Access Statement

12-18 High Road - East Finchley Site Analysis

Daylight and Sunlight Report

Construction Management Plan

Transport Assessment

Revised Environmental Assessment

Planning Statement

Air Quality Assessment

Travel Plan

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5 a) No development other than demolition work shall take place until details of the location within the development and specification of the 2 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

b) The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2015.

6 The development shall be implemented in accordance with the measures detailed within the approved construction management plan.

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

7 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened

facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

9 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason: To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM06 of the Local Plan Development Management Policies DPD (adopted September 2012).

10 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

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

Part 2

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

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

11 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

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

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

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

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

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

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

13 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

14 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning

Authority. The equipment shall be installed using anti-vibration mounts. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

15 The level of noise emitted from the (_specify machinery_) plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

16 a) A scheme for air pollution mitigation measures based on the findings of the air quality report shall be submitted to and approved by the Local Planning Authority prior to development.

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

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

17 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

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

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

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

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

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

20 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2015.

21 Before the development hereby permitted is first occupied or the use first commences the parking spaces, and cycle parking shown on Drawing No.HR-G-AG01D shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

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

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

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

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

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

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

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

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

27 The ground floor of block A shall be used for an office and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

RECOMMENDATION III:

0 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 07/03/2017 unless otherwise agreed in writing, the Head of Development Management REFUSE the application under delegated powers for the following reason(s):

The proposals would make inadequate provision for off street parking and as a result would generate significant parking pressures on surrounding roads which would result in harmful impact on highway and pedestrian safety. The proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The proposals make no provision for necessary highways works which would result in harmful impact on highway and pedestrian safety. The proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012 and policy CS9 of the Barnet Core Strategy 2012.

The application does not provide any on site affordable housing or a contribution towards affordable housing in the local area. It has not been demonstrated to the satisfaction of the Local Planning Authority that it would not be viable to provide affordable housing on the site or a contribution towards this. The application is therefore unacceptable and contrary to policies DM10, CS NPPF, CS4 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.12 and 3.13 of the London Plan (adopted July 2011 and October 2013), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Documents and the Mayoral Housing (adopted November 2012) Supplementary Planning Guidance.

Informative(s):

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £58,180.50 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £224,410.50 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

3 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

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

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

- 5 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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

- 6 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 7 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 8 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

Officer's Assessment

1. Site Description

The site is a plot of land on the east side of High Road within East Finchley Town Centre. The site is a rectangular plot of approximately 0.12 hectares.

The site is currently used by Greater London Hire (GLH) who operate the site as minicab and courier service.

The site contains a two storey building with pitched roof running alongside the southern boundary. To the rear of the site is a fenced off parking area with two storey demountable buildings. To the rear of the building it reduces to single storey.

To the immediate south of the site is Park House, a T-shaped two storey building containing a nursery. To the north is a parade of shops within a two storey building with rooms in roofspace.

Opposite the site is East Finchley Underground Station.

2. Site History

C07443 - Change of use of ground floor from Hostel to use as Municipal Offices and provision of additional car parking - Approved - 13/5/81

C07443A - Change of use of first floor from hostel accommodation to Local Government Municipal offices, provision of a footway and car parking - Approved 17/3/82

C00050N - Continued use as offices - Approved - 30/3/77

C00050R - Erection of a four-storey office building and 28 car parking spaces (outline) - Refused - 30/4/86

C00050S - Erection of a three-storey block of 12 flats and 14 car parking spaces - (outline) Refused - 1/10/86

C00050V - Use of land and buildings for a car hire business - Lawful - 27/6/91

C00050W/03 - Change of use from Local Government Municipal Offices (Class B1) to Educational Facility (Class D1) for a temporary period expiring 31 December 2005 - Approved - 20-07-2004

C00050W/03 - Change of use from Local Government Municipal Offices (Class B1) to Educational Facility (Class D1) for a temporary period expiring 31 December 2005. - Approved following legal agreement - 11.02.2004

C00050X/04 - Change of use from offices (Class B1) to mixed use, part offices, part control and despatch for private hire vehicles (Class B1/sui generis). - Approved - 30.11.2004

C00050Z/05 - Continued change of use from Local Government Municipal Offices (Class B1) to Educational Facility (Class D1). New application pursuant to C00050W/03 (which is due to expire 31.12.05). - Approved - 06.12.2005 - Split Decision at Appeal in relation to condition 7 (Allowed) and 8 (Dismissed) - 06.12.2005

3. Proposal

The proposals are for the demolition of existing buildings on site and the construction of residential development.

The development would take the form of two blocks.

Block A would be sited to the frontage of the site and would have a ground floor office (B1 Class) with residential units above.

Block B would be sited to the rear of the site and would be residential in use.

Both blocks would be four storeys in height. The upper two storeys would be recessed from the edges of the buildings.

The development would be for 21no. residential units in total.

Block A

Block A is sited to the frontage and would be

Ground Floor- 265sq m Office space

First Floor - 3x1 bed, 1 x2 bed

Second Floor - 2x2beds, 1 x 1bed

Third Floor - 1x2bed

Block B

Ground Floor = 2x2 bed, 1x3 bed

First Floor = 2x1bed, 2x2bed

Second Floor = 2x1bed, 2x2bed

Third Floor = 2x2beds

Further to initial consultation, the plans have been amended to reduce the size of the building and reduce the development to 21 units from 22.

Further amendments have been made in order to take into account the requirement for a lift and to make minor elevational alternations.

4. Public Consultation

Consultation letters were sent to 193 neighbouring properties.

32 responses have been received, comprising 31 letters of objection, 1 letters of comment.

The objections received can be summarised as follows:

Principle of Development

Doesn't make provision for larger units

Loss of jobs from existing facility

Density Excessive

Existing building (Formerly known as Valona House) is one of the oldest buildings in East Finchley and is of historic interest.

Design Issues

Overdevelopment

Proposals don't pay sufficient regard to Victorian houses on neighbouring roads

Poor Quality Design

Overpowers Park House and buildings on High Road

The materials, roofline, roof pitch, lack of eaves, gables, chimney stacks, dormer are not typical of development in the area.

Amenity Issues

Loss of light

Loss of privacy

Noise pollution

Neighbouring properties have not been represented correctly (Note no.9 Ingram avenue is 18.7m from development)

Daylight and Sunlight Report has not looked at internal layout of neighbouring properties and does not have full diagrams (Truncated). Development would be contrary to BRE guidelines as would go beyond 25 degree limit.

Houses on Ingram road are not North facing as stated within Daylight/Sunlight report – they are west facing

Noise assessment states that development will result in harmful noise, so needs to be fixed shut, which precludes ventilation

No consideration to noise from underground or increase to underground use has been considered.

Ceiling height of development is below 2.5m

Air Source Heat pumps will cause noise

Highways Issues

Proposals don't make provision for parking

Access issues for vehicles for commercial development, deliveries, fire access

Waste Management Issues

Access road will cause disruption in Town Centre

Other Issues

Schools in the area are over subscribed

Noise and disturbance during construction

Ecological impact

Impact of construction

The Finchley Society has objected on the following grounds:

'This application hardly differs from the previous application and therefore our previous comments still apply.

The development is too dense for this site. It is poorly designed and sits badly within its context. GLH House, formerly Valona House and then The Shrubbery that currently sits on the site dates from 1841 is one the few remaining historic houses of East Finchley and some consideration should be given to its Historic value to the area. This is a key site at the beginning of East Finchley High road, opposite the station and deserves a better design.

The plans of the flats are poorly considered with insufficient storage space and living space. There are a number of instances where living rooms are stacked over bed rooms. The space standards do not meet Lifetime Home standards thus contravening Barnet policy

No affordable housing is evident in the development

Amenity space is inadequate for 24 homes, some for families. There is no provision for refuse storage and removal. There is insufficient external space for the homes.

With no car parking provision there should be alternative provision for safe and secure parking of bicycles, but there is none. The turning space for the 2 cars shown is inadequate and will force a dangerous exist across the pavement onto the busy main road Response to the street scape is extremely poorly considered and indeed is insensitive to the adjoining properties. The height of the block does not take into account that the road is falling towards the railway - height has been taken from the top of a pitched roof further up the street near Baronsmere Road and continued straight having no consideration for the falling ground or the properties adjacent and to the impact on houses to the rear.

The applicant is simply trying to cram too much onto the site with no acceptable consideration for the quality of the housing nor the subsequent townscape and design within the High Road location.'

The representations received can be summarised as follows:

The GLH Building has greater significance than it is being given credit for. Building is one of the few surviving buildings from the earliest days of East Finchley.

Additional consultation was undertaken on the basis of amended plans and an additional 40 objections were received, the majority from residents who had already objected initially. These comments mention issues raised above, including parking and design matters.

A site notice was put up on 27/04/16

The development was advertised in the local press on 05/05/16

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS9, CS11, CS12, CS13, CS14, CS15

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM10, DM11, DM13, DM14, DM16, DM17

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

Policy 2.15 Town centres

Policy 3.3 Increasing Housing Supply

Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and Design of Housing Developments

Policy 3.8 Housing Choice

Policy 3.9 Mixed and Balanced Communities

Policy 3.10 Definition of Affordable Housing

Policy 3.11 Affordable Housing targets

Policy 3.12 Negotiating Affordable Housing

Policy 3.13 Affordable Housing Threshold

Policy 4.2 Offices

Policy 4.3 Mixed Use Development and Offices

Policy 4.7 Retail and Town Centre development

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 7.1 Building London's Neighbourhoods and Communities

Policy 7.2 An Inclusive Environment

Policy 7.3 Designing Out Crime

Policy 7.4 Local Character

Policy 7.5 Public Realm

Policy 7.6 Architecture

Policy 7.14 Improving air quality

Policy 7.15 Reducing Noise

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodland

Policy 8.1 Implementation

Policy 8.2 Planning Obligations

Policy 8.3 Community Infrastructure Levy

Residential Design guidance Development Plan Document 2013

Sustainable Design and Construction Development Plan Document 2013

Supplementary Planning Document: Affordable Housing

Supplementary Planning Document: Planning Obligations

Supplementary Planning Document: Enterprise and Training

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of the development including loss of the existing uses on site and provision of retail unit
- Highways Issues
- Impact on the character and appearance of the streetscene and general locality
- Whether harm would be caused to the living conditions of neighbouring and future residents.
- Noise and Air Quality Issues
- Affordable Housing
- Sustainability/Environmental Issues
- Section 106 Issues

5.3 Assessment of proposals

1. Principle of the development including loss of the existing uses on site and provision of retail unit

1.1 Land Use

The site is currently a minicab and courier business and associated car parking. This is considered to be a Sui Generis use.

Whilst such uses are not protected per se, the existing minicab hire and courier business and associated offices do generate jobs. Policy DM14 states that *'Proposals to redevelop or reuse an existing employment space which reduces the levels of employment use and impacts negatively on the local economy will be resisted.'*

In the opinion of officers of the Local Planning Authority, compliance with policy DM14 needs to be demonstrated in order to address this issue. It should be noted that the proposals seek to provide 265 sq metres of office space within the town centre. The existing building accommodates approximately 250 square metres of space.

In this way, the re-provision of office space would address any concerns relating to policy DM14.

1.2 Loss of the existing building

A number of consultation responses have referred to existing building on site and its historic significance within East Finchley. The building appears to be of Victorian era and notable features include its attractive brick façade, sash windows and detailing.

However it must also be noted that the existing building has been altered substantially in the past.

As such, it is recognised that the building is of some historic significance. It is accordingly considered as a non-designated heritage asset. Therefore the loss of the existing building must be considered against paragraph 135 of the National Planning Policy Framework.

This states that: *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

The loss of the building therefore needs to be weighed up against the benefits of the scheme, i.e. provision of housing units and office space and redevelopment of a town centre site. It must be noted that the building has been substantially altered in the past, especially the rear of the building. It is considered that whilst there is some harm resulting from the building being demolished, the significance of the building is moderate. Retention of the building would also be likely to be prejudicial to the redevelopment of the site given its low site coverage and siting.

It is therefore considered that the loss of the building could be acceptable if it could be considered that this outweighed but wider benefits of the scheme.

1.3 Density

The site has an area of 0.13ha. It is located in an area of PTAL rating 5 close to East Finchley Underground Station.

The London Plan advises that development should be at 45-260 units/hectare. The proposals appear to be at approximately 161 units/hectare.

The London Plan advises that development should be at 200-700 habitable rooms per hectare. The proposals appear to be at approximately 369 habitable rooms/hectare.

It is recognised that the development is a mixed use development and as such the density of the development is not entirely representative of the amount of development proposed. Nevertheless the density is well within the tolerances within Table 3.2 of the London Plan and as specified in the London Plan. Furthermore, town centres are considered an appropriate location for intensification. The Mayor's Supplementary Planning Guidance on Town Centres states that *'projected growth in London's population presents a significant opportunity for London's town centres to become high quality, liveable places, generating local footfall, supporting vibrant and viable town centres with greater levels of housing and sustainable modes of travel..... Boroughs and town centre partners are encouraged to: draw on London Plan policy to support the intensification of town centres, particularly for mixed use development including higher density housing together with supporting infrastructure (including transport, social and digital connectivity)'*

In this way, the density of the development is considered appropriate.

1.4 Unit Mix

The development consists of:

7no. 1 bedroom units
13no. 2 bedroom units
1no. 3 bedroom unit.

Policy DM08 states that *'dwelling size priorities are:*

- i. For social rented housing – homes with 3 bedrooms are the highest priority*
- ii. For intermediate affordable housing – homes with 3/4 bedrooms are the highest priority*
- iii. For market housing – homes with 4 bedrooms are the highest priority, homes with 3 bedrooms are a medium priority.'*

However this is not say that other mix of dwellings on site may be inappropriate.

The development mix is considered acceptable in accordance with policy DM08, especially considering the town centre location which makes provision of smaller sized units more appropriate.

2. Whether the development will have an acceptable impact on Highway and pedestrian safety

Site and Existing Highway Description

The existing property is occupied by a minicab company which has their head office on the site and is also used as a parking area for the company's vehicles.

The site is located on the eastern side of the A1000 High Road, within close proximity of the East Finchley Underground Station, in the Borough of Barnet. The site is located at numbers 12-18 High Road, and it is directly accessed off the High Road. The predominant surrounding land use is residential but includes a mix of uses consisting of retail and commercial.

The site is within a Controlled Parking Zone (CPZ), in close proximity to a East Finchley Underground Station, several bus routes and town centre amenities. Site visits indicate that there is intense parking pressure in the roads in the vicinity of the site.

Accessibility by Foot

In terms of existing facilities for pedestrians, the site is very convenient for walking. There are wide high quality footways on either side of the A1000 High Road, linking into the wider footway network, which extends into Finchley and beyond. To the south, the A1000 High Road offers convenient pedestrian access to Highgate. A staggered signalised pedestrian crossing is located just to the south of the site access, which features dropped kerbs and tactile paving to facilitate the movement of the physically and visually impaired, providing a safe access to the underground station. A second pedestrian crossing is also located to the north of the site access, just after the junction of High Road with Baronsmere Road. This is an informal staggered crossing point with dropped kerbs and tactile paving.

Side road and site access crossings along High Road are also generally fitted with dropped kerbs. A number of footpaths are within the vicinity.

Accessibility by Cycling

The development site is located in a convenient location for cycling trips including both daily commuting and leisure usage. High Road has no dedicated cycle ways, however it is part of the London Cycle Network Link 5, which has, in parts, marked cycle ways and, in other parts, cycle routes shared with bus lanes. In addition, just to the south of the site there is a toucan crossing that allows crossing for cyclists along with pedestrians.

Accessibility by Public Transport

Public Transport Accessibility Level (PTAL) is a form of measuring public transport accessibility in London. PTALs range from 1 to 6 where 6 represents a high level of accessibility and 1 a low level of accessibility.

Transport for London (TfL) gives this site a PTAL Rating of 4 which within the medium accessibility level.

The closest bus stops to the site are located along the A1000 High Road just to the south of the site. A total of seven bus services are accessible from three different bus stops located within 100m from the development site. The bus stops served by routes 102, 143, 234, 263, 603, 653, H3 and N20. These routes provide access to destinations such as Barnet, Brent Cross, East Finchley and Golders Green.

The nearest underground station to the site is East Finchley which is approximately 100m to the south west of the site accessed from the pedestrian crossing over the High Road. The nearest rail station is New Barnet which is approximately 2.5km.

Development Proposal:

The proposal is for demolition of existing buildings and construction of new buildings to provide 22 dwellings comprising of 8 x 1-bedroom, 13 x 2-bedroom and 1 x 3 bedroom in addition to 265 sqm of office space.

A total of 2 parking spaces are proposed for the development accessed via existing vehicle access from the High Road. One would be allocated to the 3 bedroom dwelling and the second for a car club bay.

Vehicle Access

The development will use the current access on the High Road that is 4.5m wide at the entrance. The entrance to the proposed development will be managed by secure gates which will be installed to allow access for pedestrians and vehicles separately.

The development will be accessed from the existing access on the High Road, the Transport Statement that will be 4.5 metres including footway. No details were submitted showing any modifications to the existing access but this will require improvement including any remedial work to facilitate the main office entrance, tactile paving to assist the mobility impaired at the crossing point, there may also be level changes to the access. These works are to be agreed under a S278 Agreement.

The Transport Assessment Appendix B showed that a vehicle parked in the car parking spaces within the site would mount the proposed footway to turn and exit in forward gear. This is poorly designed and based on the lower level of vehicle movements it is recommended that this is a shared surface so that a vehicle can manoeuvre easily. Modifications are therefore required and will be conditioned to be provided.

Car parking provision

The adopted Barnet's Local Plan (Development Management Policies) Policy DM17 indicates the maximum parking standards for residential development, as:

- i. 2 to 1.5 spaces per unit for 4 or more bedrooms)
- ii. 1.5 to 1 spaces per unit for 2 to 3 bedrooms;
- iii. 1 to less than 1 space per unit for 1 bedroom

This equates to a parking provision of up to 14 to 29 parking spaces for the residential development to meet the parking standards as set out in the Barnet Local Plan Development Management Policy DM17 approved in September 2012.

For a site in a PTAL5 area, a provision of 17 parking spaces would be required.

The proposal includes 2 parking spaces, 1 for the 3 bedroom dwelling and 1 for a car club bay and therefore is not in accordance with the parking standards.

Taking into consideration several factors including:

- The PTAL rating in this area is at a good accessibility range.
- According to the Census 2011 data the parking ratio for households in the Census Output Area where the site is located is higher than 1 per household.
- This residential development sits within an all-day (Mon-Sat 10am-6.30pm) Controlled Parking Zone (CPZ). A parking survey was carried out on 3rd -4th February 2016 and showed there was space available on-street to accommodate any potential overspill for overnight residents.
- The number of on-street parking permits issued is above 90% of the available space and is therefore under parking stress.

The developer has offered to enter into an agreement to remove the right of purchase of residential parking permits and provide a car club.

Cycle parking provision

A cycle store is provided and details are required to be submitted to show that the development will meet the London Plan minimum requirements for cycle parking.

Travel Plan

A Travel Plan Framework has been included in the submission to encourage sustainable modes of transport. A car club bay will be provided on the site. As the development falls below the threshold in the SPD for a Travel Plan this is voluntary but encouraging. Barnet will work with the developer in developing the plan.

Construction Management

A Construction Management Plan has been included with the submission and details on-site accommodation and how deliveries are made, routed on the highway network and managed. This is adequate for the development.

Refuse and Servicing

A Refuse storage area is provided on the access road within the building. A refuse and servicing strategy is required so that any impact to the highway network is reduced.

Section 106 Obligations

The following contributions and commitments are sought under a Section 106 Agreement :

- (a) Highways Works

The following proposed highway works shall be carried out under S278 of the Highways Act 1980 and to be concluded in S106 Agreement.

- Junction improvements at the High Road Access on the public highway that are approved by the Highway Authority.

- (b) Traffic Management Order Contribution

A financial contribution of £2,000 towards the amendment of Traffic Management Order to ensure to revoke the right to purchase a residential parking permit for the development site.

Overall highways officers consider that on balance the proposals would have an acceptable impact on highway and pedestrian safety and the free flow of traffic.

3. Whether the proposals will harmfully impact on the character and appearance of the streetscene and general locality

3.1 Layout

The proposed development is comprised of two blocks running north to south across the site.

The existing site is mostly hard landscaping and parking areas, with building running along the southern boundary of the site. The proposals would provide an opportunity to build a front age block which would relate to the existing parade of shops to the north. In this way the existing development is already out of character within the area.

The proposed layout would not be out of character with the pattern of development within the area and is considered acceptable.

3.2 Scale and Massing

The site is located on a slope, which decreases from north to south. The site is located within East Finchley Town Centre, with a mixture of building heights. To the north are shopping parades which are two storey with rooms in roof space. Opposite the site is East Finchley Underground Station which is Grade II listed. There is also a four storey office building opposite and three storey residential blocks with pitched roofs.

The massing of the building has been reduced at second and third floors so that it sits more comfortably against the parade of shops to the north. Furthermore, the recess would prevent the building appear jarring against Park House to the south.

The buildings vary between two and four stories in height. This is considered an appropriate scale for the site given the height of neighbouring buildings and the location within the town centre. It is considered important that the detailing of any building relates appropriately to the shopping parade with traditional form to the north. To the south, Park House is an unremarkable two storey flat roof building, however it is still important that any building does not appear jarring when viewed against this.

Overall, it is considered that the scale of the development is appropriate for the site.

3.3 External Appearance and Design

The proposed building would be flat roofed with recessed upper storeys. In this way the building above second floor would not be as dominating as viewed against the pitched roof of 20-22 High Road.

The proposed design of the scheme has been amended in order to separate the ground and upper floor levels of Block A and make them more distinctive given their differing uses.

Materials proposed include:

- Red stock brick
- Sandstone coloured render to projecting bays
- Zinc Cladding for roof
- Wood Laminate to rear projections
- Crittal Windows

It is considered that the design of the proposed building would be acceptable in terms of its impact on the character and appearance of the area.

3.4 Landscaping

The site is currently covered by buildings and hard landscaping with only very limited soft landscaping informally around the edges of the site.

The proposals would represent an opportunity to provide increased soft landscaping to the site, particularly in terms of proposed communal garden areas.

It is suggested that a detailed landscaping scheme is secured by condition.

The impact on the setting of East Finchley Underground Station as a listed building

The underground station is a notable listed building within East Finchley Town Centre, which is located opposite the site. Whilst the replacement building forming part of the development is of some presence, it is not considered that it would be overpowering or prejudicial to the setting of this listed building.

4. Affordable Housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual private residential and mixed use schemes. It suggests that negotiations on sites should take account of their individual circumstances including development viability. This approach is reflected in Policy CS4 of the Core Strategy and policy DM10 of the Development Management Policies DPD. The Policy sets a target of 40% affordable housing on sites of 10 units of more or covering 0.4 hectares or more.

The applicant has submitted a Financial Viability Report in support of the scheme. This has been independently reviewed by Colliers International on behalf of the Council. Further to this, it has been agreed that a contribution of £ 870,000 can be made towards affordable housing within the Borough. This represents a contribution of 23% and is considered to be the maximum amount the scheme can provide.

Whilst commuted sums are only acceptable in exceptional circumstances it is suggested that where a scheme either can only provide a small number of units on-site and there isn't an obvious self-contained block, a commuted sum could be justified. This is because 'pepper potted' affordable units or less than 10 units tend to be unattractive to RSLs as they are difficult to manage.

In this way, the proposals would comply with policy DM10 of the Development Management Policies 2012.

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

5.1 Impact on neighbouring occupiers

5.1.1 Daylight/Sunlight

A daylight and sunlight report accompanies the planning application. This assessed Vertical Sky Component (VSC), and Annual Probable Sunlight Hours (APSH).

The report shows that whilst there may be a small increase in overshadowing of gardens of houses on Ingram Road, this would not be materially harmful to the living conditions of occupiers of these properties. There would be no significant impact to houses on Baronsmere Road.

In terms of sunlight, the impact on 20-22 High Road would generally accord with Building Research Establishment (BRE) Guidance, with one window receiving less Winter Sun than normally advised. The BRE guidance is a useful tool for assessing such impacts but does not cover every eventuality.

Comments from residents have been received in respect of the Daylight and Sunlight Report. These states that the report has not looked at internal layout of neighbouring properties and does not have full diagrams as they are truncated. In the view of the resident development would be contrary to BRE guidelines as would go beyond 25 degree limit. It should be noted that the BRE Guidance states that *'If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*

-receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable

sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year greater than 4% of annual probable sunlight hours"

None of the above conditions are met.

Residents have also pointed out that houses on Ingram road are not North facing as stated within Daylight/Sunlight report, they are west facing. This is acknowledged. However, the report assesses the impact on these windows in any event.

Overall, it is considered that whilst there may be some impact in terms of overshadowing to residents on Ingram Road, this is relatively minor and not significant enough to warrant refusal of the planning application.

5.1.2 Privacy

Block B is sited to the rear of the site and is closest to neighbouring residential properties.

It should be noted that the plans do not show the extensions to properties on Ingram Road to the east. No.9 appears to have been extended in the form of a single storey rear extension. No.7 appears to have been extended at roof level. The houses on Ingram Road are L shaped and have rear two storey outriggers.

It is estimated that there is a distance of approximately 9.3m from the rear wall of the nearest property to the rear and boundary with the site (No.11 Ingram Road) measured from the rear of it's outrigger. The distance from the main rear wall would be approximately 15.3m. In the case of no.9, the ground floor rear wall is approximately 7m from the rear boundary where it has been extended.

Impact on no.11 Ingram Road

At ground and first floors, the proposed building would be approximately 28.5m from the main rear wall of no.11 and 21.3m from the rear outrigger.

At second and third floor the proposed building would be approximately 30.8m from the main rear wall of no.11 and 23.9m from the rear outrigger.

All balconies at second and third floor level have been removed beyond the main rear wall of block B.

The building would comply with the overlooking standards within the Supplement Planning Document: Residential Design Guidance document. The upper floors would be stepped even further to prevent possible overlooking.

Impact on no.9 Ingram Road

It is noted that no.9 has the benefit of a single storey rear extension and therefore the distances at ground floor between buildings is approximately 18.7m measured from the rear outrigger.

This only applies to the ground floor. It must be viewed in the context that the SPD contains guidance, and this is not to say that development should be refused if it exceeds these, especially in town centres.

Otherwise, the distances between the buildings is marginally more than in the case of no.11.

It is noted that there is a small balcony proposed facing this property at first floor level of approximately 1.5m depth. This would be sited away from the part of the building directly facing the outrigger. On balance it is not considered that harmful overlooking would result if this element is screened adequately and a condition is suggested to ensure this.

Impact on other residential properties

The other property directly facing the site is sited further away from the site though any impact would be similar to no.9 and no.11 Ingram Road. Though this property has a roof level, it is not considered that any impact would be materially harmful to the living conditions of the occupiers of this property.

The proposed Block A is sited to the front of the site. Overlooking from this block is unlikely given that residential properties are some distance to the north and east of the site.

Furthermore, the scheme has been designed to prevent any possible overlooking to the nursery at Park House to the south. It should however be noted that there is no policy seeking to prevent overlooking to schools and there would be no grounds to refuse an application on these grounds.

5.1.3 Visual Impact/Outlook

The houses to the rear of the site on Ingram Road are closest to the development. These are sited at a height similar to that of the site. They have rear outriggers which step back from the main rear wall of the buildings by approximately 7m.

The existing building is located some 9m from the boundary with no.11 and 20m at first floor level between windows. At ground floor the building is sited some 1m from the boundary.

Whilst the proposed building would be larger than that which exists on site, the second and third floors would be stepped back further to reduce their perceived visual impact.

The proposed block B would be sited approximately 16m from the rear boundary with houses on Baronsmere Road and 26m from the rear walls of these houses. Furthermore, any view would be of the side of the block which is shallow in depth.

It is not considered that the proposed building would appear overbearing or cause harmful loss of outlook as viewed from neighbouring residential properties to Ingram Road, Baronsmere Road or above commercial premises on High Road.

5.1.4 Noise and Disturbance

The site is located within East Finchley Town Centre and is within appropriate density ranges.

The commercial parts of the building would be sited to the front of the site away from residential properties to the rear.

Given the nature of the use it is not considered that the proposals would cause harmful noise and disturbance to neighbouring residential properties.

5.1.5 Light Pollution

Given the nature of the proposed use, and the siting and distance between windows, it is not considered that harmful light pollution would result from the development.

5.2 Impact on amenities of future occupiers

5.2.1 Internal Amenity

Block A

First Floor Unit 1 (1 Bed) – 54 square metres

First Floor Unit 2 (1 Bed) – 54 square metres

First Floor Unit 3 (1 Bed) – 54 square metres

First Floor Unit 4 (2 Bed) – 90 square metres

Second Floor Unit 1 (2 Bed) – 68.6 square metres

Second Floor Unit 2 (2 Bed) – 75.2 square metres

Second Floor Unit 3 (2 Bed) - 92.7 square metres

Third Floor (2 Bed) – 93 square metres

Block B

Ground Floor Unit 1 (2 Bed) - 67.7 square metres

Ground Floor Unit 2 (3 Bed) - 90.8 square metres

Ground Floor Unit 3 (2 Bed) – 67.7 square metres

First Floor Unit Unit 1 (2 Bed) – 67.6 square metres

First Floor Unit Unit 2 (1 Bed) – 56 square metres

First Floor Unit Unit 3 (1 Bed) – 56 square metres

First Floor Unit Unit 4 (2 Bed) – 67.6 square metres

Second Floor Unit Unit 1(2 Bed) – 67.6 square metres

Second Floor Unit Unit 2 (1 Bed) – 51 square metres

Second Floor Unit Unit 3 (1 Bed) – 51 square metres

Second Floor Unit Unit 4 (2 Bed) – 67.6 square metres

Third Floor Unit 1 (2 Bed) – 71 square metres

Third Floor Unit 2 (2 Bed) – 71 square metres

The development would comply with the internal space standards within Mayor's London Plan.

It is noted that some of the proposed residential units would be single aspect. However, none of the units would be north facing. In this way the scheme would provide good outlook for future residents.

5.2.2 External Amenity Space

The following amenity areas would be provided in association with the development:

- Communal Area of 103 square metres to rear of Block A
- Communal Area of 168 square metres to rear of Block B
- Ground floor private patios of 19, 27 and 31 square metres
- Communal Roof terrace (Third Floor) 57 square metres
- Third Floor Balconies of 19 square metres (x2)

240 square metres of external amenity space would be required in accordance with the Supplementary Planning Document on Sustainable Design and Construction. The development makes provision for 328 square metres.

6. Noise and Air Quality Issues

The Noise Consultants, Sharps Redmore, consider it is likely that the western and southern facades, which are closest to the High Road, will require a sealed acoustic glazing system and the northern and eastern facades will require thermal double glazing.

To enable the windows to remain closed acoustic air bricks or an individual or whole building mechanical ventilation system may be required. This would be acceptable to Environmental Health Officers.

The information is satisfactory and shows that the operational air quality impact of the proposal not to be significant. Environmental Health Officer would also like to note that the proposed noise mitigation options (such as acoustic air bricks or an individual or whole building mechanical ventilation) would also have act as an air quality mitigation measure. If mechanical ventilation is used they would recommend that air is drawn in from the rear of the building as this would be the cleanest side of the building)

The applicant has submitted a Construction Management Plan in support of the proposals. Environmental Health Officers consider that this is acceptable.

7. Sustainability/Environmental Issues

7.1 Accessibility

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2) and M4(3). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.

Policy 3.8 of the London Plan requires 10% of new dwellings to be wheelchair adaptable or accessible. The development would comply with this requirement.

7.2 Carbon Dioxide Emissions

The applicant has submitted an Environmental Sustainability Statement. This states that photovoltaic panels will be used as part of the development on the roof.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 35% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition [is attached/would be attached in the event planning permission is granted] to ensure compliance with the Policy

7.3 Water usage

In terms of water consumption, a condition [is attached/would be attached in the event planning permission is granted] to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

7.4 Drainage

The site is located within if Flood Zone 1. The site has a low risk of surface water flooding.

The applicant has submitted a drainage strategy. The Lead Local Flood Authority has been consulted and they are of the view that a more detailed Drainage Strategy should be submitted before the development commences. This could be secured by condition. It is recommended that the feasibility of implementing infiltrating Sustainable urban Drainage Systems (SuDS) be provided as well as giving more consideration to the SuDS hierarchy.

7.5 Biodiversity

Policy DM16 states that when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity.

The existing site contains buildings and hardstanding, with some vegetation around the residential boundaries with neighbouring properties. It is considered to be of low ecological value and as such, there is no requirement for surveys of protected species. A condition is attached requiring biodiversity improvements in accordance with policy DM16.

7.6 Waste and Recycling

The applicant has amended the plans to provide 6 x 1,100 litres bins. This is considered appropriate provision and is considered acceptable by the Waste and Recycling Team.

8. Impact on security

The proposed would maintain commercial use to the front of the site. The rear facing windows would provide surveillance to the rear garden of the site and it is not considered that the risk of antisocial behaviour would increase as a result of the development.

No objection has been received from the Metropolitan Police Designing Out Crime officer.

9. Section 106 Issues

The following planning obligations are required in association with the development:

Contribution of commuted sum towards affordable housing

Amendment to Traffic Order to prevent residents of the development obtaining parking permits.

Furthermore, a contribution would be required towards Mayoral and Barnet Community Infrastructure Levy.

5.4 Response to Public Consultation

Principle of Development

Doesn't make provision for larger units - *Addressed in main report*

Loss of jobs from existing facility - *Addressed in main report*

Density Excessive - *Addressed in main report*

Existing building (Formerly known as Valona House) is one of the oldest buildings in East Finchley and is of historic interest. - *Addressed in main report*

Design Issues

Overdevelopment - *Addressed in main report*

Proposals don't pay sufficient regard to Victorian houses on neighbouring roads - *Addressed in main report*

Poor Quality Design - *Addressed in main report*

Overpowers Park House and buildings on High Road - *Addressed in main report*

The materials, roofline, roof pitch, lack of eaves, gables, chimney stacks, dormer are not typical of development in the area. - *Addressed in main report*

Amenity Issues

Loss of light - *Addressed in main report*

Loss of privacy - *Addressed in main report*

Noise pollution - *Addressed in main report*

Neighbouring properties have not been represented correctly (Note no.9 Ingram avenue is 18.7m from development) - *Noted however the impact of the development is considered acceptable*

Daylight and Sunlight Report has not looked at internal layout of neighbouring properties and does not have full diagrams (Truncated). Development would be contrary to BRE guidelines as would go beyond 25 degree limit. - *Addressed in main report*

Houses on Ingram road are not North facing as stated within Daylight/Sunlight report – they are west facing - *Addressed in main report*

Noise assessment states that development will result in harmful noise, so needs to be fixed shut, which precludes ventilation - *Addressed in main report. Environmental Health Officers are satisfied with details*

No consideration to noise from underground or increase to underground use has been considered. - - *Noise issues are addressed in main report*

Ceiling height of development is below 2.5m - - *Addressed in main report*

Air Source Heat pumps will cause noise - *Air pumps are not proposed*

Highways Issues

Proposals don't make provision for parking - *Addressed in main report*

Access issues for vehicles for commercial development, deliveries, fire access - *Addressed in main report*

Waste Management Issues - *Addressed in main report*

Access road will cause disruption in Town Centre - *Addressed in main report*

Other Issues

Schools in the area are over subscribed – *The proposals make provision towards Community Infrastructure Levy which would contribute to this*

Noise and disturbance during construction – *This is covered by Environmental Health Legislation. In any event, a construction management plan has been provided and is considered acceptable*

Ecological impact *Addressed in main report*

6. Equality and Diversity Issues

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

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

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

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

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

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

7. Conclusion

The proposals would involve the redevelopment of a town centre site and provide contribution to office stock within the borough as well as additional residential units. The development would make a significant contribution to affordable housing within the borough. The development would not have a harmful impact on highway safety subject to legal agreement and not materially harm neighbouring living conditions. Whilst there is some harm arising from the loss of the non-designated heritage asset, this is considered to be moderate and outweighed by the benefits of the scheme. The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



PLANNING COMMITTEE

22 FEBRUARY 2017

ADDENDUM TO THE OFFICER'S REPORT

16/2341/FUL Referral from the Finchley and Golders Green Area Planning Committee: 12-18 High Road

Amend Plan Numbers:

~~HR-AGE01~~

HR-G-AG01 E

HR-G-AG02 D

HR-G-AG03 D

~~HR-G-AG04 E~~

~~HR-G-AG05 D~~

HR-G-AGP01 G

HR-G-AGP02 E

HR-G-AGP03 D

HR-G-AGP04 E

HR-G-AGP05 E

HR-G-AE01 D

HR-G-AE02 B

HR-G-AE03 C

HR-G-AE04 B

HR-G-AE05 C

HR-G-AE06 D

HR-G-AE07 C

HR-G-AE08 B

HR-G-AE09 A

HR-G-AE10 B

HR-G-AE11 B

Additional comments regarding Highways Issues:

The plans show a flushed kerb rather than an up stand that will aid a turning movement. The swept path movements show that a 4x4 vehicle can turn within the space. A swept path is the worst case as this doesn't allow a vehicle to turn the

wheel while stationary that can be done in practise. If a transit van was to gain access although a width of 7 metres is not to standard it can effectively turn within the space as if 5.6 metres long as would have 1.4 metres manoeuvrability to make a turn. It would take a number of point turns but it can be done.

There is sideways movement space in front of the parking bays to manoeuvre. A delivery driver can also reverse into the access and will have an early warning reversing system and a 2nd person to make sure it is clear.

A swept path movement has been provided to show that a vehicle can turn within the space in accordance with the Manual for Streets guidance. There is no defined guidance in Manual for Streets for inter-visibility between pedestrians and vehicles at an access as larger splays make a poor built environment and reduced visibility creates lower speeds. A 2 metre x 2 metre splay is achieved to the south, to the north the existing visibility is unchanged to the present and the vehicle movements will be greatly reduced. There are warning signs for vehicles as shown attached and no collisions have occurred.

Additional comments regarding Amenity Issues:

The distances to houses to the rear from block B are clarified below would as follows:

		Distance to Closest point	Distance to rear Two storey outrigger
9 Ingram Road	Ground floor	18.7m to extension of no.9 but this does not extend across full width of property.	20.3m
	First floor	18.7m to extension of no.9 but this does not extend across full width of property.	20.3m
	Second floor	20m to extension of no.9	
	Third Floor	23m to extension of no.9	
11 Ingram Road	Ground & first floor & second floor		20.3m
	Third floor		23m
13 Ingram Road	Ground & first floor		20.9m
	Third floor		22.8m

It should be noted that the properties on Ingram Road are L shaped with a two storey outrigger.

It is considered that though there are some minor contraventions of the 21m distance within the Supplementary Planning Guidance, there would not be harmful overlooking taking into account proximity to the town centre, and the lack of

continuous façade at upper floors. It should be noted that this is guidance and breach does not automatically mean that any application should be refused.

Tree Preservation Order

The Yew tree to the front of the adjacent Council-owned Park House, relatively close to the boundary with the application site, has now been included in a Tree Preservation Order. It is a material consideration and would allow the Council to impose conditions, if appropriate, for the protection of the tree or replacement planting to mitigate its loss.

Condition to Add:

1) a) 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) 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 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 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.

Car Club

The applicant has provided the following additional information on car clubs:
*'Within the immediate vicinity of 12-18 High Road the majority of the car clubs are operated with **HiyaCar** and **ZipCar**.*

***HiyaCar** and **EasyCar** are peer-to-peer car sharing platforms whereby car owners who may not require the use of their vehicle on a daily basis can rent it out to vetted drivers.*

- *The vehicle is listed on the website by the owner, with information on the cars availability, rental cost and any photographs.*

- Drivers can search their local area for the appropriate vehicle and make booking requests, when the request is made, a suitable location for pick-up and drop-off is agreed with the owner and driver.
- The Driver and Sharer meet at the time and place agreed at the time of making the Booking and the Driver shall confirm the Booking reference and make their driving licence available for inspection by the Sharer. The keys are exchanged and the car's owner is paid directly from the car sharing company.
- The Driver shall return the Car at the scheduled end of the Hire Period to the location agreed at the time of the Booking.
- Promptly following the return of the Car, the Sharer and the Driver shall record the Car's fuel level and inspect it for any new damage in the agreement. Drivers are responsible for refuelling any fuel used during the hire, using the appropriate fuel (i.e. regular, premium or diesel.)

With ZipCar and DriveNow, the vehicles are owned by the company and follow a more automated approach.

- After the initial registration, membership cards will be sent out. The location of the nearest car and the booking process can be accomplished via the mobile app, website or by phone.
- Once the booking has been made, the car can be opened by holding the membership card or mobile phone up to a sensor on the car's windscreen which prompts the doors to automatically unlock. In the case of DriveNow the car can be started via a PIN entered on the dashboard, with ZipCar the keys are accessible in the glovebox.
- Fuel, insurance and congestion charges are included in the price of the hire, which can vary from 1 hour to 7 days. If the car requires refuelling, there is a fuel card in the hire car which is to be used.
- For ZipCar when the hire is complete, the car is returned to its 'home' location and locked with the card or mobile phone. In select cities there are ongoing trials in regard to one-way trips or changes in drop-off location. However in the case of DriveNow, the car can be left at any location'.

Location 164 Brunswick Park Road London N11 1HA

Reference: 17/3720/FUL

Received: 12th June 2017

Accepted: 16th June 2017

Ward: Brunswick Park

Expiry 11th August 2017

Applicant: Ms Christine Coonan

Proposal: Demolition of existing house and garages and erection of 8no two storey dwelling houses. Associated landscaping, parking, cycle storing, refuse and recycling and amenity space

AGENDA ITEM 16

Recommendation: Approve subject to conditions

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

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0800_Brunswick Park Road_3D View-REV -

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0303_Brunswick Park Road_Unit Plans_2B4PH_Type C4-REV A.pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0302_Brunswick Park Road_Unit Plans_2B4PH_Type C3-REV A.pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0301_Brunswick Park Road_Unit Plans_2B4PH_Type C2-REV A.pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0300_Brunswick Park Road_Unit Plans_2B4PH_Type C1-REV A.pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0210_Brunswick Park Road_Block Elevations-REV B.pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0110_Brunswick Park Road_Street Elevation-REV B.pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0100_Brunswick Park Road_Proposed Site Plan-REV H(1).pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0100_Brunswick Park Road_Proposed Site Plan-REV H.pdf

LBB-SMP-200_HTA-A_BA2-S13-14_DR_0001_Brunswick Park Road_Existing Site Location Plan-REV-.pdf

Brunswick Park Road Topographical Survey.pdf

Appendix E: Proposed drainage strategy layout

Design and Access Statement (DAS), by HTA Design; Daylight, Sunlight and Overshadowing Report, by HTA Design; Transport Assessment including draft Travel Plan, by Vectos; Foul and Surface Water Drainage Statement by 7 Engineering Consultancy; Arboricultural Implications Assessment, by agb

Environmental; Utilities Site Investigation Report, by Premier Energy; Sustainability Statement, by BBS.

Topological Survey by Msurv; Bat Survey (AGB Environmental);

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 5 a) No development 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).

6 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).

7 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be

used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

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

8 a) 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.

9 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the southern elevation facing 162 Brunswick Park Road.

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).

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

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

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

- 11 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. A_BA2-S13-14_DR_0100 J shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

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

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

- 13 Prior to the commencement of the development, details of any works proposed on public highway to facilitate the development shall be submitted to and approved by the Highway Authority and highway 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.

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

Reason:
To ensure that adequate public access is provided throughout the development.

15 a) Notwithstanding the drainage strategy submitted, 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.

16 The development shall be carried out in accordance with the submitted and approved drainage strategy.

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

17 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.

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

19 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 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.

20 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

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

21 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).

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

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

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

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

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 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.

- 3 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.
- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 5 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.
- 6 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 7 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 8 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.
- 9 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water

can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

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

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

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

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

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

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

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

Informative: The applicant is advised that Brunswick Park Road is Traffic Sensitive Road during Monday to Friday from 8am to 9.30am and 6.30pm to 6.30pm; deliveries during the construction period should not take place during these times.

The applicant is also advised that the site is located within close proximity of a school and therefore deliveries during the construction period should avoided between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs.

Careful consideration must be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

Informative: The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, 4-6 weeks before the start of works on the public highways.

Officer's Assessment

Officer's Assessment

1. Site Description

The application site is located on the eastern side of Brunswick Park Road straddling both sides of the junction with Nurseryman's Road. As such, the site red line outline encompasses two sites within this planning application. The site to the north of the junction with Nurserymans Road comprises a garage block accessed from Brunswick Park Road. The site to the south of the same junction contains one single dwelling house within a generous area of land enclosed by a robust and mature hedge. There are also mature trees within the site particularly along the boundary with Nurserymans Road.

The area is predominantly residential in character with some commercial uses interspersed along Brunswick Park Road such as the North London Business Park. Residential properties are of an older variety to the western side of Brunswick Park Road and characterised by semi detached properties. The eastern side of Brunswick Park Road has been subject to more recent residential development and the land to the rear of the site comprises a recently constructed residential development.

The land runs at a gradient downhill from Brunswick Park Road along Nurserymans Road. The rear gardens of 6 - 13 Dowd Close adjoin the rear boundary of the larger application site with the rear elevations of these properties situated 13m away from the boundary, while 162 Brunswick Park Road adjoins the site to the immediate south.

The site is not located in a conservation area and there are no listed buildings in the street. There are no trees subject to a Tree Preservation Order within the site or affected by their proximity to the curtilage of the site.

2. Site History

There is no relevant prior planning history pertaining to the red line site subject to this planning application.

The land directly to the rear of the application site within Nurserymans Road, Dowd Close and Gardners Close appears to have benefitted from planning permission granted in 2002 allowing for the redevelopment of land to provide for a carehome and 29 residential units. The relevant planning permission is N00949AH/01.

3. Proposal

Planning permission is sought for the demolition of the existing garages to the north of the junction with Nurserymans Road and the existing detached dwelling house to the south of the same junction and their replacement with a new residential development comprising of 8 dwelling houses for affordable rent by Barnet Homes.

On the northern side of Nurserymans Road, the application proposes the erection of a pair of semi detached properties with private gardens. Off street car will be provided with

access from Nurserymans Road. On the southern side of the junction, the application proposes the erection of a terrace of 6 dwelling houses. The northern most property will also contain two parking spaces within its curtilage. However, the remaining five properties will have an off street parking space within the forecourt accessed from Brunswick Park Road via new crossovers.

The proposed dwellings would all be two storey, 2 bedroom properties with approximately 80 sq.m of internal floor space.

The properties would be constructed from brick with gable ends at each end of the terrace or semi detached pair. Each pair of properties would also have a two storey front facing gable end facing Brunswick Park Road which would be grouped in pairs.

The pair of properties on the northern side of Nurserymans Road would be constructed along the same building line as 170 Brunswick Park Road. However the terrace of 6 properties to the south will be constructed closer to the road than the established building line to the south. This is to enable a suitable separation distance from the rear elevation of the proposed development to the rear elevation of 6 - 13 Dowd Close. This separation distance would be 23m while the rear garden depth of the proposed properties would be 10m. The southern most terraced property would be 2.5m distant from 162 Brunswick Park Road but would be set 6.0m further forward than the front elevation of this property.

4. Public Consultation

Consultation letters were sent to 58 neighbouring properties.
4 responses have been received, comprising 3 letters of objection.

The objections received can be summarised as follows:

- Hours of construction and construction management
- Community infrastructure including school places and health care
- Implications of the proposed development on a tree close to the boundary with the development and 162 Brunswick Park Road.
- The digging up of the road and pavement for utility connections would prevent free access to the property for the owner of the neighbouring properties.
- The road is already congested and parking in the area is difficult.
- Signage would have to be installed in relation to the prevention of ball games on land around the development.
- Concerns about boundary treatments
- Concerns about crossovers.
- The proposed development would result in the loss of an existing garage and parking block which is being used.
- Overspill parking from the North London Business Park is preventing residents' parking in the Brunswick Park Road area particularly through the day.
- The development would be dangerous to the existing highway safety within the Nurserymans Road, Dowd Close and Gardners Close development.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Whether the principle of the development is acceptable.

Planning permission is sought for the demolition of a garage block and a dwelling house on land on the eastern side of Brunswick Park Road either side of the Nurserymans Road junction and the erection of a pair of semi detached properties and a terrace of six dwelling houses. The development would be for the benefit of Barnet Homes and all eight units would be provided as affordable housing utilising the affordable rent product.

The National Planning Policy Framework and the National Planning Policy Guidance states that where small scale development of less than 11 units come forward for determination, they should not need to make a contribution towards either affordable housing or other tariff style obligations.

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

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

During the pre-application phase and within the application documentation, Barnet Homes have advised that the proposed residential accommodation coming forward for all the sites for both the DCLG defined categories of major and minor applications would be delivered as affordable housing. These units would be brought forward as affordable rent with a rent level indicated as being 65% of the market rent. Based on this commitment, the provision of affordable housing constituted a significant material consideration which was dominant in the planning balance evaluation if there were any disbenefits associated with particular schemes.

The applications which have been submitted by Barnet Homes are at present a mixture of small schemes of less than 11 units (so far forming the greater majority) and a small number of major schemes delivering 11 or more units. Barnet Homes are firmly of the view that the amendment to the NPPG following the West Berkshire District Council and Reading Borough Council v Secretary of State for DCLG means that the Council should not be seeking to secure affordable housing by condition or by legal agreement for the smaller schemes. In addition, the applicant is of the view that the imposition of a requirement to enter into a legal agreement to secure affordable housing would have an impact on the ability of the developer to secure the levels of further funding to provide more homes in the future.

Barnet Homes is a wholly owned subsidiary of Barnet Council, responsible for the management and maintenance of the Council's 15,000 rental properties. Barnet Homes is in the process of setting up a new Registered Housing Provider known as Open Door

Homes as a further subsidiary, committed to providing affordable housing. Utilising a loan from Barnet Council, the first programme of homes will be let at affordable rents. This position will be protected by the terms of the loan agreement and by the transfer of the sites from Barnet Council. Barnet Homes are therefore contractually obliged to provide affordable (rent) housing.

With respect to the larger sites where both Local Plan Policy DM10 supported by the London Plan and the NPPF states that there is a Borough wide target to bring forward 40% of new dwellings in a tenure that meets the definition of affordable housing in the NPPF. Barnet Homes is willing to enter into a legal agreement to secure these units. Barnet Homes and subsequently Opendoor have indicated their willingness to enter into a legal agreement in order to deliver a policy compliant affordable housing level. However, as stated, an onerous legal agreement would reduce the ability of Opendoor to raise future funds to continue the development cycle. Barnet Homes have a programme to deliver 326 affordable homes in order to alleviate homelessness in the borough. However, some sites may not be able to deliver the 100% provision on all sites and the monies raised will enable Barnet Homes to deliver more than the identified 326 units.

Barnet Homes recognises the concern that affordable housing secured outside of a legal agreement under Section 106 of the Planning Act, would be susceptible to disposal through Right to Buy, however the monies raised will be recycled for further investment and further build.

The overarching aim of Opendoor Homes is to build 750 units by 2020. Some dwellings will be delivered on the open market which will not be possible if the land value is based on having to provide affordable housing above policy. However, despite the absence of a legal agreement, Opendoor have every intention to provide affordable housing at affordable rent levels based on a local nominations agreement.

Ultimately, the provision of no affordable housing units on the smaller sites and the provision of at least 40% of units in affordable tenure on the larger sites would be policy compliant in respect of all the relevant tiers of policy. Nevertheless, an interpretation of the NPPF and NPPG would suggest that contributions or provision should not be sought, as opposed to must not be sought. As such, the Council could be entitled to secure affordable housing through a legal agreement on the smaller schemes. Furthermore a Council may be able to seek affordable housing at a proportion greater than 40% just as a developer may choose to deliver housing in affordable housing on a small scheme or at a ratio of greater than 40% on larger schemes.

Undoubtedly, the position promoted by Barnet Homes since their engagement with planning officers in December 2015 has been based entirely on a 100% affordable housing provision. Supporting planning documents including the planning statement and the application form has been clear in stating that it is the intention to provide this. The applications came before Committee carrying a condition seeking a legal agreement.

Nevertheless, there is a clear intention to provide affordable housing through other means and securing this for at least the first occupants under a Barnet Nominations procedure. The schemes, both small and large are policy compliant. Barnet Homes will be providing affordable rented housing on these sites although Members are being asked to consider these schemes purely on the basis of them being new dwellings only. Barnet Homes will be able to secure and raise funding on more advantageous site values allowing them to invest and earn greater sums of money. This would enable Barnet Homes to deliver effectively the stated aim of 326 units in this next phase and 750 in total by 2020. In a

holistic view, this is a tangible planning benefit and it is considered that there would be an inherent risk to the programme that could be compromised.

On balance, the amended approach is considered to be acceptable and it is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

In summary, the unit would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

The scheme involves the loss of a single dwelling house. However, it would be replaced by 8 dwellings a net gain of 7 units. As such there is no net loss of housing and the scheme is not contrary to Development Plan policy. The existing dwelling is not protected by any restrictive designations and although the building is not unattractive, its loss cannot be prevented. The proposed development would also reflect existing development patterns along Brunswick Park Road and is therefore proposed to be of an adequate and appropriate development density.

The proposed development would result in the loss of garages and car parking comprising of 13 spaces. Some of these parking spaces were being used prior to the application being submitted to the Council. A parking beat survey was undertaken by the applicant to assess the existing parking demand in the vicinity of the site to inform the parking provision for the proposed development. The parking beat survey demonstrated that there is on street parking spaces available to accommodate any potential overspill in parking demand.

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

The proposed development comprises a pair of semi detached properties and a terrace of six properties. The proposed development is arranged over two storeys and each property would be provided with a private rear garden. The proposed development would be constructed of brick and would terminate with a gable end. Each property would have a front elevation facing gable end to the street which would be constructed in pairs.

The layout of the proposed development would largely follow the pattern of development within Brunswick Park Road and would not be out of character or out of keeping with the established character of residential development within this street.

The proposed development would be consistent with the building line to the north, however, it would project further forward of the building line to the south to the extent that there would be a 6m projection. This would be an abrupt change within the street, however, it would not be so visually different to other buildings or terraces which terminate with a gable end within Brunswick Park Road given the design is such that it seeks to reflect the prevailing form, size and scale within the area.

The proposed development would also result in the removal of trees and vegetation means of enclosure which are quite dense around the site. None of these trees are protected however, these are significant characteristics to the site and their loss would have an impact on visual amenity. However, their removal would not be protected and their quality is assessed elsewhere in this report. It is considered that a landscaping plan would assist in mitigating the visual impact of this loss

Impact on the amenity of neighbouring properties

The properties most likely to be affected by this proposed development would be 162 Brunswick Park Road to the immediate south of the proposed development, 6 - 13 Dowd Close to the immediate east of the proposed development and 170 Brunswick Park Road to the immediate north of the proposed development. 162 Brunswick Park Road has been previously extended on its northern side taking the development footprint up to the boundary of the site. The proposed development would be 2.4m distant from the flank of this extension and would project nearly 6m beyond the front elevation. As such, the proposed development would have some material impact on the outlook from the front of the property. However, it is indicated that a number of the conifer trees on the southern flank elevation would be removed which would therefore reduce the overbearing visual impact on the outlook and amenity of this occupier. To the rear there would be no impact from the proposed development. On balance it is considered that the loss of the trees on this boundary compared to the forward projection of the neighbouring dwelling would be acceptable and would therefore not be significant additional harm that would warrant refusal.

It is considered that it would be necessary to limit the permitted development rights applicable to the proposed dwellings which would prevent the construction of extensions to the rear or side or the installation of windows to the flank elevation which may have a harmful impact on the amenities of the occupiers of this property.

To the rear of the site, it is considered that the separation distance is sufficient to prevent a harmful impact on the amenities of the occupiers residing at 6 - 13 Dowd Close. The proposed development would therefore be acceptable in this regard.

It is considered finally, that the separation distance between 170 Brunswick Park Road and the proposed development and the fact that the development neither projects further forward or rear ward of the established building line would result in no harmful impact on the amenity of these occupiers.

Impact on the amenity of future occupiers.

The proposed development would deliver 8 units comprising 8 x 2 bed units. Each of the units would exceed the London Plan requirements for units of this size and level of occupancy. Individual rooms would also all exceed London Plan standards. Each unit has the required amount of storage. All units would have access to a private garden and an on street parking space for each property. The rear gardens of the terraced properties would have a depth of 10m and the rear elevation of the proposed units would be 23m distant from the first floor rear windows of the properties at 6 - 13 Dowd Close. The rear of 162 Brunswick Park Road would project by more than 6m from the rear elevation of the most southerly property in this terrace. However, the adequate separation distance and the fact that this impact only relates to one property is not sufficiently compelling to warrant the refusal of planning permission.

Sustainability

The development as a whole would be able to deliver a reduction of 35% in Co2 emissions below the Building Regulation of 2013.

The development is capable of meeting M4(2) standard for accessible housing under the building regulations.

The proposed development would be able to secure a reduction of 35% of CO2 emissions from the relevant 2013 building regulations.

Highway safety, parking, cycle parking and refuse collection

The proposed development would result in the loss of an existing garage and parking court. Highways officers are satisfied that the overspill parking can be accommodated within the existing local highway network following the carrying out of a parking beat survey.

The proposed development would include one car parking space per dwelling which would be acceptable. Each unit also provides sufficient ability to accommodate cycle storage on site.

Vehicle access to the site is being maintained from Brunswick Park Road for the six residential units located at the southern section of the site. This would involve provision of two new crossovers and reinstatement of the existing crossover. Highways officers have considered the safety impact arising from access to and from the car parking spaces on to Brunswick Park Road as acceptable and this includes visibility considerations for highway users and pedestrians.

The applicant has assessed the capacity of the garage block to accommodate vehicles and has found that these are substandard to accommodate modern vehicles. A parking survey has been carried out in the area and has found that the surrounding streets has substantial capacity as low as 25% and it is considered that this can accommodate the loss of the garage block.

For the two residential units located at the northern section of the site, a new vehicle access is proposed from Nurseryman's Road. It is proposed that each unit will have their own secure bin store to the west, south and north of each of the units will be wheeled to the footway on Brunswick Park Road or Nurseryman's Road to be collected in accordance with the existing refuse collection operations. The applicant is advised that the highway tree or any other highway furniture located on the verge are likely to be affected by the proposal and therefore the proposed new crossovers would be subject to site investigation following the application being made to the Council's highways development control and the highways tree section will need to be consulted for their approval for the removal/relocation of trees. Also it is proposed that the existing verge on the southern kerb line of Nurseryman's Road is to be converted to footway.

The redevelopment will also result in changes to the immediate streetscene including paths, pavements, boundaries and other street furniture. The location of new parking in Nurseryman's Road will also need to be taken into account.

Landscaping and ecology

The existing dwelling house at 164 Brunswick Park Road is anomalous in that contains mature and established vegetation and planting in and around the site. None of the trees are protected by a Tree Preservation Order or by a conservation area designation. However the proposed development would result in the removal of a large number of these trees. A tree survey has been provided to the Council which indicates that many of

these are of poor quality in landscape and health terms and their loss would not be significant. The applicant intends to put forward a mitigating landscaping plan which would seek to ensure that some of this loss is compensated.

The applicant has commissioned ecological surveys in the area with a particular focus on bats given the opportunities that the existing buildings on site might provide in respect of bat roosting and commuting routes. A survey carried out earlier in 2017 established no habitats. A bat emergence survey was undertaken on the 14th June and I am pleased to confirm that no roosting bats were found during the survey. As such, the report concludes that the planned proposal can proceed with no mitigation required for roosting bats.

5.4 Response to Public Consultation

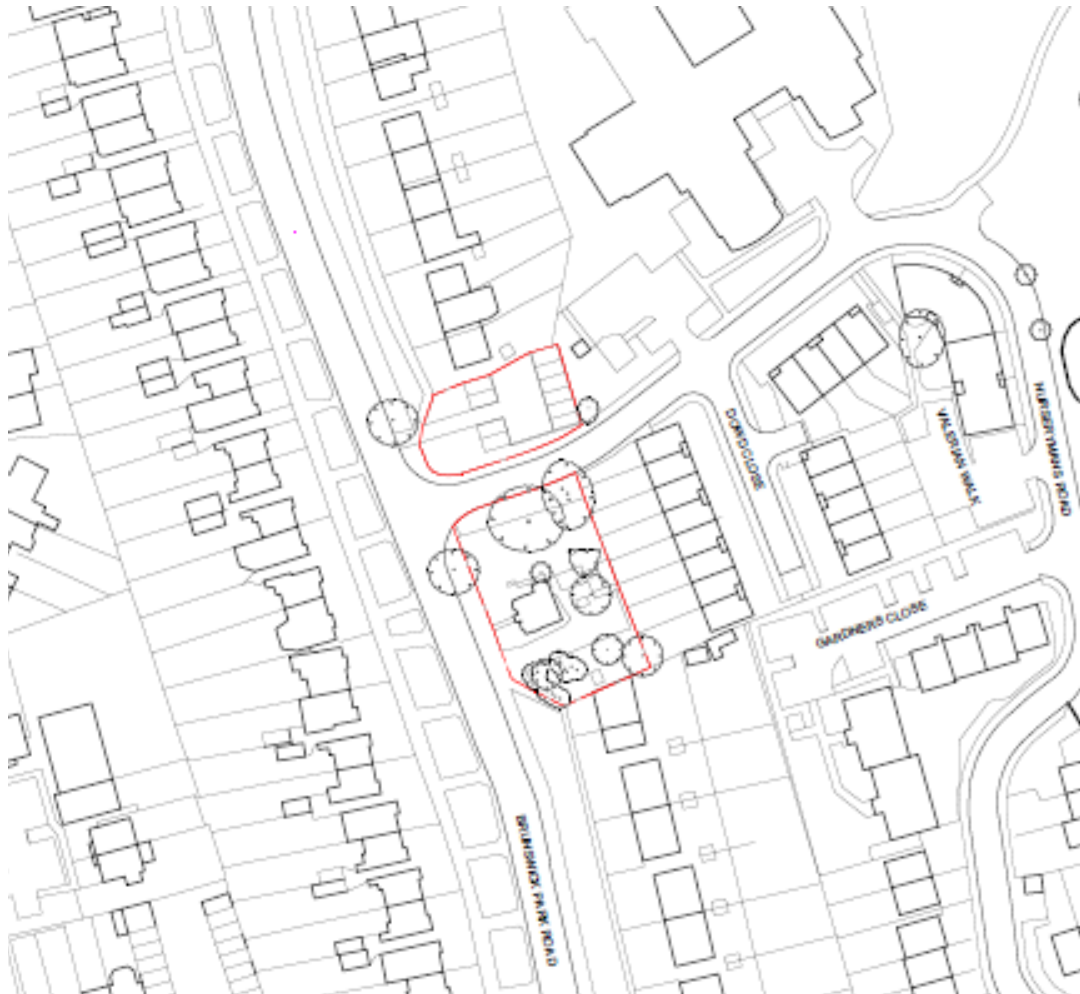
The planning issues raised are addressed in the report above.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



Existing Site Location Plan

1:1250

09.06.17	PSM	Issue for planning
16.06.17	PSM	Issue for planning

Notes:
Do not scale from drawings unless by agreement with HTA. Use figured dimensions only. Check all dimensions on site prior to commencing the works. Drawing to be read in conjunction with other relevant consultant information.

This drawing is the property of HTA Design Ltd.

Legend

— Site Boundary

1:1250 SCALE BAR

0 10 20 30

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