

MEETING

PLANNING COMMITTEE

DATE AND TIME

THURSDAY 23RD NOVEMBER, 2017

AT 7.00 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
Jim Tierney
Laurie Williams

Substitute Members

Anne Hutton
Reema Patel
Philip Cohen
John Marshall

Dr Devra Kay
Gabriel Rozenberg
Arjun Mittra

Sury Khatri
Hugh Rayner
Shimon Ryde

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

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

Andrew Charlwood – Head of Governance

Governance Service contact: Jan Natynczyk jan.natynczyk@barnet.gov.uk 020 8359 5129

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ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 8
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.	Plot 299, 128 Colindale Avenue, London, NW9 4AX, 17/2248/FUL (Colindale)	9 - 50
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8.	30 Brookhill Road, Barnet, EN4 8SN (East Barnet)	59 - 94
9.	Grahame Park, London, NW9 (Colindale)	95 - 190
10.	Old Fold Manor Golf Club Old Fold Lane Barnet EN5 4QN (High Barnet)	191 - 200
11.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

25 October 2017

Members Present:-

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

AGENDA ITEM 1

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

Also in attendance

Councillor Sury Khatri (substituting for Cllr Mark Shooter)

Apologies for Absence

Councillor Mark Shooter

CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting and explained the change in running order.

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 28 September 2017 be approved as a correct record.

2. ABSENCE OF MEMBERS

Apology received from Councillor Mark Shooter, with Councillor Sury Khatri as his substitute.

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

Councillor Sury Khatri declared a non-pecuniary interest noting Mrs Jenny Brown lives in his ward and he has had conversations with her.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the agenda were dealt with under individual agenda items.

6. UNDERHILL STADIUM AND HOCKEY CLUB, BARNET LANE, BARNET, EN5 2DN (UNDERHILL WARD)

Councillor Tim Roberts moved that the application be deferred to allow more time for consideration. The motion was seconded by Councillor Claire Farrier and the votes were declared as follows:

For	5
Against	6
Abstain	0

The motion was lost.

The Committee received the report and addendum to the report.

Representations were heard from Jenny Brown, Tim Leffman, Andrew Dismore AM and from the Applicant.

A vote was taken on approving the application:

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

RESOLVED that the application be approved, subject to the conditions and planning obligations outlined and subject to referral to the Mayor of London and the Secretary of State.

7. PLOT 299, 128 COLINDALE AVENUE, LONDON, NW9 4AX (COLINDALE WARD)

The Committee received the report and addendum to the report. It was noted that consideration of this item followed on from initial consideration at Planning Committee on 28 September when representations were heard.

Councillor Claire Farrier, seconded by Councillor Jim Tierney, moved that the committee vote on an amalgamation of recommendations 3 and 4 as set out in Jenny Harris' submission. On the motion being put to the vote the votes were declared as follows:

For	5
Against	6
Abstained	0

The motion was lost.

The Committee then considered and voted on each of the proposed reasons for refusal as set out in the officer's report.

On the first reason for refusal being put to the vote (Proposal going against the original use), the votes were declared as follows:

For	5
Against	6

Abstained	0
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The reason for refusal was not agreed.

On the second reason for refusal being put to the vote (The absence of a marketing strategy), the votes were declared as follows:

For	5
Against	6
Abstained	0

The reason for refusal was not agreed.

On the third reason for refusal being put to the vote (Noise and disturbance resulting from the proposed use), the votes were declared as follows:

For	5
Against	6
Abstained	0

The reason for refusal was not agreed.

On the fourth reason for refusal being put to the vote (Anti-social behaviour), the votes were declared as follows:

For	5
Against	6
Abstained	0

The reason for refusal was not agreed.

On the fifth reason for refusal being put to the vote (Betting shop cannot be used by all members of the community), the votes were declared as follows:

For	5
Against	6
Abstained	0

The reason for refusal was not agreed.

The reasons for refusal not being agreed, Councillor Melvin Cohen moved that the application be approved. The motion was seconded by Councillor Wendy Prentice, and the votes were declared as follows:

For	6
Against	5
Abstained	0

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

The Chairman then adjourned the meeting at 8.45pm due to disruption in the public gallery.

8. RESERVED MATTERS APPLICATION FOR PHASE 1B (NORTH) OF THE BRENT CROSS CRICKLEWOOD (GOLDERS GREEN, WEST HENDON AND CHILDS HILL WARD)

The meeting resumed at 9.10pm.

The Committee received the report and addendum to the report.

A vote was taken on approving the application:

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

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

9. BRENT CROSS CRICKLEWOOD REGENERATION AREA NW7 (GOLDERS GREEN, CHILD'S HILL AND HENDON WARDS)

Withdrawn.

10. MONTROSE PLAYING FIELDS, MONTROSE AVENUE, COLINDALE, NW9 5BY (BURNT OAK WARD)

The Committee received the report.

A vote was taken on approving the application:

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

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

11. NATIONAL INSTITUTE FOR MEDICAL RESEARCH, THE RIDGEWAY, LONDON, NW7 1AA (BURNT OAK)

The Committee noted the report.

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

None.

The meeting finished at 9.39 pm

LOCATION: Plot 299, 128 Colindale Avenue, London, NW9 4AX

REFERENCE: 17/2248/FUL

Registered: 06/04/2017 **AGENDA ITEM 6**

WARD: Colindale

APPLICANT: Planning Potential Ltd

PROPOSAL: Change of use of 97sqm of Plot 299 of 128 Colindale Avenue from flexible A1/A2/A3 use to a betting shop (Sui Generis use)

Recommendation

Committee is recommended to review their resolution to grant permission by re-hearing the application in full including hearing from the objectors and the applicant. The Committee is therefore requested to reconsider and review the proposal for change of use to a betting shop (Sui Generis). The full Officer report and recommendation is attached at Appendix 1.

Background

This application was originally presented to Planning Committee on 28 September. The Planning Officer report is attached at Appendix 1 and includes an Officer recommendation to approve the scheme subject to conditions. Following much debate, the Committee was 'minded to refuse', however, in the absence of agreeing a planning reason to refuse the scheme, the Committee requested Officers bring back a report to the next meeting, outlining reasons for refusal.

As requested, a report was presented to Planning Committee on 25 October providing five reasons for refusal to reflect the areas of concern raised at the meeting on 28 September. The Officer report is attached at Appendix 2. The Committee voted on each of the five suggested reasons for refusal and no majority was agreed on any of them. A recommendation was then moved and seconded to approve the application subject to the reasons and conditions outlined in Appendix 1. The application was then approved by the Committee but as yet no decision has been issued by the Council.

Following the meeting on 25 October, the Monitoring Officer advised that not all of the Members had all the information in front of them (from the earlier meeting on 28 September) including having heard from the objectors as well as the applicant and this could be perceived as having an impact on the decision.

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LOCATION: Plot 299, 128 Colindale Avenue, London, NW9 4AX

REFERENCE: 17/2248/FUL **Registered:** 06/04/2017

WARD: Colindale

APPLICANT: Planning Potential Ltd

PROPOSAL: Change of use of 97sqm of Plot 299 of 128 Colindale Avenue from flexible A1/A2/A3 use to a betting shop (Sui Generis use)

Recommendation

Approve subject to the following conditions:

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 15817-11; 15817-10; Planning Statement: Plot 299, 128 Colindale Avenue, NW9 4AX.

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 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.

- 3) The use hereby permitted shall not be open to members of the public before 08:00am or after 10:00pm on weekdays and Saturdays or before 09:00am or after 09:00pm on Sundays and Bank and Public Holidays.

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

- 4) Before the development hereby permitted is first occupied, the name and contact number of manager shall be displayed on the outside of the building.

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

- 5) None of the windows of the development hereby permitted shall be obscure glazed.

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

6) a) No development shall take place until a scheme of hard and soft landscaping to the front of this unit, including details of planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

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.

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

b) The CCTV 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 the amenity of existing and future residents is not compromised 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 2016)

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Introduction

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

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

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

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

The London Plan

The London Plan (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

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)

Relevant Planning History

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

Public Consultations and Views Expressed

As part of the consultation procedure, 379 letters were sent to local residents. A site notice was also displayed on 27/04/2017.

183 responses were received by the council, all of which were objections.

Objections

- 1) Proposal will lead to crime and anti-social behaviour
- 2) The premises will be open late
- 3) Increase noise and disturbance for local residents and detrimental impact on residential amenity
- 4) Increase in litter
- 5) Information in shop front about application not displayed for long enough
- 6) Proposal fails to comply with planning policies including DM12 (iii) and (iv).
- 7) This use not appropriate in a residential area
- 8) Not appropriate to have a bettering shop opposite a college
- 9) Does not promote jobs or help the community
- 10) Proposal does not meet local needs - convenience shops/ cafes / restaurant day care facility would be more appropriate
- 11) There are balconies above the betting shop which will be disturbed
- 12) The application site is close to a playground
- 13) There are already multiple betting shops close to the site
- 14) Will lead to increase in gambling addiction

- 15) Increase in parking
- 16) Proposal would go against local communities diverse religious beliefs
- 17) Will detrimentally impact on local property prices
- 18) There has not been enough consultation with local community
- 19) Betting shop will be in an area with a high number of vulnerable people
- 20) Previous application had been refused

Officer Response

The Metropolitan police have been consulted as part of the appraisal procedure process. They have recommended some conditions be attached. Conditions restricting the use of obscure glazing; requesting details of CCTV to be implemented; restricting the opening hours of the betting shop unit and details of hard and soft landscaping measures have been attached to this permission. Other conditions recommended by the Metropolitan Police do not relate to planning matters and do not meet the conditions tests as stated in the regulations. These therefore cannot be attached.

The Local Planning Authority cannot consider the betting shops influence on student or young people's lifestyle choices as this is not a material planning consideration. Furthermore, it is illegal to permit any person under the age of 18 to enter a licensed gambling premise, and therefore any users of the Betting shop will be responsible adults above the age of 18. This is regulated by the Trading Standards & Licencing Authority.

There are currently no betting shops in this part of the Colindale Area, with the nearest betting shop located on Burnt Oak Broadway. There are currently retail uses in close proximity to other retail units including a Sainsbury's Local and newsagents. The proposed change of use of this flexible A1/A2/A3 unit is not considered to have a detrimental impact on retail provision in this part of Colindale. There are no restrictions in local or national policies regarding the implementation of a betting shop use as part of a mixed use development.

A condition restricting the opening hours of the betting shop means that there should not be any disturbance during anti-social hours. It is not considered that this use should result in a detrimental increase in litter. As part of the appraisal procedure, the Council's Highways Department was consulted. They raised no objection to the change of use on highways grounds. The impact of a proposal on local property prices is not a planning material consideration.

In the event that anti-social behaviour directly results from the premises and/or the proposed betting premise is operated in breach of their licence, enforcement can be carried out by the appropriate authorities, either the licencing authority or the gambling commission.

The council has followed the appropriate consultation procedures which is

compliant with planning regulations. The council published their site notices around the site on 27/04/2017 as per standard consultation procedures.

The applicant has confirmed in the submitted planning statement that 7 new jobs will be created through the implementation of the Betting Shop use including a full time manager, a full time assistant manager, a senior cashier, 3 part time cashiers and a cleaning position. These jobs will be available to local people.

A previous application was submitted to change the use of this unit under a S73 application, but this was withdrawn. Compliance of the proposal with planning policy is addressed in the appraisal section of this report.

Statutory Consultation responses

LB Barnet Highways

No objection to change of use.

Metropolitan Police

The Metropolitan Police Service have raised concerns about the location of a betting shop at this venue. They have stated that there is the potential for this site to become a generator for crime/anti-social behaviour.

Historically these operations have extended hours of activity which when located in close proximity to residential entrances may reduce the effectiveness of their access control strategy and this combined with readily available public seating within the vicinity of available alcohol (Sainsbury's Local 90m away) increases the likelihood for it to have a negative impact on the quality of life for the local residents.

The police are unable to support this application at this present time. They have stated in their response that if the Local Authority is minded to grant planning permission for this use, the following conditions are attached:

1. Hours of operation 9am until 6pm. Monday to Saturday - closed Sundays.
2. No seating outside.
3. No obscuring of the windows.
4. Defensive planting under all curtain walling.
5. Full CCTV coverage inside the venue which is to be extended outside to cover the public footway.

6. Entrance doors to the shop to be positioned as far as possible from the corner and any other residential doors. Additionally consideration should be given to a defensive planting strip to clearly define both uses.
7. Toilet facilities to be open at all times - if they close the venue closes.
8. Office to be located within 5m of the main entrance with direct field of vision.
9. Entry into the venue to be controlled via the office- with an electronically operated lock
10. Name and contact number of manager displayed on the outside of the building.

Officer Response to Metropolitan Police Objection

The vast majority of betting shops are located in town centres and parades with residential units above or nearby to these uses. The location of the residential units above this proposed betting shop does not represent a significantly different arrangement. There is no public seating directly outside the premises and any applications for new seating would be resisted. Conditions have been implemented in accordance with the Metropolitan Police's comments requiring restricted hours of opening, that windows are not obscure glazed and that a scheme of CCTV and hard and soft landscaping provision be submitted to the Local Authority for approval. The hours of opening restrictions are longer than those proposed by the Police. It is considered that as there are nearby shops, restaurants, bars and pubs open in the evening, it would be unreasonable to restrict opening hours of the betting shop to 6pm. The other condition recommendations outlined in the Police's response do not relate to planning material considerations and do not meet the condition's test as outlined in the Regulations. Therefore, these cannot be implemented.

Site Description

The application site is situated on the ground floor of a new residential development (Application Reference: H/05856/13) on Colindale Avenue, which comprises of 395 flats across 6 separate blocks of 4-11 storeys. The development is substantially complete.

The application site does not lie in a conservation area, but does however fall within the Colindale Area Action Plan (CAAP) area which seeks the creation of a new neighbourhood centre on Colindale Avenue.

Proposal

This application seeks to change the use of 97 sqm of Plot 299 located at the

ground floor of 128 Colindale Avenue from flexible A1/A2/A3 to sui genesis, specifically a betting shop. The other 145.5sqm of the unit will remain for A1/A2/A3 use.

PLANNING CONSIDERATIONS

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, CS5, CS6.
- Relevant Development Management Policies: DM01, DM12

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.

Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of a change of use from flexible A1/A2/A3 to a Betting shop (Sui Generis) is acceptable;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality and
- Whether harm would be caused to the living conditions of neighbouring residents.

ASSESSMENT OF PROPOSALS

Principle of a change of use

The existing site premises are currently unoccupied. Therefore, it should be noted that the A1/A2/A3 use is the site's approved rather than existing use.

The Core Strategy identifies that '*Colindale Avenue will provide the vibrant heart and gateway of Colindale as a sustainable mixed-use neighbourhood centre anchored by a new public transport interchange with pedestrian piazza*'

The Local Planning Authority have considered the Development Management policies within the adopted Local Plan (Development Management Policies) Development Plan Document (September 2012) and note that there are no specific policies that restrict the implementation of Sui Generis uses. Although these policies do protect retail uses in primary or secondary retail frontage in an established town centre and in shopping parades, this unit does not lie in either of these land designations.

Policy DM12: Maintaining local centres and parades states that '*the council will protect all retail uses (Class A1) in the existing local centres, parades and isolated shops unless it can be demonstrated that:*

- i. there will be no significant reduction of shopping facilities as a result; and*
- ii. that alternative shopping facilities that are similarly accessible by walking, cycling or public transport exist to meet the needs of the area; and*
- iii. the proposed use is within Class A2, A3, A4, A5 or meets an identified local need; and*
- iv. there is no demand for continued Class A1 use, and that the site has been marketed effectively for such use.*

It is considered that the loss of 97sqm of floorspace proposed under this application does not represent a significant reduction of shopping facilities.

There are a range of retail facilities close to the site. These include a newsagents at Colindale Station (35 metres from the site) and a Sainsbury's Local on Charcot Avenue (90 metres from the site) which are accessible by walking. There is also a Boots (The Hyde, 7 minute walk from the site), a Tesco Express (Heritage Avenue, 10 minute walk) a Morrisons (Edgware Road, 10 minute walk) and Asda Superstore (off Edgware Road, 10 minute walk) nearby. The Brent Cross Shopping Centre is a 20 minute journey from the site by public transport.

There is a lack of betting shops in this area, with the nearest betting shop being located on Burnt Oak Broadway (0.5 miles from the site). It is noted that the unit is not currently occupied by an A1 use and instead has received permission to be flexible A1/A2/A3. The proposal will therefore not definitely result in the loss of an A1 unit. Furthermore, as demonstrated above there is sufficient retail provision in the local area. In these circumstances it is considered that the requirement of marketing evidence is onerous.

At the time that the application was approved, betting shop uses were classified as A2. Subsequent to the approval of planning permission H/05856/13, the classification of this use was changed. It is however considered that this use would add to the vitality of this small parade as this new use would maintain an active frontage. As such, this use is not considered detrimental to the usability of this parade.

In addition to local planning policies, the Local Planning Authority also has regard for the Mayor's London Plan (2016) Policy 4.8, paragraph 4.50A which states that the planning system should be used to help manage clusters of uses - in specific, avoiding over-concentrations of betting shops and hot food takeaways. There is not considered to be an 'over-concentration' of either betting shops or hot food takeaways in the Colindale area. Furthermore, this policy is primarily focused on Town Centre locations, which the proposed site does not lie in. Therefore the proposal does comply with London Plan policy 4.8.

Overall it is considered that a betting shop in this location would not be inappropriate, and that the proposals would not lead to the loss of an A1 unit or an over concentration of sui generis uses or betting shops within this out-of-centre shopping area.

Condition 9 of application H/05856/13 did restrict the uses of the ground floor commercial units to Class A uses. A betting shop is considered to have a positive contribution of the activity of this parade and as such it is considered that this use is appropriate. Furthermore, at the time that this permission was granted betting shops were considered to be a Class A2 use.

Impact on character and appearance of the existing building, the street scene and the wider locality

No changes to the appearance of the building are proposed in this application, thus it is considered that the proposals will not result in unacceptable harm to

the character and appearance of the host building, street scene or wider locality, in accordance with Policy DM01.

Separate application for new shop signage and shopfront were approved earlier this year (see details of these applications under Appendix 2 of this report).

Impact on the living conditions of neighbouring residents

As there are residential units above the proposed betting shop, consideration has to be given to how the proposed use will impact on nearby residential units. The proposed use is not considered to give rise to demonstrable undesirable living conditions for the neighbouring and nearby residential units to an extent that would warrant the applications acceptable reason for refusal. The majority of betting shops units are located in town centres and parades with residential units above and/or nearby.

Opening hours of the new Betting Shop will be controlled by condition to ensure that the use is not in operation past unsocial hours (before 08:00am or after 22:00pm). These opening hours are comparable with other shops, restaurants, bars and pubs in the local area (e.g. Sainsbury's Local on Charcot Avenue is open 7am-11pm daily). In addition a betting shop operating around these hours will increase the level of natural surveillance and may actually deter criminal behaviour along the locality. A condition has been implemented requiring a scheme of CCTV to be submitted which will further increase natural surveillance and security in this area.

Licencing of the premises

On 4th July 2017 license was granted for betting premises (other than track).

The Police and the applicant agreed the following 3 conditions:

1. CCTV shall be installed to Home Office Guidance standards and recordings shall be kept for 31 days and shall be made available to the police and licensing officers if requested. The CCTV system will cover the entry and exit point and the main customer area to include the machine areas and staff area of the premises. External cameras to be installed to cover the outside areas including the front door and along the boundary of the premises.
2. A maglock will be fitted to the front door of the premises and shall be controlled by staff.
3. An incident record shall be kept and made available to the Police and Responsible Authorities.

The licensing Sub-Committee imposed the following additional conditions:

1. There is to be at least two members of staff on duty at all times.
2. Posters will be prominently displayed in the premises which advise customers that no anti-social behaviour will be tolerated.

In the event that anti-social behaviour directly results from the premises and/or the proposed betting premise is operated in breach of their licence, enforcement can be carried out by the appropriate authorities, either the licencing authority or the gambling commission.

EQUALITY AND DIVERSITY ISSUES

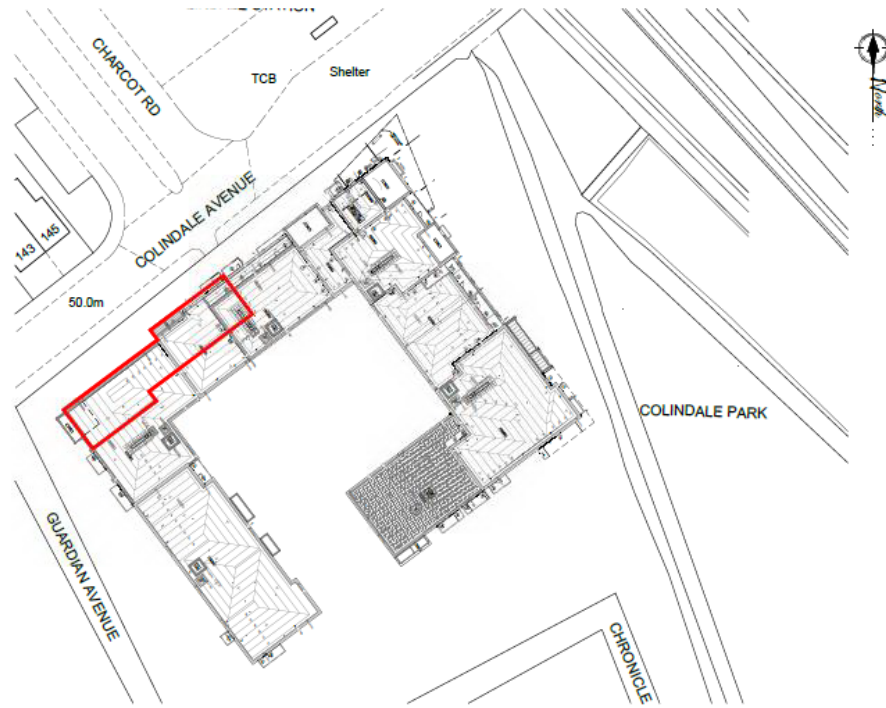
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

CONCLUSION

Having taken all material considerations into account, it is considered that 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. Furthermore, the proposal is not considered detrimental to the functionality or activity of this new parade. This application is therefore recommended for approval.

APPENDICES

Appendix 1: Site Plan



Appendix 2: Planning History

Description: Demolition of all existing buildings; redevelopment to provide 395 flats, 772sqm of retail/financial/professional/restaurant/café uses (Use Classes A1/A2/A3) and 112sqm of floorspace for retail/financial/professional/restaurant/café uses (Use Classes A1/A2/A3) or community use (Use Class D1) in six blocks ranging from 4 to 11 storeys; associated highways and public realm works including formation of piazza adjacent to Colindale Avenue and Colindale Park; associated access from Colindale Avenue, internal street network, car and cycle parking, refuse storage, landscaping and amenity space provision; associated plant and relocation of existing substation

Planning Reference: H/05856/13

Decision: Approve following legal agreement

Decision Date: 23/12/2017

Description: Installation of 3no internally illuminated fascia signs and 2no internally illuminated hanging signs

Planning Reference: 17/2508/ADV

Decision: Approve subject to conditions

Decision Date: 08/06/2017

Description: New Shop Front

Planning Reference: 17/2507/FUL

Decision: Approve subject to conditions

Decision Date: 05/06/2017

LOCATION: Plot 299, 128 Colindale Avenue, London, NW9 4AX

REFERENCE: 17/2248/FUL **Registered:** 06/04/2017

WARD: Colindale

APPLICANT: Planning Potential Ltd

PROPOSAL: Change of use of 97sqm of Plot 299 of 128 Colindale Avenue from flexible A1/A2/A3 use to a betting shop (Sui Generis use)

Recommendation

Determine

Report Back

Members will recall that this application was recommended for approval at Planning Committee on Thursday 28th September. The Committee determined to defer the decision, with a 'Minded to Refuse' recommendation in order for a report to be prepared outlining the Reasons for Refusal. Members are asked to consider the accompanying commentary make a final decision on the scheme.

The main areas of concern raised by Members of the Committee were as follows:

- Proposal goes against originally approved flexible A1/A2/A3 use;
- The absence of a marketing strategy for alternative uses as part of the application submission;
- Noise and disturbance resulting from the proposed use on nearby residential properties;
- Anti-social behaviour directly resulting from the proposed use; and
- A betting shop cannot be used by all members of the community.

Each of these areas of concern is responded to below by officers and relevant reasons for refusal are provided.

Proposal going against the original use

Members raised concerns that the proposed change of use would conflict against the flexible A1/A2/A3 use of this unit, as approved under outline application H/05856/13. Particular reference was made to Condition 9 of this permission which states:

Upon their first occupation, the commercial units on the ground floor of the buildings hereby approved shall be occupied for uses falling within Class A1, A2, A3 or D1 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.

Although the proposal is resulting in a change of use, it should be noted that when the application was approved betting shops did fall within the A2 use class. Application H/05856/13 was recommended for approval by planning officers and

approved by Members of the Planning Committee in the knowledge that a betting shop could occupy this unit. Application H/05856/13 was approved with no conditions attached to the permission restricting the occupation of this unit by a betting shop.

There is no restriction on the change of use of units within the original approval for this site, as long as the appropriate application process has been made. In addition, there are no policies which specifically restrict betting shop uses in this area.

Given the above, Planning Officers advise that the following Reason for Refusal is not progressed. If members are minded to refuse on this ground, please see the below reason for refusal:

The proposed sui generis use would fail to comply with the previously approved flexible A1/A2/A3 use, contrary to DM12 of Development Management Policies DPD (adopted September 2012).

The absence of a marketing strategy

Councillors noted at committee that no evidence of a marketing strategy was submitted with the application.

The existing unit is for flexible A1, A2 and A3 uses. The unit in question is not currently occupied by an A1 use. The need for marketing evidence is only required for an A1 use as there are no policy requirements for marketing evidence of A2 and A3 uses.

Officers consider that a marketing strategy is not required. However, if Members are minded to refuse on this ground, please see the refusal wording below:

The proposal has failed to provide evidence of effective marketing of an A1 use or any of the other uses previously approved under application H/05856/13 for this unit or any of the other units within the 128 Colindale Avenue parade contrary to part iv of policy DM12 of Development Management Policies DPD (adopted September 2012).

Noise and disturbance resulting from the proposed use

Councillors raised concerns that the proposed use would result in noise and disturbance, especially during evenings, which would detrimentally impact the amenities of neighbouring occupiers, including residential units above the premises. A condition was included in the original committee report restricting the hours of opening of the premises to 8am-10pm Monday to Saturday and 9am-9pm on Sundays and bank holidays. The Local Planning Authority considers this sufficient restriction of opening hours to mitigate against disturbance to local residents. It should be noted that betting shops are often located in town centre locations, with residential units above and adjoining betting premises. Furthermore, as stated in the committee report, there are a number of units in the local area which are open late at night. This includes a number of nearby units as listed below, as well as the Co-op which was granted consent at the same meeting to extend the opening hours to 7am-11pm Mon-Sat and 10am-11pm Sun (planning reference: 17/4788/S73).

Sainsbury's Local: 14 Charcot Rod, NW9 5WU; open daily 7am-11pm

Spaccanapoli restaurant: 5 Charcot Road, NW9 5HG; open 9:30am-10:30pm Mon-Thurs, 9am-11pm Fri-Sat, 9am-10pm Sun

Tesco Express: 8 Heritage Avenue, NW9 5AA; open daily 6am-11pm

The Beaufort Pub and Dining: 2 Heritage Avenue, NW9 5AA; open daily 11am-11pm

Colindale Local: 189 Colindale Avenue, NW9 5HY, open 6am-11pm Mon-Fri, 7am-11pm Sat-Sun

Colindale Underground station is also open 5.15am-1am and additionally now throughout Friday and Saturday nights.

It should be noted that all the premises listed above are open later than the proposed betting shop. These are also all located in close proximity to high density residential developments.

The Council's Environmental Health team have confirmed that it is very rare to receive complaints about noise from betting shop units. The few complaints which have been received are primarily due to the use of air conditioning units. This can be controlled by a condition.

The Environmental Health Team and Planning Officers advise against refusing the application on the grounds of noise and disturbance. If Members are still minded to refuse on this ground, please see the reason for refusal below:

The proposed change of use will result in noise and disturbance to nearby residential amenities, in particular residential units of 128 Colindale Avenue, contrary to policy 7.15B (parts a and b) of the London Plan (2016) and part d of policy DM04 of Development Management Policies DPD (adopted September 2012).

Anti-social behaviour

Members raised concerns at Committee that anti-social behaviour could result from the proposed use of the premises.

The committee report details that this is a licensing issue. Both licensing and planning permission is required for a betting shop to operate. In the event that anti-social behaviour directly results from the betting shop or the use is managed contrary to its licence (e.g. serving people under 18), then enforcement action can be carried out and its licence revoked. If this occurs, even if the premises still has planning permission for a betting shop use, it cannot be run as a betting shop as its licence has been revoked.

As anti-social behaviour is not a planning matter, Planning Officers advise against this being used as a reason for refusal. In the event that Members do seek to refuse the application on this ground, please see suggested wording below:

The proposed betting shop would result in anti-social behaviour which would have a detrimental impact on the amenities of local residential occupiers, contrary to policy 7.3B of the London plan policy (2016), part d of policy DM01 of Development Management Policies DPD (adopted September 2012) and CS12 of Local Plan Core Strategy DPD (adopted September 2012).

Betting shop cannot be used by all members of the community

There are a range of potential occupiers of A1/A2/A3 uses which would not serve all members of the community, for example estate agents. Therefore, Officers would advise against using this reason for refusal. In the event Members are minded to refuse this application on this ground, please see the reason for refusal below:

The proposed betting shop would not be usable to all members of the local community and would therefore fail to comply with policy CS6 of the Local Plan Core Strategy DPD (adopted September 2012).

Consultation response

Subsequent to the last committee (28th September 2017) 4 additional objections have been received. The additional comments put forward by these letters reflect those already considered by Committee. As such, these are not being listed in detail as the purpose of this report is to consider reasons for refusal following members' decision to defer the decision in mind to refuse. The new responses have been appended for Members' reference.

APPENDIX 1: COMMITTEE REPORT (reported to planning committee 28/09/17)

LOCATION: Plot 299, 128 Colindale Avenue, London, NW9 4AX
REFERENCE: 17/2248/FUL **Registered:** 06/04/2017
WARD: Colindale
APPLICANT: Planning Potential Ltd
PROPOSAL: Change of use of 97sqm of Plot 299 of 128 Colindale Avenue from flexible A1/A2/A3 use to a betting shop (Sui Generis use)

Recommendation

Approve subject to the following conditions:

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 15817-11; 15817-10; Planning Statement: Plot 299, 128 Colindale Avenue, NW9 4AX.

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 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.

- 3) The use hereby permitted shall not be open to members of the public before 08:00am or after 10:00pm on weekdays and Saturdays or before 09:00am or after 09:00pm on Sundays and Bank and Public Holidays.

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

- 4) Before the development hereby permitted is first occupied, the name and contact number of manager shall be displayed on the outside of the building.

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

- 5) None of the windows of the development hereby permitted shall be obscure glazed.

Reason: To safeguard the amenities of occupiers of adjoining residential

properties.

6) a) No development shall take place until a scheme of hard and soft landscaping to the front of this unit, including details of planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

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.

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

b) The CCTV 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 the amenity of existing and future residents is not compromised 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 2016)

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Introduction

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

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

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

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

The London Plan

The London Plan (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

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

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

London's People:

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

London's Economy:

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

London's Response to Climate Change

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

London's Transport

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

London's Living Places and Spaces

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

Implementation, Monitoring and Review:

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

Barnet Local Plan

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

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)
CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)
CS3 (Distribution of growth in meeting housing aspirations)
CS4 (Providing quality homes and housing choice in Barnet)
CS5 (Protecting and enhancing Barnet's character to create high quality places)
CS6 (Promoting Barnet's Town Centres)
CS7 (Enhancing and protecting Barnet's open spaces)
CS8 (Promoting a strong and prosperous Barnet)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive and integrated community facilities and uses)
CS11 (Improving health and well-being in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)
DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM10 (Affordable housing contributions)
DM11 (Development principles for Barnet's town centres)
DM13 (Community and education uses)
DM14 (New and existing employment space)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

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

Local Supplementary Planning Documents:

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

National Planning Guidance:

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

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

The Community Infrastructure Levy Regulations 2010:

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

Colindale Area Action Plan (CAAP)

Relevant Planning History

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

Public Consultations and Views Expressed

As part of the consultation procedure, 379 letters were sent to local residents. A site notice was also displayed on 27/04/2017.

183 responses were received by the council, all of which were objections.

Objections

- 1) Proposal will lead to crime and anti-social behaviour
- 2) The premises will be open late
- 3) Increase noise and disturbance for local residents and detrimental impact on residential amenity
- 4) Increase in litter
- 5) Information in shop front about application not displayed for long enough
- 6) Proposal fails to comply with planning policies including DM12 (iii) and (iv).
- 7) This use not appropriate in a residential area
- 8) Not appropriate to have a bettering shop opposite a college
- 9) Does not promote jobs or help the community
- 10) Proposal does not meet local needs - convenience shops/ cafes / restaurant day care facility would be more appropriate
- 11) There are balconies above the betting shop which will be disturbed
- 12) The application site is close to a playground
- 13) There are already multiple betting shops close to the site
- 14) Will lead to increase in gambling addiction
- 15) Increase in parking
- 16) Proposal would go against local communities diverse religious beliefs
- 17) Will detrimentally impact on local property prices
- 18) There has not been enough consultation with local community
- 19) Betting shop will be in an area with a high number of vulnerable people
- 20) Previous application had been refused

Officer Response

The Metropolitan police have been consulted as part of the appraisal procedure process. They have recommended some conditions be attached. Conditions restricting the use of obscure glazing; requesting details of CCTV to be implemented; restricting the opening hours of the betting shop unit and details of hard and soft landscaping measures have been attached to this permission. Other conditions recommended by the Metropolitan Police do not relate to planning matters and do not meet the conditions tests as stated in the regulations. These therefore cannot be attached.

The Local Planning Authority cannot consider the betting shops influence on student or young people's lifestyle choices as this is not a material planning consideration. Furthermore, it is illegal to permit any person under the age of

18 to enter a licensed gambling premise, and therefore any users of the Betting shop will be responsible adults above the age of 18. This is regulated by the Trading Standards & Licencing Authority.

There are currently no betting shops in this part of the Colindale Area, with the nearest betting shop located on Burnt Oak Broadway. There are currently retail uses in close proximity to other retail units including a Sainsbury's Local and newsagents. The proposed change of use of this flexible A1/A2/A3 unit is not considered to have a detrimental impact on retail provision in this part of Colindale. There are no restrictions in local or national policies regarding the implementation of a betting shop use as part of a mixed use development.

A condition restricting the opening hours of the betting shop means that there should not be any disturbance during anti-social hours. It is not considered that this use should result in a detrimental increase in litter. As part of the appraisal procedure, the Council's Highways Department was consulted. They raised no objection to the change of use on highways grounds. The impact of a proposal on local property prices is not a planning material consideration.

In the event that anti-social behaviour directly results from the premises and/or the proposed betting premise is operated in breach of their licence, enforcement can be carried out by the appropriate authorities, either the licencing authority or the gambling commission.

The council has followed the appropriate consultation procedures which is compliant with planning regulations. The council published their site notices around the site on 27/04/2017 as per standard consultation procedures.

The applicant has confirmed in the submitted planning statement that 7 new jobs will be created through the implementation of the Betting Shop use including a full time manager, a full time assistant manager, a senior cashier, 3 part time cashiers and a cleaning position. These jobs will be available to local people.

A previous application was submitted to change the use of this unit under a S73 application, but this was withdrawn. Compliance of the proposal with planning policy is addressed in the appraisal section of this report.

Statutory Consultation responses

LB Barnet Highways

No objection to change of use.

Metropolitan Police

The Metropolitan Police Service have raised concerns about the location of a betting shop at this venue. They have stated that there is the potential for this site to become a generator for crime/anti-social behaviour.

Historically these operations have extended hours of activity which when located in close proximity to residential entrances may reduce the effectiveness of their access control strategy and this combined with readily available public seating within the vicinity of available alcohol (Sainsbury's Local 90m away) increases the likelihood for it to have a negative impact on the quality of life for the local residents.

The police are unable to support this application at this present time. They have stated in their response that if the Local Authority is minded to grant planning permission for this use, the following conditions are attached:

1. Hours of operation 9am until 6pm. Monday to Saturday - closed Sundays.
2. No seating outside.
3. No obscuring of the windows.
4. Defensive planting under all curtain walling.
5. Full CCTV coverage inside the venue which is to be extended outside to cover the public footway.
6. Entrance doors to the shop to be positioned as far as possible from the corner and any other residential doors. Additionally consideration should be given to a defensive planting strip to clearly define both uses.
7. Toilet facilities to be open at all times - if they close the venue closes.
8. Office to be located within 5m of the main entrance with direct field of vision.
9. Entry into the venue to be controlled via the office- with an electronically operated lock
10. Name and contact number of manager displayed on the outside of the building.

Officer Response to Metropolitan Police Objection

The vast majority of betting shops are located in town centres and parades with residential units above or nearby to these uses. The location of the residential units above this proposed betting shop does not represent a significantly different arrangement. There is no public seating directly outside the premises and any applications for new seating would be resisted. Conditions have been implemented in accordance with the Metropolitan Police's comments requiring restricted hours of opening, that windows are not obscure glazed and that a scheme of CCTV and hard and soft landscaping provision be submitted to the Local Authority for approval. The hours of opening restrictions are longer than those proposed by the Police. It is considered that as there are nearby shops, restaurants, bars and pubs open in the evening, it would be unreasonable to

restrict opening hours of the betting shop to 6pm. The other condition recommendations outlined in the Police's response do not relate to planning material considerations and do not meet the condition's test as outlined in the Regulations. Therefore, these cannot be implemented.

Site Description

The application site is situated on the ground floor of a new residential development (Application Reference: H/05856/13) on Colindale Avenue, which comprises of 395 flats across 6 separate blocks of 4-11 storeys. The development is substantially complete.

The application site does not lie in a conservation area, but does however fall within the Colindale Area Action Plan (CAAP) area which seeks the creation of a new neighbourhood centre on Colindale Avenue.

Proposal

This application seeks to change the use of 97 sqm of Plot 299 located at the ground floor of 128 Colindale Avenue from flexible A1/A2/A3 to sui genesis, specifically a betting shop. The other 145.5sqm of the unit will remain for A1/A2/A3 use.

PLANNING CONSIDERATIONS

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, CS5, CS6.
- Relevant Development Management Policies: DM01, DM12

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.

Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of a change of use from flexible A1/A2/A3 to a Betting shop (Sui Generis) is acceptable;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality and
- Whether harm would be caused to the living conditions of neighbouring residents.

ASSESSMENT OF PROPOSALS

Principle of a change of use

The existing site premises are currently unoccupied. Therefore, it should be noted that the A1/A2/A3 use is the site's approved rather than existing use.

The Core Strategy identifies that '*Colindale Avenue will provide the vibrant heart and gateway of Colindale as a sustainable mixed-use neighbourhood centre anchored by a new public transport interchange with pedestrian piazza*'

The Local Planning Authority have considered the Development Management policies within the adopted Local Plan (Development Management Policies) Development Plan Document (September 2012) and note that there are no specific policies that restrict the implementation of Sui Generis uses. Although these policies do protect retail uses in primary or secondary retail frontage in an established town centre and in shopping parades, this unit does not lie in either of these land designations.

Policy DM12: Maintaining local centres and parades states that *'the council will protect all retail uses (Class A1) in the existing local centres, parades and isolated shops unless it can be demonstrated that:*

- i. there will be no significant reduction of shopping facilities as a result; and*
- ii. that alternative shopping facilities that are similarly accessible by walking, cycling or public transport exist to meet the needs of the area; and*
- iii. the proposed use is within Class A2, A3, A4, A5 or meets an identified local need; and*
- iv. there is no demand for continued Class A1 use, and that the site has been marketed effectively for such use.*

It is considered that the loss of 97sqm of floorspace proposed under this application does not represent a significant reduction of shopping facilities. There are a range of retail facilities close to the site. These include a newsagents at Colindale Station (35 metres from the site) and a Sainsbury's Local on Charcot Avenue (90 metres from the site) which are accessible by walking. There is also a Boots (The Hyde, 7 minute walk from the site), a Tesco Express (Heritage Avenue, 10 minute walk) a Morrisons (Edgware Road, 10 minute walk) and Asda Superstore (off Edgware Road, 10 minute walk) nearby. The Brent Cross Shopping Centre is a 20 minute journey from the site by public transport.

There is a lack of betting shops in this area, with the nearest betting shop being located on Burnt Oak Broadway (0.5 miles from the site). It is noted that the unit is not currently occupied by an A1 use and instead has received permission to be flexible A1/A2/A3. The proposal will therefore not definitely result in the loss of an A1 unit. Furthermore, as demonstrated above there is sufficient retail provision in the local area. In these circumstances it is considered that the requirement of marketing evidence is onerous.

At the time that the application was approved, betting shop uses were classified as A2. Subsequent to the approval of planning permission H/05856/13, the classification of this use was changed. It is however considered that this use would add to the vitality of this small parade as this new use would maintain an active frontage. As such, this use is not considered detrimental to the usability of this parade.

In addition to local planning policies, the Local Planning Authority also has regard for the Mayor's London Plan (2016) Policy 4.8, paragraph 4.50A which states that the planning system should be used to help manage clusters of uses - in specific, avoiding over-concentrations of betting shops and hot food takeaways. There is not considered to be an 'over-concentration' of either betting shops or hot food takeaways in the Colindale area. Furthermore, this policy is primarily focused on Town Centre locations, which the proposed site does not lie in. Therefore the proposal does comply with London Plan policy 4.8.

Overall it is considered that a betting shop in this location would not be inappropriate, and that the proposals would not lead to the loss of an A1 unit or an over concentration of sui generis uses or betting shops within this out-of-centre shopping area.

Condition 9 of application H/05856/13 did restrict the uses of the ground floor

commercial units to Class A uses. A betting shop is considered to have a positive contribution of the activity of this parade and as such it is considered that this use is appropriate. Furthermore, at the time that this permission was granted betting shops were considered to be a Class A2 use.

Impact on character and appearance of the existing building, the street scene and the wider locality

No changes to the appearance of the building are proposed in this application, thus it is considered that the proposals will not result in unacceptable harm to the character and appearance of the host building, street scene or wider locality, in accordance with Policy DM01.

Separate application for new shop signage and shopfront were approved earlier this year (see details of these applications under Appendix 2 of this report).

Impact on the living conditions of neighbouring residents

As there are residential units above the proposed betting shop, consideration has to be given to how the proposed use will impact on nearby residential units. The proposed use is not considered to give rise to demonstrable undesirable living conditions for the neighbouring and nearby residential units to an extent that would warrant the applications acceptable reason for refusal. The majority of betting shops units are located in town centres and parades with residential units above and/or nearby.

Opening hours of the new Betting Shop will be controlled by condition to ensure that the use is not in operation past unsocial hours (before 08:00am or after 22:00pm). These opening hours are comparable with other shops, restaurants, bars and pubs in the local area (e.g. Sainsbury's Local on Charcot Avenue is open 7am-11pm daily). In addition a betting shop operating around these hours will increase the level of natural surveillance and may actually deter criminal behaviour along the locality. A condition has been implemented requiring a scheme of CCTV to be submitted which will further increase natural surveillance and security in this area.

Licensing of the premises

On 4th July 2017 license was granted for betting premises (other than track).

The Police and the applicant agreed the following 3 conditions:

1. CCTV shall be installed to Home Office Guidance standards and recordings shall be kept for 31 days and shall be made available to the police and licensing officers if requested. The CCTV system will cover the entry and exit point and the main customer area to include the machine areas and staff area of the premises. External cameras to be installed to cover the outside areas including the front door and along the boundary of the premises.
2. A maglock will be fitted to the front door of the premises and shall be controlled by staff.
3. An incident record shall be kept and made available to the Police and Responsible Authorities.

The licensing Sub-Committee imposed the following additional conditions:

1. There is to be at least two members of staff on duty at all times.
2. Posters will be prominently displayed in the premises which advise customers that no anti-social behaviour will be tolerated.

In the event that anti-social behaviour directly results from the premises and/or the proposed betting premise is operated in breach of their licence, enforcement can be carried out by the appropriate authorities, either the licencing authority or the gambling commission.

EQUALITY AND DIVERSITY ISSUES

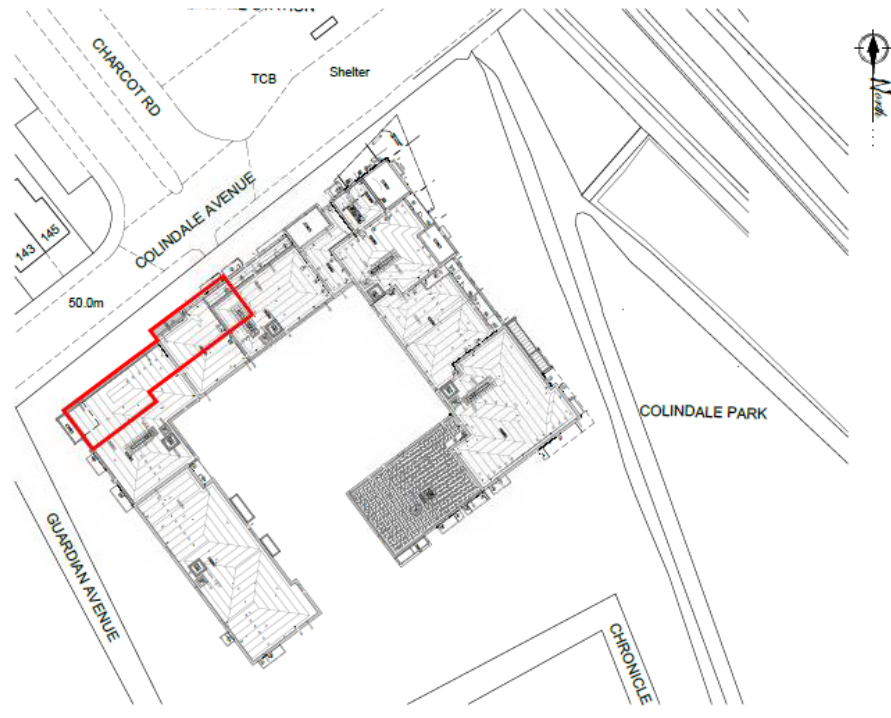
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

CONCLUSION

Having taken all material considerations into account, it is considered that 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. Furthermore, the proposal is not considered detrimental to the functionality or activity of this new parade. This application is therefore recommended for approval.

APPENDICES

Appendix 1: Site Plan



Appendix 2: Planning History

Description: Demolition of all existing buildings; redevelopment to provide 395 flats, 772sqm of retail/financial/professional/restaurant/café uses (Use Classes A1/A2/A3) and 112sqm of floorspace for retail/financial/professional/restaurant/café uses (Use Classes A1/A2/A3) or community use (Use Class D1) in six blocks ranging from 4 to 11 storeys; associated highways and public realm works including formation of piazza adjacent to Colindale Avenue and Colindale Park; associated access from Colindale Avenue, internal street network, car and cycle parking, refuse storage, landscaping and amenity space provision; associated plant and relocation of existing substation

Planning Reference: H/05856/13

Decision: Approve following legal agreement

Decision Date: 23/12/2017

Description: Installation of 3no internally illuminated fascia signs and 2no internally illuminated hanging signs

Planning Reference: 17/2508/ADV

Decision: Approve subject to conditions

Decision Date: 08/06/2017

Description: New Shop Front

Planning Reference: 17/2507/FUL

Decision: Approve subject to conditions

Decision Date: 05/06/2017

Appendix 2: Consultation responses received after 28th September committee

London
02/10/17

Dear Harriet,

I am writing to you regarding the planning application by Paddy Power to operate a new betting shop on the Edition housing development on Colindale Avenue.

Our organisation provides high quality care, housing and short-term support to people in crisis living on Barnet.

Elysian House which we care and maintain is nested within the residential Pulse Colindale development and we have become aware that there is a great deal of opposition to the idea of yet another betting shop in this locality.

We are concerned on the impact it will have on our Elysian House rehabilitation programme on our patients that may find the proposed betting shop interesting to visit although may not have the monies to gamble but surely meet many people in and out of the proposed Paddy Power premises that could influence them indirectly and cause issues for Elysian House including unwanted visitors coming back to the recovery house.

It is also felt that a betting shop is not the most important facility for the area, which is lacking in Doctor and GP surgeries, and/or local corner shops servicing the community such as coffee shops.

We have concerns that a betting shop sets a bad example to the community especially the vulnerable as being the only visible form of recreation/entertainment in the area.

We believe our community deserve something better than an encouragement to gambling.

Kind regards,
Marta Pisarri

Contract Manager
BEH Recovery Houses
Look Ahead Care, Support and Housing

Dear Ms Beattie

I trust you are well. Recently I was made aware of a potential betting outfit - Paddy Power - been considered an approval to operate as a business on 128 Colindale Avenue NW9 4AX. While my business (the new up coming restaurant next to The Stay Club) is new to the community, I have been very familiar with the neighbourhood for the last 20 years and have seen the massive improvement over the years.. So it strikes me as a rather bizarre decision to be considering such an inappropriate business in a largely residential new development which include families with young children and young adult students.

As far as I am aware it has always been a major Barnet Council objective to regenerate the community. So far the council has been very successful. It is quite clear betting premises will undermine this objective in a massive way. Betting premises often attract patrons who promote negative socio-economic values in a community. These include ant-social behaviour, crime, and public nuisance and disorderly behaviour. My wife and I are investing a lot of resources in our restaurant to ensure that it is family friendly and promotes the area as a destination attraction. So are the other businesses in the area. In addition there are numerous International families and students with residences in the community. All a betting shop will do is drive down the value perception of the new developments in the Colindale area.

Make no mistake just as the community will lose out, so will Barnet Council. From an economic and a social stand point, betting shops have no value in a residential development. I therefore implore, that you not only refuse the application on Colindale Avenue, but no betting shops should be allowed anywhere in the surrounding areas either - from Beaufort Park to the new developments on Aerodrome road.

Regards

Dr Ayo Osunrinade
Managing Director
Very Good Entertainment Ltd

Dear John

I am writing directly to you with my deepest concerns on the current planning application of Paddy Power 17/2248/FUL as the Chair of Colindale Village RA.

CVRA is committed to:

- safeguard and promote the interest of residents in the area on matters concerning housing and the environment;
- help to improve living conditions, community facilities and services for residents living in the neighbouring area; and
- represent the views of residents in our neighbourhood particularly those with low income and vulnerable due to various addictions such as alcohol, gambling, etc.

The community has observed that Barnet council has made undetermined mistakes in the process from licensing [and by sending letters of the applicant "Paddy Power" to the colindale community on Barnet council letter headed paper when Paddy power could have simply manually posted to ALL the development without the need and intervention of Barnet Council bringing costs of printing and posting twice] see attached letter.



Keith Balcombe
Chairperson
New Hendon Village Residents Association
Lark Court
Lanacre Avenue
Colindale
NW9 5QD
02 October, 2017.

Barnet Council
Planning Department
1255 High Road
Whetsone
Barnet
N20 0EJ

RE: Opposition to Paddy Power Shop Colindale

Dear Sir / Madam

New Hendon Village Residents Association is an active committee representing over 300 households at the New Hendon Village development and Graham Park Estate. The association was formed in 2012 and is recognised and supported by Genesis Housing.

At our meeting on 20 September 2017 the opening of a Paddy Power betting shop was discussed as an agenda Item. As a group of residents at the meeting we were unanimous in our disapproval over plans for such a shop to open in our community.

Colindale is changing, for the better. The formation of our residents association has been instrumental in the development of a sense of community; this has united residents of both the long established and new housing developments. The area is benefiting from new projects including Barnet College, Colindale Library and the soon to arrive council buildings.

As residents we are concerned that the opening of a betting shop will do nothing to enhance the local area and will be a backward step for our developing locality. As a group of residents we are concerned that the social impact of this shop will devastate lives, ruin families and have a negative impact on our social spaces. A new betting shop is not required in the area, particularly as there are at least 5 such establishments within walking distance of Colindale Station.

As a significant group of residents we are opposed to this establishment and we ask that our opinion be taken into consideration. We look forward to hearing from you.

Yours sincerely

Keith Balcombe
Chairperson New Hendon Village Residents Association

Location Plot 299 128 Colindale Avenue London NW9 4AX

Reference: 17/5822/FUL

Received: 12th September 2017

Accepted: 12th September 2017

Ward: Colindale

Expiry 7th November 2017

Applicant: Paddy Power Leisure Bookmakers Ltd

Proposal: Installation of 3 no. satellite dishes and 2 no. air conditioning units at roof level

AGENDA ITEM 7

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal 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 The development hereby permitted shall be carried out in accordance with the following approved plans: 15817-04, 15817-19, 15817-20, 15817-21, 15817-22, 15817-23, Documentation on Specification Air conditioning units received 12 September 2017, Covering letter dated 11th September 2017, Planning Design and Access Statement dated 11th September 2017, Planning Statement Appendices 12th September 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 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 The level of noise emitted from the two air conditioning units 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.

Informative(s):

- 1 The submitted plans and documentation are: 15817-04, 15817-19, 15817-20, 15817-21, 15817-22, 15817-23, Documentation on Specification Air conditioning units received 12 September 2017, Covering letter dated 11th September 2017, Planning Design and Access Statement dated 11th September 2017, Planning Statement Appendices 12th September 2017.
- 2 In accordance with paragraphs 186-187, 188-195 and 196-198 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.

Officer's Assessment

1. Site Description

The application site is situated on the ground floor of a new residential development (Application Reference: H/05856/13) on Colindale Avenue, which comprises of 395 flats across 6 separate blocks of 4-11 storeys. The development is substantially complete.

The application site does not lie in a conservation area, but does however fall within the Colindale Area Action Plan (CAAP) area which seeks the creation of a new neighbourhood centre on Colindale Avenue.

2. Site History

Ref: 17/2248/FUL

Address: Plot 299 128 Colindale Avenue London NW9 4AX

Proposed Development: Change of use of 97sqm of plot 299 of 128 Colindale Avenue from flexible A1/A2/A3 use to a betting shop (sui generis)

Decision: Approved subject to conditions

Decision Date: 25.10.2017

Ref: 17/2507/FUL

Address: Plot 299 128 Colindale Avenue London NW9 4AX

Proposed Development: New shopfront

Decision: Approved subject to conditions

Decision Date: 14.06.2017

Ref: 17/2508/ADV

Address: Plot 299 128 Colindale Avenue London NW9 4AX

Proposed Development: Installation of 3no internally illuminated fascia signs and 2no internally illuminated hanging signs

Decision: Approved subject to conditions

Decision Date: 14.06.2017

3. Proposal

Planning permission is sought for the installation of 3 no. satellite dishes and 2 no. air conditioning units at roof level.

The proposed 3no satellite dishes will be sited at roof level on the west facing elevation of the main building which is five storeys in this section.. The roof plan drawing no 15817-21 indicates; NPR (Non-Penetrating Roof) 'Sky' mounted satellite dish 28.2°E 800mmØ, NPR mounted 'Turf' satellite dish 33.0°E 900mm, NPR mounted Big Bi-Sat satellite dish receiving two transmissions SIS/Paddy Power 5°E 900m (positioned left). The 3no satellite dishes will be of minimal size and height and will be set in from the edge of the roof.

The proposed 2no air conditioning units will be sited at roof level on the north facing elevation of the building adjacent to the satellite dishes. The applicant has provided detailed specification of the air conditioning units which are; Daikin RZQS-DV1 Split-Sky air roof mounted air conditioning condenser unit. In addition, the proposed 2no air conditioning units will be of minimal size and height and will be set back from the edge of the roof.

The applicant had been granted permission for the 'change of use of 97sqm of Plot 229 of 128 Colindale Avenue from flexible A1/A2/A3 use to a betting shop (sui generis) use.

Reference 17/2248/FUL. It had been noted that some of the objections received relate to the betting shop and not the current proposal.

4. Public Consultation

Consultation letters were sent to 210 neighbouring properties.

7 objections received and summarised as follows;

- o I do not want a betting shop in the area
- o Leaseholder objects to fixing any television or radio aerial, satellite dish or receiver on the estate without the prior written consent of the landlord
- o Noise emitted from the air conditioning units
- o Residents cannot install dishes on the roof why can they?

1 objection was received as follows however it is more a supporting statement:

- o Please STOP destroying people life by rejecting Paddy Power request

Internal Consultations:

No objection received from environmental health officers subject to the attachment of a background noise condition

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04.

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 April 2013)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

The proposed 2no air conditioning units will be sited on the fifth storey roof of the property on the northern facing elevation of the main building. The proposed 3no satellite dishes will be sited on the roof of the five storey part of the building on the western facing elevation of the building. The existing roof accommodates several plant installations (including risers) and a lift shaft on the roof. The satellite dishes and air conditioning units will be set back from the edge of the roof and are not unduly large in terms of scale or design and as such, will not impact on the visual amenities of the area.

The specification for the 2no air conditioning units are Daikin RZQS-DV1 Split-Sky air roof mounted air conditioning condenser unit. The limited size of the proposed 2no air conditioning units to the northern facing elevation of the building in the context of the overall building size and scale, it is considered that the units would not be visually prominent. In addition, the proposed equipment would be set back from the edge of the roof surface limiting views from street level. In addition, there would be very few windows of the host residential building facing on to the roof area where this equipment would be located, further limiting the visual impact of this.

The proposed 3no satellite dishes will be sited at roof level on the west facing elevation of the main building. The roof plan drawing no 15817-21 indicates; NPR (Non-Penetrating Roof) 'Sky' mounted satellite dish 28.2°E 800mmØ, NPR mounted 'Turf' satellite dish 33.0°E 900mm, NPR mounted Big Bi-Sat satellite dish receiving two transmissions SIS/Paddy Power 5°E 900m (positioned left). The 3no satellite dishes will be of minimal size and height and will be set in from the edge of the roof. Given the siting, size and

design it is considered that the 3no satellite dishes will not impact on the visual amenities and or character of the area and are deemed acceptable.

The proposed 3no satellite dishes are stationary and will not give rise to any impacts regarding public health. With regard had to the proposed 2no air conditioning units it is noted that there may be a risk of harm arising from a noise impact. The units would be 12m to the nearest flank wall. This would not be a window wall.

Environmental Health have been consulted on this application and consider that there would not be any harmful impact would be mitigated by a background noise condition will to reduce the noise levels at the nearest noise sensitive location considerably. Therefore, the proposal would not give rise to unacceptable noise and or nuisance to the detriment of the amenity of neighbouring residents.

The Local Planning Authority do not consider the proposals to have any demonstrable adverse impact on the residential amenities of any neighbouring occupiers to an extent that would warrant reason for refusal on these grounds.

On balance of all of the above factors, the planning permission is deemed acceptable in terms of residential amenity.

5.4 Response to Public Consultation

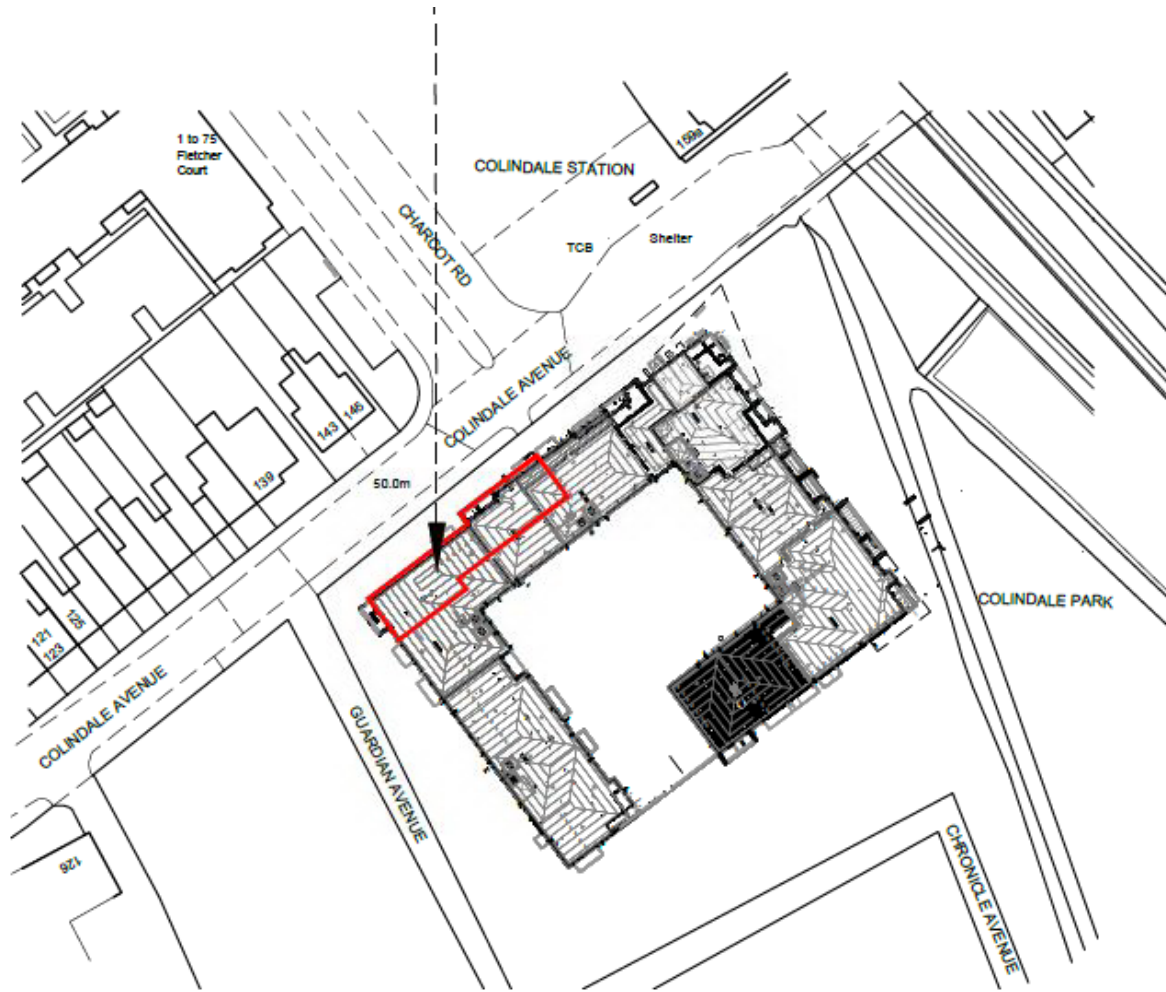
Officer Comment: With regard had to planning matters, potential noise has been mitigated by way of condition. The Environmental health officer recommended approval subject to attached condition.

6. Equality and Diversity Issues

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

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



SITE LOCATION PLAN
SCALE 1:1250

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LOCATION: 30 Brookhill Road, Barnet, EN4 8SN

REFERENCE: 17/5331/FUL Received: 16.08.2017

WARD: East Barnet Expiry: 15.11.2017

APPLICANT: Aldi Stores Ltd.

PROPOSAL: Demolition of existing buildings, including vehicle showroom/repairs (Use Class - Sui Generis) and self-storage unit (Use Class B8), and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works

EXECUTIVE SUMMARY

Whilst all of the issues associated with the application have been addressed in the subsequent report – it is considered that the two key issues relate to the principle of development related to the out of centre location of the application site; along with the transport and highways impacts of the development.

Permission is sought for the comprehensive redevelopment of the site including the demolition of all of the existing buildings and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works. The store would have a GIA of 1,471 sqm of which 1,059 sqm would constitute retail space.

The application site is located outside of any designated town centre and as such the development would represent an out of centre location. In such cases, Paragraph 26 of the NPPF states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to 5 years from the time the application is made. For major schemes where the full impact will not be realised in 5 years, the impact should also be assessed up to 10 years from the time the application is made

Policy DM11 of the Barnet Local Plan states that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be resisted

unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan.

A Planning and Retail Statement (PARS) inclusive of both an impact assessment and a sequential assessment were duly submitted in support of the application. The PARS was subject to an independent review by Peter Brett Associates on behalf of the Council. The sequential assessment confirms that there are no suitable sites in any of the centres assessed within either LB Barnet or LB Enfield whilst the impact assessment found that the impact on the existing centres would be acceptable. Both the methodology in the assessments carried out and the conclusions reached are considered to be reasonable and acceptable by officers.

In terms of the principle of development, officers therefore consider that the application would be in accordance with the relevant paragraphs 24 and 26 of the NPPF along with Policy DM11 of the Barnet Local Plan.

In terms of transport, the development proposes to provide 60 parking spaces which is in line with London Plan maximum parking standards for food retail stores in a development of this location (PTAL-3). It should be noted that Barnet Policy DM17 defers to London Plan parking standards with regards to parking for non-residential uses.

Based on the Transport Assessment submitted by the applicant and reviewed by the Council's transport and highways officers, the trip generation associated with the proposed development indicates that the levels of traffic would not have a detrimental impact on the surrounding road network. This is based on the attraction and dispersal of traffic evenly around the highway network.

The application is therefore found to be acceptable in terms of both of the key issues as considered by officers. The subsequent report addresses both of these issues in detail along with all other issues associated with the application.

RECOMMENDATION

Recommendation 1: That the applicant and any other person(s) having a requisite interest in the land 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 to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

(c) Travel Plan

A Travel Plan shall be secured in line with the draft Travel Plan submitted by Connect Consultants (August 2017) along with a £15,000 monitoring fee.

(d) Employment and Enterprise

The applicant shall enter into a Local Employment Agreement with the LPA and shall commit to providing a minimum of the following:

- Progression into employment (under 6 months) – 2
- Progression into employment (over 6 months) – 1
- Apprenticeships (End User) -2
- Work Experience – 6

Recommendation 2: That upon completion of the agreement specified in Recommendation 1, the Chief Planning Officer approve the planning application reference 17/5331/FUL under delegated powers and grant planning permission subject to the conditions set out in Appendix 2 of this report.

Recommendation 3: That the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal 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).

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Introduction

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

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

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

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

The 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

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).

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)
CS5 (Protecting and enhancing Barnet's character to create high quality places)
CS6 (Barnet's Town Centres)
CS9 (Providing safe, effective and efficient travel)
CS12 (Making Barnet a safer place)
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)
DM11 (Development Principles for Barnet's Town Centres)
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)

Planning Obligations (April 2013)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 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.

PLANNING ASSESSMENT

1.0 SITE DESCRIPTION

- 1.1 The site is located immediately to the south-east of the junction of Brookhill Road and Crescent Road and has an area of approximately 0.4 hectares. To the north of the site is a parade comprising residential units on the upper floors with commercial uses at ground floor. To the east of the site is a community centre (Use Class D1), currently occupied Royal British Legion. To the south, the site adjoins the rear private amenity areas of the residential properties fronting onto Crescent Road.
- 1.2 The site is currently occupied by a Motor Sales and Servicing Centre (Use Class Sui Generis) and Self-Storage Centre (Use Class B8). There are existing pedestrian footways and vehicular access points to the site.

- 1.3 The site is not located in a designated town centre, being located approximately 250 metres from East Barnet Local Centre. The site is not located within a conservation area and there are no listed buildings or protected trees in the immediate vicinity.

2.0 PROPOSED DEVELOPMENT

- 2.1 Permission is sought for the comprehensive redevelopment of the site including the demolition of all of the existing buildings and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works.
- 2.2 The proposed retail store would have a GIA of 1,471 sqm of which 1,059 sqm would constitute retail space. The store would have an overall footprint of 1,542 sqm with external dimensions of approximately 49.3m long and 37.5m wide, at the widest points. The proposed maximum height of the store would be 5.6m high from ground level which is roughly equivalent to a two storey building.
- 2.3 The store would be orientated north to south with the south elevation featuring a large expanse of glazing forming an active elevation and incorporating the main entrance to the unit. A secondary servicing entrance would be located to the rear of the store below street level.
- 2.4 An on-site car park would be provided to the south and south west of the main entrance which would provide a total of 60 spaces including disabled parking and electric charging points. An enclosed servicing bay would be provided adjacent to the façade which would allow for an HGV to load and unload internally. The layout of the development would allow for an HGV to access and egress the site in forward gear.
- 2.5 Areas of soft landscaping would be provided on the edges of the proposed car park as well as to the front of the Brookhill and Crescent Road elevations.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The site has been the subject of various planning applications and applications for Advertisement Consent, none of which are considered to be relevant in the consideration of the current application.

4.0 CONSULTATIONS

- 4.1 As part of the consultation exercise 900 letters were sent to neighbouring occupiers in September 2017. The application was also publicised through site notices and a press notice was published in the Barnet Press on 24th August 2017. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this scale and nature. The extent of consultation exceeded the requirements of national planning legislation and complied with Barnet's own adopted policy on consultation to be carried out for schemes of this nature.

4.2 As a result of the consultation, a total of 408 responses were received with 146 objections, 260 letters of support and 2 neutral responses.

4.3 A summary of the material planning objections received within the consultation responses is set out in the table below. The objections received have been summarised, consolidated and outlined by category of objection.

Objection	Officer Response
The development would result in unacceptable harm in highway safety adjacent to the site, particularly in light of the adjacent nursery.	<p>A cluster of two minor injury accidents have occurred at the junction of Brookhill and Crescent Road. There was one serious accident at this location in this time. The nature of this accident was two cars collided with one of the passengers in a vehicle receiving serious injuries. There is no pattern to the accidents in this location over the past 15 years of surveyed data.</p> <p>A new priority junction (access) has been proposed in association with the development. Visibility splays are proposed and the design looks to be suitable for this type of development</p> <p>As such the proposed developments size and nature will have no impact on any existing road safety issues on the immediately surrounding highway network.</p>
The proposed building lacks architectural merit and is not of a high aesthetic quality.	The design of the development is considered to be appropriate for its use and its context. The materials palette is simple and refined which would ensure that it would not be overly prominent and would not be discordant within its surroundings. The design of the development is fully assessed in paragraph 6.5 of this report.
Inadequate levels of parking have been proposed for the intended use.	The development proposes 60 parking spaces which is in line with London plan maximum parking standards for food retail stores in a development with a PTAL of 3.
Unacceptable levels of noise would arise from 24 hour deliveries.	Deliveries would be controlled through a delivery and servicing management plan

	<p>which would seek to ensure that deliveries were not undertaken at unsociable hours. Furthermore, an enclosed delivery and servicing area would be provided within the development which would minimise levels of noise generation from such activities. A condition is attached which would restrict the hours of deliveries to sociable hours.</p>
<p>Unacceptable levels of noise would arise from the proposed plant and machinery.</p>	<p>Plant and machinery would be subject to a condition limiting the noise output to 5db which would ensure that any noise impact on neighbouring residential occupiers would be minimal.</p>
<p>A supermarket in this location would draw custom from the local town centres and harm their vibrancy and viability.</p> <p>There is no need for the proposed development with a good level of existing similar retail provision in the local area.</p>	<p>The application documents submitted includes a Planning and Retail Statement (PARS) which is also inclusive of a sequential assessment which considers the availability, suitability and viability of any alternative sites located within any local town centres. This assessment identified 3 sites within the centres assessed and found none of them to be appropriate in terms of suitability or availability. The PARS and the inclusive sequential assessment were independently reviewed by Peter Brett Associates on behalf of the Council. The methodology used and the conclusions reached were found to be reasonable and acceptable. An impact assessment was also carried out which found the likely impacts of the development to be acceptable.</p> <p>Whilst the Planning and Retail Statement discusses 'need' at some length, it should be noted that is not a retail planning test and while this may be a consideration in balancing the wider planning issues, it is no longer relevant in retail planning terms and should not be afforded weight in this context.</p> <p>The principle of development and the implications of the out of centre location are discussed fully in Section 5.0 of this</p>

	report.
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4.4 A representation was received from Theresa Villiers MP (Member of Parliament for Chipping Barnet), the representation objected to the application and can be summarised as follows:

- Too close to the road - reduces visibility for car drivers travelling from the village along Crescent Road and then turning right into Brookhill Road. This is a junction where there have been many accidents due to poor visibility.
- This junction is difficult to negotiate for drivers; this is exacerbated by the fact that the 384 turns into Brookhill Road from Crescent Road at this point.
- Too close to a nursery where people walk with their children twice a day. Cars entering and leaving the store will be a hazard to pedestrians.
- Increased noise and pollution from the number of people driving to the supermarket. Too close to the nursery causing increased pollution for young lungs.
- Increased litter in the area.
- Crescent Road is already congested with parked cars, buses and drivers using the road as a cut through. Building a supermarket on this site is going to be detrimental to all residents of Crescent Road as traffic in the street is going to increase and this will be 7 days a week. These roads are just too narrow to support any more traffic.
- The building of the leisure centre at the other end of Crescent Road is going to cause an increase in traffic so adding both Aldi and this together will make Crescent Road heavily congested.
- Another supermarket in the area is not needed. It will take business from all the small independent shops in East Barnet Village ruining the atmosphere of the area.

4.5 Summary of Responses from External Consultees

Thames Water – No objection to the scheme subject to conditions.

London Fire Brigade – The brigade is satisfied with the proposals in terms of access for vehicles. It is strongly recommended that sprinklers are fitted within the development. Fire safety is covered by Building Regulations, however an informative is attached advising that the application should comply with all relevant Building Regulations relating to fire safety.

4.6 It should be noted that the following bodies were consulted on the application and did not respond:

Metropolitan Police
London Fire Brigade
Environment Agency

4.7 Summary of Responses from Internal Consultees

LBB Environmental Health – No objection subject to conditions. Full comments are set out in Section 7 of this report.

LBB Traffic and Development – No objection subject to conditions. Full comments are set out in Section 8 of this report.

LBB Travel Plans – No objection subject to a Travel Plan being secured through the S106 Agreement. The full requirements of the Travel Plan are set out in the preface to this report and in Section 8.

5.0 LAND USE / PRINCIPLE OF DEVELOPMENT

Retail Use

- 5.1 When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, Paragraph 26 of the NPPF states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). This should include assessment of:
- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
 - the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to 5 years from the time the application is made. For major schemes where the full impact will not be realised in 5 years, the impact should also be assessed up to 10 years from the time the application is made
- 5.2 Within Barnet, the designated town centre boundaries are set out in the Development Management Policies DPD. Para 12.6.1 of the document sets out that boundaries are identified for 14 district centres and one major centre. The boundaries clearly delineate town and hinterland residential suburb and enable a clear definition of an edge of centre site. An edge of centre site is locally defined in Barnet as being within 150 m of the town centre boundary. The application site located within 300m of East Barnet local centre, however because of the lower edge-of-centre local threshold of 150m set out at paragraph 12.6.1 of the Barnet Local Plan Development Management Policies, it is considered to be out of centre for the purposes of the sequential test.
- 5.2 Policy DM11 states that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be resisted unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan.
- 5.3 On the basis of the policy context set out above and following on from pre-application discussions, a retail assessment was undertaken by the applicant to underpin the Planning and Retail Statement (PARS) submitted in support of the application. To ensure a robust and comprehensive assessment of the submitted PARS, the Council instructed an external consultant, Peter Brett Associates, to carry out an independent review of the document;

specifically in relation to the methodology used, the assumptions made within the document and the conclusions that are drawn.

5.4 In considering the sequential approach, it is relevant to consider the parameters within which it has been undertaken as these are closely linked to whether the applicant has satisfied the requirement of the NPPF to exercise reasonable flexibility. In this regard, the principal considerations are the area of search and the size of sites considered. In this case, paragraph 4.21 of the submitted PARS sets out that sites of less than 0.3 ha were discounted; given the application site extends to 0.43ha, it is accepted that the consideration of sites that are a minimum of 70% of size of the application site accords with the requirement to demonstrate reasonable flexibility. A 10 minute drive-time for the catchment area is also adopted within the document which is welcomed.

5.5 In terms of the town centres included as part of the sequential assessment, the following centres were assessed:

- New Barnet District Centre
- East Barnet Local Centre
- Whetstone District Centre
- Chipping Barnet District Centre

5.6 The aforementioned centres were agreed with the Council as part of the pre-application discussions and the scope of the assessment is considered to be appropriate for this particular application. Having assessed the local centres set out and using the agreed search criteria, the following sites were identified and included along with a summary of the applicant’s conclusions with regards to the sites availability, suitability and viability.

Site Location	NPPF Location	Available	Suitable/Viable
A1 Self Storage, Downland Close (0.9ha)	Edge-of-centre	No	No, doesn't serve East Barnet and too big.
Car Park behind Waitrose, Boots (0.56ha)	In-centre	No	No, doesn't serve East Barnet and loss of district centre car park.
Barnet Army Reserve Centre, 12 St Albans Road (1.15ha)	Edge-of-centre	No	No, doesn't serve East Barnet and too big.

5.7 It is accepted that none of the sites identified can be considered to be available or suitable and can be dismissed.

Retail Impact

- 5.8 The NPPF states that a retail impact assessment should be carried out for any out of centre retail development with a floorspace of over 2,500 sqm, unless a lower threshold is applied through a local authority's development plan. In this case, the Local Plan Development Management Policies Document (DMPD) sets a lower threshold of 500 sqm. In this case, the proposed development exceeds this lower threshold and as such an impact assessment has been included as part of the PARS submitted in support of the application.
- 5.9 The methodology used to undertake the impact assessment was reviewed by Peter Brett Associates and whilst it was largely accepted, there were some minor changes adopted for the purposes of the assessment.
- 5.10 The PARS forecasts a convenience impact of 6% on East Barnet local centre and 12% on New Barnet district centre in 2022. In East Barnet, the key impact is on the existing Co-op store where diversion of £0.2m is forecast. In New Barnet, the majority of this impact will fall on the existing Sainsbury's store, which is quantitatively overtrading, but where it is anticipated 50% of the new store's convenience turnover (£4.6m) would be diverted from. The residual diversion is forecast to come from the Waitrose stores in Chipping Barnet (£0.2m) and Whetstone (£0.4m) and also the existing Asda at Southgate (£1.8m).
- 5.11 As the two stores are the closest to the application site, PBA agree that there will be diversion from the Co-op and Sainsbury's stores. Following the principle of like competing with like and having regard to the anticipated main food shopping role of the proposed store, PBA accept that the majority of impact will fall on the Sainsbury's as the nearest store which currently dominates local main food shopping patterns. The diversion from the Co-op store will be more limited because, as evidenced in the market shares arising from the household survey, it is primarily meeting top-up shopping needs rather than catering to main food shopping needs.

Retail Need

- 5.12 The PARS points to the proportion of shoppers in the PCA using discounters being 26%, compared to the SCA's 41%, the implication is that the PCA is underserved by discounters. This cannot be conflated with unmet 'need' in the PCA; it could equally reflect that people are more inclined to shop at their local store so it is inevitable that take up in the PCA would be lower than SCA.
- 5.13 As the PARS acknowledges at para. 4.17, shopping patterns are often a function of the closest store. In this instance, the main store in the PCA is the Sainsbury's at New Barnet and to a lesser extent the Asda at Southgate. It is agreed that the addition of a discount foodstore within the PCA would likely have the effect of increasing the market share in the PCA but this does not demonstrate need. In any event, need is not a retail planning test. Nor is competition within the remit of the planning system.

5.14 While the Huntingdon decision provided at Appendix 11 of the PARS is noted, the circumstances of that decision are not directly relevant to the current application. In that instance, the Inspector noted ‘that the need for a LAD foodstore in Huntingdon had been identified for about 8 years’ (para. 15) and that this was supported in the two retail studies produced during that period. There is no such evidence in this case.

Conclusions

5.15 The submitted PARS concludes that there are no sequentially preferable sites in located within the LBB centres assessed. This conclusion is considered to be sound and is accepted by officers. The retail review carried out by PBA notes that the PARS fails to consider the following retail centres within LB Enfield:

- Southgate
- Cockfosters
- Palmers Green

5.16 Subsequent to the retail review from PBA, a supplementary retail note was submitted by the applicant along with a confirmatory note from Aldi’s Property Director, outlining that Aldi are actively looking at a new store in LB Enfield in addition to the proposed store in East Barnet. This in itself lessens the need for the LB Enfield sites to be considered as part of the current application given that the retail centres would be considered as part of any sequential assessment submitted in support of a new retail store in LB Enfield.

5.17 Nevertheless, for the sake of completeness in respect of the assessment of the current application, the applicant undertook a supplementary sequential assessment of the LB Enfield retail centres identified. No sites were identified in Southgate or Cockfosters whilst 4 potential sites were identified in Palmers Green:

- Lodge Drive Car Park
- The Fox Public House
- Morrisons Car Park, Bridge Drive
- Travis Perkins, Bridge Drive

5.18 All of the sites identified were either unsuitable in terms of size or is unavailable. In all cases it is considered that the deductions made to reach these conclusions are logical and reasonable. On this basis, it is considered that the proposed development is in accordance with the sequential approach to site selection as set out in paragraph 24 of the NPPF.

5.19 Whilst, the retail review from PBA disagreed with some methodology of the assessment carried out within the PARS, they also concluded that changes to these minor points would not fundamentally alter the overall conclusion that was reached.

- 5.21 Therefore, officers consider that the application complies with the sequential approach and impact tests set out in national and development plan policy, subject to conditions that are outlined within Appendix 2. This position is fully supported by Peter Brett Associates who carried out an independent retail review on behalf of the Council.

6.0 DESIGN ASSESSMENT

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

- 6.2 The proposed development would comprise a building with an overall footprint of 1,542 sqm with external dimensions of approximately 49.3m long and 37.5m wide, at its widest points. The maximum height of the store would be 5.6m high from ground level.

Layout

- 6.3 The proposed retail store would be located to the north-east corner of the site, adjacent to the junction of Brookhill Road and Crescent Road. The façade of the building fronting onto Crescent Road would be staggered with a recessed building line to the west aligning with the prevailing residential building line. It is considered that such a staggered building line would help ensure successful integration into the surrounding urban grain.

Height, Scale and Massing

- 6.4 The height of the building would be largely similar to that of a two storey building which would be commensurate with the building heights in the immediate vicinity ensuring congruence. The overall scale of the proposed development would not be significantly greater than the buildings currently on site and as such is considered to be appropriate for the context.

Design and Appearance

- 6.5 The development would comprise of external elevations incorporating use of white rendered walls, blue engineering brick work plinth, large anthracite framed double-glazed shop front windows to the elevations facing the car park and Brookhill Road. The proposed materials palette is considered to be appropriate for the use and the location of the development. The corner element of the development, featuring a solid brickwork element would serve to frame the development and would break up the horizontality of the elevations to either side which is welcomed. Soft landscaping would be introduced in front of both the Crescent Road and the Brookhill elevations which would soften the visual appearance of the elevations.

Conclusion

6.6 It is considered that the scheme would represent a high a quality development that would not be incongruous within its surrounding context and thus is accordant with Paragraphs 56-58 of the NPPF and Policies CS5 and DM01 of the Barnet Local Plan.

7.0 Impact on Residential Amenity

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

Daylight, Sunlight and Overshadowing

7.2 The location and the scale of the proposed development in the context of the surrounding residential development would ensure that there would be no noticeable harmful impact in terms of daylight, sunlight or overshadowing. There would be no facing windows of neighbouring residential properties which would breach the BRE recommended 25 degree assessment which would indicate a likelihood of a perceptible impact and the need for further assessment. It should also be noted that the proposed development represents a reduction in scale from the buildings that currently occupy the site.

Outlook

7.3 The separation distance from the surrounding residential windows to the facing elevations of the proposed development would be a minimum of 22 metres which is in line with Barnet's recommended minimum (Sustainable Design and Construction SPD) and as such is considered to be adequate to ensure that the development would not cause any unacceptable loss of outlook for existing and future neighbouring residential occupiers.

Privacy and Overlooking

7.4 The Barnet Supplementary Planning Document on Sustainable Design and Construction outlines that new developments should provide a minimum separation distance of 22 metres to neighbouring facing habitable room windows and 10.5 metres to the boundary of neighbouring residential curtilages. The development achieves these minimum distances and does not incorporate any areas of glazing with would allow for potential overlooking of neighbouring occupiers.

Noise

7.5 The application is accompanied by a Noise Impact Assessment from Sharps Redmore which has been reviewed by the Council's Environmental Health officers. The report considered the following potential sources of noise:

- Fixed mechanical plant
- Car Park noise

- Service Yard noise
- Change in road traffic noise

7.6 Having considered the aforementioned activities, the report reached the following key conclusions:

- Noise from car parking activity will be within the WHO day time guideline values.
- Plant noise will be controlled by condition ensuring that the rating level of plant does not exceed the existing background noise levels.
- Having assessed the impact of noise from deliveries against objective criteria it is concluded that noise from deliveries between 0600 – 2300 hrs (Monday to Saturday) and 0800 – 2000 hrs (Sunday) without causing adverse impact in accordance with the policy aims contained within the NPPF.

7.7 The report and the conclusions that were drawn from the relevant assessments were reviewed by the Council’s Environmental Health officers who concurred with the findings. Nevertheless, conditions are attached relating to noise levels emanating from the plant machinery, hours of delivery and opening times in order to control noise levels accordingly.

Conclusion

7.8 Having regard to all of the above officers consider that the development, subject to conditions, would not result in an unacceptable impact on the residential amenity of the neighbouring residential occupiers in line with Policy DM01.

8.0 Transport and Highways

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

Accessibility:

8.2 The application site is situated to adjacent to the junction of Crescent Road and Brookhill and the surrounding area is largely residential with small elements of commercial and community uses. The site has a PTAL of 3 (average) with only bus and train available within the PTAL calculation area. The development is not located in a controlled parking zone nor is there likely to be one in place by the time the proposed development is operational.

Highway and Pedestrian Safety

- 8.3 A cluster of two minor injury accidents have occurred at the junction of Brookhill and Crescent Road. There was one serious accident at this location in this time. The nature of this accident was two cars collided with one of the passengers in a vehicle receiving serious injuries. There is no pattern to the accidents in this location over the past 15 years of surveyed data. As such the proposed developments size and nature will have no impact on any existing road safety issues on the immediately surrounding highway network.
- 8.4 The passage for vulnerable road users into the site from the surrounding highway network is suitable, interaction between vehicles and vulnerable road users would be minimal. Furthermore, footway widths on Brookhill Road are approximately 2.4m in width, which is suitable for the level of pedestrian flow expects to the generated.
- 8.5 Swept paths have been submitted showing the entry and exit of an articulated vehicle, plans show the vehicle entering and exiting the site in a forward gear with no encroachment on any of the parking bays or pedestrian cycle facilities which is also welcomed.

Cycle Parking

- 8.4 Paragraph 2.3.2 of the submitted Transport Assessment mentions cycles replacing short vehicles trip in association with the development, while cycle use in association with the proposed store will be welcomed, the store will be of a size to provide a range of goods to form a weekly shop there for the use of cycles will not alter vehicles trip generation calculated using existing comparable sites. London Plan stated minimum cycle parking levels suggest that a development of this nature should provide 31 cycle parking spaces. This development proposes 38 spaces which is in excess of London plan minimum levels. The development is looking to promote zero car use age by staff by providing secure end of journey cycle parking facilities, these facilities are separate to the long stay parking, covered and secure, which is welcomed.

Parking Provision:

- 8.5 The development proposes to provide 60 parking spaces which is in line with London Plan maximum parking standards for food retail stores in a development of this location (PTAL-3). It should be noted that Barnet Policy DM17 defers to London Plan parking standards with regards to parking for non-residential uses.
- 8.6 The weighted parking accumulation leaves an available parking capacity level of 13% at peak times this level of available capacity will provide a suitable level of parking availability to cater for particularly busy times experienced by food stores (the two Saturdays before Christmas for example) without impact on the operation of the highway network or increase in parking stress on the surrounding curb side.
- 8.7 The applicant has submitted a study of electric charging usage which was undertaken at a store in South London, which shows that at present the demand for electric charging facilities is significantly below the provision requested via the London Plan. The applicants have suggested the same number of bays will be provided however made convertible and switched over when there is a genuine demand for electric charging facilities at the store.

Notwithstanding, a condition is attached requiring the provision of charging points in accordance with London Plan policy.

- 8.8 Disabled car parking provision has been provided and located within an immediate proximity of the shops access. A condition to secure this provision would be attached to any permission.

Traffic Impact / Trip Generation

- 8.9 A number of sites have been extracted from trip generation databases which are all food stores with a number "discount food stores". There for the level of trip generation calculated for this site is considered to be appropriate and are as follows:
- 105 two way movements in the PM peak
 - 157 two way movements in the weekend peak.
- 8.10 The applicant has suggested that there will be a vast number of linked trips associated with the development. The location of the store is not within the immediate proximity to a town centre or any other key amenities, whilst these trips may be on the wider highway network, they would not be expected to be on the highway network as assessed in the TA, there for the impact of the development will be calculated by assessing the number of trips estimated using comparable sites.
- 8.11 The applicant also explored the possibility of passer by trips, while I accept these do occur, at peak times of usage deliberate trips are made to the site, and passer-by trips are going to be deterred by the peak time busy nature of the store and not benefit from the convenience offered by a store coinciding with their journey routing.
- 8.12 Development plus five year flows have been submitted (2022). Development trip generation figures have also been overlaid the 2022 data. These submitted figures show a reduction in vehicular traffic. For the sake of robustness the 2022 figures have been combined with the trip generation figures extracted using comparable sites to ascertain the developments impact on the operation of the surrounding highway network.
- 8.13 Generally speaking the attraction and dispersal of traffic evenly around the highway network would not cause any perceivable impact on the operation of the surrounding highway network. With the exception of the right turn on to East Barnet Road from Brookhill Road and in all using trip generation figures, dissipation percentages and 2022 flows it has been estimated that the queue length of the right turn from Brookhill Road to East Barnet Road should increase by 1 vehicle every 2 mins, which is equivalent to a junction signals cycle.
- 8.14 One extra vehicle every cycle could further impact on the operation of the right turn of the junction, and stop left/ straight ahead movements. To continue to facilitate this movement the existing yellow line on the south west side of Brookhill Road should be increased by three car lengths (15m) to facilitate the free flow of non-right turn vehicles during the PM and Weekend peak hours of movement.
- 8.15 Given the proposed operator of the site (Aldi) a number of typical food store models have not been used for this assessment, such as click and collect or home delivery from the store.

- 8.16 Typically there will be 2/3 HGV's servicing the store per day, and 1/2 smaller vehicles delivering more local produce. This level of service trip generation will not cause a significant level of harm, service management plans can mitigate the perceived level of harm generated by associated servicing vehicles. It's also suggested that servicing vehicles do not access the site during the peaks, this will reduce the likelihood of conflict between HGV's accessing the site via the car park and vehicles using the development/car park along with the reduction in congestion and impacts on the highway network surrounding the development.

Construction:

- 8.17 Details of the construction phase have been provided. In terms of trip generation by large vehicles the demolition phase will be the most intensive with approximately 5 HGV's generated in a day. The TA states that there will be on site management to stop multiple vehicles arriving at once, this will mitigate the perceived impact of the construction phase. There will also be on site car parking provided for those associated with the construction phase, deliveries during the construction phase will also be managed so that multiple vehicles do not access the site at once, wheel washing and dust suppressants will also be on site to stop debris being deposited on the surrounding highway network.

Travel Planning:

- 8.18 The development represents a major development of over 2000 square metres and as such a Travel Plan would need to be secured through the Section 106 Agreement. A draft Travel Plan has been submitted by Connect Consultants which has been reviewed by the Council's Transport and Highways officers. The S106 would require a Travel Plan to be secured on the basis of the submitted Travel Plan along with a £15,000 monitoring fee.

Conclusion

- 8.19 Having regard to all of the above and subject to the conditions and S106 obligations listed in this report, officers are clear that the application would be acceptable from a transport and highways perspective. The development would not impact on road safety, the scale of the development is appropriate for the surrounding highway network and the development could be accessed through a range of transport modes including walking and cycling. It is therefore considered that the development is in accordance with Policy DM17 of the Barnet Local Plan.

9.0 Sustainability

- 9.1 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

- 9.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new 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.

- 9.3 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 demonstrates compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor’s energy hierarchy.
- 9.4 The application is accompanied by an Energy Statement from Sol Environmental Ltd which seeks to demonstrate how the buildings have been designed to achieve a reduction in Carbon Dioxide (CO2) emissions by 35% as required by the London Plan (2016).
- 9.5 The Energy Statement submitted in support of the application, sets out that passive design measures such as internal heating through solar gain have been incorporated which reduce the need for heating/cooling. Buildings that are aligned in a north-south orientation such as the development in this case are observed to maximise daylight and sunlight (i.e. solar gain), subsequently reducing energy consumption associated with excessive heating and lighting requirements.
- 9.6 The Energy Statement also goes on to assess the feasibility of renewable energy technologies within the development. The following technologies were discounted as not being feasible for implementation within the scheme:
- Combined heat and power system;
 - Solar thermal heating / hot water;
 - Ground source heat pumps;
 - Air source heat pumps;
 - Biomass boilers;
 - Micro wind turbines.
- 9.7 The reasoning and the justification for discounting the aforementioned technologies is considered to be acceptable. Having discounted the technologies outlined, the applicant has indicated that photovoltaic cells and refrigeration heat recovery systems would be incorporated into the scheme.

Conclusion

- 9.8 Based on the energy assessment submitted, the table below shows the residual CO2 emissions after each stage of the energy hierarchy and the CO2 emission reductions at each stage of the energy hierarchy for the non-domestic buildings.

Scenario	Energy Demand (kWh / year)	Energy Saving Achieved (%)	Regulated CO2 Emissions (kgCO2/ year)	Saving Achieved in CO2 Emissions
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				(%)
2013 Part L Compliant Benchmark Building	121,212	-	49,056	-
Residual Scenario (improved building fabric and M&E services)	96,702	23	46,450	5
Residual Scenario + Arctic Circle 'Freeheat' + 50wP Solar Array	66,103	56	25,276	26
Total Savings	60,109	48	23,780	48

9.9 An on-site reduction of 23,780 kg of CO2 per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for t non-domestic buildings, equivalent to an overall saving of 48%. The carbon dioxide savings therefore exceed the target set within Policy 5.2 of the London Plan and Barnet Local Plan policies DM01 and DM04

10.0 Flood Risk

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

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

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

10.3 The application was accompanied by an indicative drainage layout which shows that an on-site water storage and attenuation scheme connecting to the existing sewers would be incorporated into the scheme. Thames Water were consulted on the application and had no objection to this arrangement or the wider application subject to conditions. A Geo-

Environmental Assessment by Brownfield Solutions Ltd outlines that a SUDS infiltration technique was considered however is not feasible due to the unsuitable underlying substrata as established in the ground investigation results.

- 10.4 It is considered that the approach outlined above is appropriate and would ensure that the application is accordant with Barnet Policy CS13 and London Plan Policy 5.13.

11.0 Air Quality

- 11.1 The application is accompanied by an Air Quality Assessment (AQA) produced by Aether (July 2017) which has been assessed by the Council's Environmental Health officers. It should be noted that an AQA was submitted as part of the Environmental Statement accompanying the previously refused application where no significant impacts were identified.

- 11.2 The AQA has been reviewed by the Council's Environmental Health officers who largely concur with the findings. The results of the assessment indicate that annual and hourly mean NO₂ concentrations are below the objective at all of the receptors modelled both without and with development. Concentrations of PM₁₀ are also predicted to be in compliance with the objectives. On this basis, it is considered that the development would not result in any unacceptable impact with regards to air quality.

12.0 Crime Prevention / Community Safety

- 12.1 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.
- 12.2 A condition is attached requiring the submission of a certificate demonstrating compliance with Secured by Design standards. Subject to the requirements of the condition, the development would not pose any harm to community safety.

13.0 Planning Obligations

- 13.1 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.
- 13.2 In accordance with development plan policies the following obligations are required to be secured through a legal agreement with the developer. If permission were granted it is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure that is necessary to support the scheme.

13.3 The planning obligations considered necessary to mitigate the impacts of development are set out in the preface of this report.

17.0 Conclusion

17.1 Permission is sought for the comprehensive redevelopment of the site including the demolition of all of the existing buildings and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works. The store would have a GIA of 1,471 sqm of which 1,059 sqm would constitute retail space.

17.2 Whilst, all of the issues associated with the application have been addressed in the preceding report – it is considered that the two key issues relate to the principle of development related to the out of centre location; and the transport and highways impacts of the development.

17.2 The application site is located outside of any designated town centre and as such the development would represent an out of centre location. In such cases, Paragraph 26 of the NPPF states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to 5 years from the time the application is made. For major schemes where the full impact will not be realised in 5 years, the impact should also be assessed up to 10 years from the time the application is made

17.3 Policy DM11 of the Barnet Local Plan states that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be resisted unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan.

17.4 A Planning and Retail Statement (PARS) inclusive of both an impact assessment and a sequential assessment were duly submitted in support of the application. The PARS was subject to an independent review by Peter Brett Associates on behalf of the Council. The sequential assessment confirms that there are no suitable sites in any of the centres assessed within either LB Barnet or LB Enfield whilst the impact assessment found that the impact on the existing centres would be acceptable. Both the methodology in the assessments carried out and the conclusions reached are considered to be reasonable and acceptable by officers.

- 17.5 In terms of the principle of development, officers therefore consider that the application would be in accordance with the relevant paragraphs 24 and 26 of the NPPF along with Policy DM11 of the Barnet Local Plan.
- 17.6 In terms of transport, the development proposes to provide 60 parking spaces which is in line with London Plan maximum parking standards for food retail stores in a development of this location (PTAL-3). It should be noted that Barnet Policy DM17 defers to London Plan parking standards with regards to parking for non-residential uses.
- 17.7 Based on the Transport Assessment submitted by the applicant and reviewed by the Council's transport and highways officers, the trip generation associated with the proposed development indicates that the levels of traffic would not have a detrimental impact on the surrounding road network. This is based on the attraction and dispersal of traffic evenly around the highway network.
- 17.8 Subject to all of the above, it is considered that the application is acceptable and is therefore recommended for approval subject to the heads of terms set out in the preamble to this report as well as the conditions set out in Appendix 2 of this report.

Appendix 1: Site Location Plan



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Project Title			
PROPOSED ALDI FOOD STORE 30 BROOKHILL ROAD EAST BARNET HERTS EN4 8SN			
Client			
ALDI STORES LTD - CHELMSFORD			
Status			
PLANNING			
Scale		Drawing Size	
1:1250		A4	
Date	Drawn by	Checked by	
30/03/2016	RS	JPG	

Appendix 2: 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 approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

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.

Design and Appearance

- 3) Notwithstanding the details shown on the plans, hereby approved, no development (other than demolition, site clearance and ground works) shall be undertaken unless and until:
- (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) where appropriate, a sample brick panel shall be constructed on site or a location to be agreed, 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) No development (other than demolition, site clearance and ground works) shall take place until 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 and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;

- means of planting, staking and tying of trees, including tree guards, planter depths and a 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 and 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.

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.

- 5) All work comprised in the approved scheme of hard and soft landscaping be shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building.

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.

- 6) Any 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 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.

- 7) Prior to the first occupation of the development, hereby approved, details and specifications of all external lighting (including cowling) to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and thereafter be permanently maintained as such.

Reason: To ensure that appropriate lighting is provided as part of the development in accordance with policy DM01 of the Barnet Local Plan and 5.3 of the London Plan.

Transport and Highways

- 8) Prior to the commencement of the development (other than demolition, site clearance and ground works); a scheme showing details of access points (Pedestrian and Vehicular) and

footways in accordance with the siting, size, dimensions and other details shown on the approved drawings shall be submitted to and approved by the Local Planning Authority.

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.

- 9) Prior to the first occupation of the development, the existing access shall be closed, the highway reinstated and the new access constructed in accordance with plans submitted to and approved by the Local Planning Authority. The existing redundant crossover(s) is to be reinstated to footway level in accordance with the approved details by the Highway Authority at the applicant's expense.

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.

- 10) No structure including fences or planting exceeding 0.9 metres in height shall be erected to the left or right of the access within the visibility splay at the junction of private access and the public highway.

Reason: To preserve site line and 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.

- 11) Notwithstanding the plans submitted, the disabled parking spaces shall be provided and clearly marked with a British Standard disabled symbol where appropriate and permanently retained for the use of disabled persons and their vehicles and for no other purpose. Such arrangements shall be implemented before the building is first occupied and shall thereafter be kept available/maintained for such use at all times.

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) Prior to the first occupation of the development, parking spaces and the access to the car parking spaces from public highway shall be fully provided. Thereafter, the parking spaces shall be used only as agreed and not to 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.

- 13) Prior to the first occupation of the development, full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 3 passive electrical charging facilities unless otherwise agreed in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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

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

- i. location and layout of car parking spaces;
- ii. The allocation of car parking spaces;
- iii. Onsite parking controls;
- iv. The method of enforcement of unauthorised parking;
- v. Locations of disabled parking spaces;
- vi. Locations of active and passive Electric Vehicle Charging Points and the monitoring of Electrical Vehicle Charging Points, including when additional spaces are required to be brought into operation. The Car Parking Management Plan shall thereafter be implemented in accordance with the approved details immediately following the first occupation of the development hereby approved.

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.

- 15) Prior to the first occupation of the development, provision shall be made for cycle parking and cycle storage facilities in accordance with approved plan 1811-CHE 102. 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.

16) Prior to commencement of development (including demolition, site clearance and ground works) a Demolition and Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. 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. Staff travel arrangement;
- ix. details of contractors compound and car parking arrangements;
- x. Details of interim car parking management arrangements for the duration of construction;
- xi. Provision of a banksman;
- xii. 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.

17) Prior to the first occupation of the development, a full Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan.

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.

Retail

- 18) Unless otherwise agreed in writing by the Local Planning Authority, the net sales area of the store hereby approved shall not exceed 1,059sqm and the gross floor area shall not exceed 1,472sqm

Reason: To control the extent of the retail development and to minimise the impact on existing town centres in accordance with Policy DM11 of Development Management Policies (Adopted) September 2012.

- 19) Unless otherwise agreed in writing by the Local Planning Authority, no more than 20% of the net sales area hereby approved (212sqm) shall be used for the sale of comparison goods.

Reason: To control the nature of the retail offer and to minimise the impact on existing town centres in accordance with Policy DM11 of Development Management Policies (Adopted) September 2012.

- 20) Unless otherwise agreed in writing with the LPA, the store hereby approved shall not be subdivided to create separate retail units.

Reason: To control the extent of the retail development and to minimise the impact on existing town centres in accordance with Policy DM11 of Development Management Policies (Adopted) September 2012.

Amenity

- 21) Unless otherwise agreed in writing with the LPA, the use hereby permitted shall not be open for trade other than between the hours of 07.00 and 23.00 Mondays to Saturdays (inclusive) and for any 6 hours (inclusive) between 10:00 – 18:00 on Sundays and Bank Holidays.

Reason: To minimise noise disturbance to neighbouring residential occupiers in accordance with Policy DM01 of Development Management Policies (Adopted) September 2012.

- 22) Unless otherwise agreed in writing by the Local Planning Authority, no deliveries shall be taken at or dispatched from the site outside the following hours:

- 06:00 – 23:00 (Monday to Saturday)
- 08:00 – 20:00 (Sunday and Public Holidays)

In addition, no delivery vehicles shall enter or exit the site during the following times:

- 08:00 – 10:00 (Monday to Friday)
- 15:00 – 17:00 (Monday to Saturday)

Reason: To minimise noise disturbance to neighbouring residential occupiers in accordance with Policy DM01 of Development Management Policies (Adopted) September 2012 and to

minimise impacts on the local highway network in accordance with Policy DM17 of Development Management Policies (Adopted) September 2012.

- 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 on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 24) a) No development other than demolition, site clearance and ground works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

b) The measures approved under this condition shall be implemented 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 proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

- 25) The level of noise emitted from the plant machinery hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

- 26) a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.
- b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

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

Environmental Health

- 27) 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.

Miscellaneous

- 28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), (or any Order revoking or re-enacting those orders), no extensions or changes of use to the development hereby permitted shall be carried out without express planning permission first being obtained.

Reason: To enable the local planning authority to retain control over these matters in the interests of controlling the intensity of use.

- 29) Within 3 months of first occupation, certification demonstrating compliance with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority.

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

- 30) 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.

LOCATION: Grahame Park, London, NW9.

REFERENCE: 17/2840/OUT

WARD: Colindale

Received: 18 May 2017
Accepted: 31 May 2017
Expiry: 17 August 2017

AGENDA ITEM 9

APPLICANT: Choices for Grahame Park/Genesis Housing

PROPOSAL: Outline planning permission for the demolition of 630 existing residential units, Everglade GP Practice, Community Hall, library and retail units and the construction in three phases (plots 10, 11 and 12) of: 1083 residential units (use Class C3); a Community Hub of approximately 3,766 sqm (GIA) comprising a community hall and workshop rooms, a daycare nursery, a GP Health centre, community health facilities and ancillary office accommodation (all use class D1) along with 186 sqm (GIA) café (use class A3); approximately 340 sqm (GIA) of retail space (predominantly use class A1, along with A2, A3, A4 and/or A5) ; a flexible ground floor space of approximately 55sqm (GIA) (use class A1 or use class B1) within Block 10B; a new energy centre to provide district heating; and associated car parking, open space, landscaping and access arrangements.

Within the outline application:

- full details are submitted for the means of access, layout, scale, appearance and landscaping of Plots 10 and 12 and associated works; and
- full details of Plot 11 are submitted for the means of access, layout, scale, appearance and landscaping with the exception of Plot 11D, where details of layout and scale are submitted, with means of access, appearance and landscaping reserved.

The application is accompanied by an Environmental Statement.

Application Background and Summary

Grahame Park Estate is the largest council housing estate in the borough. Although popular with many early residents when it was first built in the 1970s, significant problems arose due to a combination of factors including the concentration of vulnerable and disadvantaged people and the estate's design which isolates it from the surrounding areas. As a result Grahame Park has suffered from serious decline and socio-economic problems over the years.

A tenants participation survey in 1999 identified a number of issues including the poor physical environment and poor image, unsafe and difficult circulation routes owing to the Radburn style separation of vehicles and pedestrians, overcrowding

and inappropriate occupancy for large families, a high turnover of stock, poorly placed and poorly integrated local facilities and poor levels of shopping choice. It is for these reasons that the Council, in partnership with Choices for Grahame Park ('Choices'), decided to embark on a major programme to regenerate the estate and transform it into a thriving mixed tenure neighbourhood.

An outline planning application was submitted by Choices in 2004 for the redevelopment of the estate (reference W01731JS/04). This scheme was approved in September 2004 subject to a Section 106 Agreement. Following the completion of the Section 106 and Principal Development Agreement for the regeneration, outline planning permission was finally granted on the 31st January 2007.

This consent was subsequently amended under a Section 73 application to vary the approved phasing under reference number [W/01731/LB/07] (granted on 14 August 2008) and an extension to the time limit for implementing the planning permission which was approved on 16th February 2011 under planning reference number [H/04448/10]. Most of the first portion of the regeneration (Stage A) has either been constructed on site and occupied, has commenced, or has been committed to bringing forward pursuant to the 2007 permission. Stage A comprises the following elements

- Phase 0 (ref W/13364/04) was constructed and completed, providing 32 new homes.
- Phase 0 Extension (ref H/00595/08) was completed in March 2014 and comprised of 39 market homes.
- The construction of a replacement children's facility known as the Greentop Centre was completed in December 2008.
- Phase 1A is located to the west of Heybourne Park. A reserved matters application seeking approval for design and external appearance in relation to Phase 1A, comprising 319 residential dwellings pursuant to condition 6 of outline permission W01731JS/04 dated 17-01-2007 for the redevelopment of Grahame Park Estate (reference number [W01731LA/07]) was approved on the 15th January 2008 and completed in 2012.
- Phase 1B has been the subject of a number of subsequent applications. A Section 73 application was approved on the 21st February 2012 to alter the block layout in Phase 1B (reference number [H/00309/11]).
- The detailed reserved matters consent approved on the 21st February 2012 for Phase 1B of the development (reference number [H/00308/11] granted: *"Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sqm (GEA) of non-residential floorspace including a library (Use Class D1), community centre (Use Class D1), supermarket (Use Class A1) and ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of planning permission reference H/04448/10 dated 16/02/11 for the extension to the time limit for implementing outline planning permission reference W01731LB/07 dated 09/04/08 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 11) and phasing plans (condition 47) required to form part of the reserved*

matters, and details of the construction methods statement in order to discharge condition 49.”

- This has subsequently been the subject of a Section 96A non-material amendment application to create sub-phases to enable the Lanacre Avenue shift to be delivered prior to Plots A1, A8, B1 and B6 (reference H/02522/13, granted 14/08/2013). The New Lanacre Avenue opened in December 2014.
- Plots A2, A4, C1, C2, C3 and C4 are complete and occupied as residential (C3) use. Plot A6 is complete and occupied and comprises a new Sainsbury's Local, the pharmacy relocated from the Concourse (and a currently vacant unit), with flats above.
- Plot A8 comprises the new Barnet and Southgate College and replacement public library which was approved under reference number [H/00320/14] and was completed in September 2016.
- Plot B1 comprising 60 flats in accordance with reserved matters consent and a Section 96a approval reference [H/04502/14] started on site in July 2015 and is due to complete in December 2016.
- Plot B6 is subject to a revised application for 92 units under reference 14/07210/FUL for development of plot B6 comprising buildings between 1 and 6 storeys, to accommodate 92 residential units (84 flats and 8 dwelling houses); associated vehicle access, highways, parking, landscaping, amenity space, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 84 flats in a part 5, part 6 storey building). Plot B6 started on site in January 2016 and is due to complete in January 2018.
- Plot A1 (also referred to as Plot 8) originally had consent for 90 flats, community centre, housing office and retail. The site will now return to the Council to instead accommodate proposals for a new Council HQ office building of circa 9,000sqm. (reference number [15/04039/ FUL]). Plot A1 is subject to a non-material amendment (reference number [16/3768/NMA]) approved 29th July 2016.
- Plot A9 (also referred to as Plot 9) has permission for development of 5 residential units and retail space
- approved under planning reference [H/00310/11], work has not commenced on this plot and it is understood that a revised application for this plot is due to be submitted.

Stage A is anticipated to be completed in 2018. To date 685 new homes have been delivered under Stage A, which is 5 homes less than permitted as Plot A9 is yet to come forward. Of these 685 new homes, 52% are affordable (235 social rent, 38 affordable rent and 81 intermediate).

Stage A also accommodates the new Barnet and Southgate College having relocated from its former site at Grahame Park Way and the Council's new purpose built offices will be constructed within Stage A.

The outline masterplan has become out of date and is no longer viable. An updated approach to the regeneration of the estate was needed, and LBB decided that – given the long-term nature of the project – a planning framework with greater

flexibility than an outline permission was required. LBB therefore decided to produce a Supplementary Planning Document (SPD) for Grahame Park to set out the overall principles for regeneration along with detailed design guidance. The SPD was developed in partnership by Genesis Housing Association (GHA) and LBB, with Mae Architects leading the master planning and design elements of the SPD.

As set out above, those parts of the estate that have already been redeveloped or are under construction are known as Stage A. The remaining area is known as Stage B, and it is this area that is addressed by the SPD. Figure 2.1 shows the Stage A areas, and the SPD Stage B boundary.

The SPD is a material consideration in the planning process for all applications affecting the Estate. The SPD sits below Barnet's Local Plan Core Strategy and Development Plan Documents, as well as the Colindale Area Action Plan (CAAP).

The Grahame Park SPD (2016) breaks Stage B down into three phases. The Proposed Development takes in the entire first phase, involving the redevelopment of the Concourse area, along with a small part of Phase 3 that is currently occupied by the estate's energy centre. The entirety of Phase 1 has been allocated as an area for 'comprehensive redevelopment' which requires the full demolition of existing buildings and structures, and new development to take the place of the existing estate.

The current Proposed Development involves:

- the replacement of 630 existing homes with 1083 new dwellings;
- the replacement of the existing community and health facilities with a new flagship building, the Community Hub;
- the creation of new streets and spaces, including an important road connection from the existing Bristol Avenue through to Corner Mead that will improve bus connections;
- the inclusion of new retail opposite the Community Hub; and
- the replacement of the existing energy centre with a new facility to provide heat to both the new development and existing dwellings served by the energy centre.

RECOMMENDATION

Recommendation 1

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

Recommendation 2

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

(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

60% affordable housing by units across the whole development (652 units in total) on the basis of the following detailed mix:

Social Rent (39 Units)

17 x 1 Bed
14 x 2 Bed
8 x 3 Bed

London Affordable Rent (153 Units)

42 x 1 Bed
61 x 2 Bed
38 x 3 Bed
11 x 4 Bed

London Living Rent (166 Units)

48 x 1 Bed
58 x 2 Bed
50 x 3 Bed
10 x 4 Bed

Shared Ownership (294 Units)

101 x 1 Bed
106 x 2 Bed
72 x 3 Bed
15 x 4 Bed

(d) Community Hub

The delivery of the Community Hub to the satisfaction of the Local Planning Authority, including a cash contribution of 7,600,000 towards the delivery thereof.

(e) Heybourne Park

The delivery of the proposed improvements to Heybourne Park to the satisfaction of the Local Planning Authority.

(f) Carbon Offset Payment

Payment of £1,013,400 towards Carbon Offset to meet mayoral zero carbon target.

(g) Off Site Tree Contribution

Contribution towards off site planting of trees within the wider area to achieve 2 to 1 replacement planting ratio.

(h) Local Employment Agreement

Shall include, or provide (or procure that its contractor provides) the Council/ Re (nominated Agency) with:

- 1.1 An Apprenticeship Placement or cash equivalent on an annual basis to provide Grahame Park Regeneration Team support;
- 2.1 The placement costs will include the cost of wages (to be aligned with a living wage) support training costs, college release and the provision of tools and equipment necessary for the relevant Apprenticeship;
- 3.1 Contribute towards a Colindale- wide Employment and Skills Programme to replace the Workfinder Programme.

(i) Sustainable Transport Strategy

A Sustainable Travel Strategy for the whole of Grahame Park Estate (including the application site, future phases and Stage A) shall be submitted to the satisfaction of the Local Planning Authority. The aim of the Strategy shall be to complement the lower parking provision by promoting walking, cycling and public transport use, and assist in the integration of the development into the wider area.

(j) Travel Plan measures and monitoring:

Including Provision of Travel Plans covering the following:

Travel Plan – Residential -

Travel Plan – Non Residential including Retail, Nursery, Health Centre & Community Hub

An appropriate Travel Plan Monitoring Fee would also need to be paid in relation to the above plans.

(k) Bus Contribution

A contribution TBA - paid by the Developer to Council to fund the Bus Service Improvement on commencement of construction of Plot 11 or 12.

(l) CPZ Contribution

Contribution TBA towards the implementation of the Grahame Park CPZ on adopted roads within the development.

(m) Section 278 Works

Necessary works to the public highway under section 278 of the Highways Act to facilitate the implementation of the development

(n) Section 106 Monitoring contribution

(o) All financial contributions listed above to be subject to indexation.

Recommendation 3

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Head of Development Management or Head of Strategic Planning to approve the planning application reference 17/2840/OUT under delegated powers, subject to the following conditions.

The Committee also grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal 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).

Conditions

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

Architecture

Site-wide

1450-06-001 Proposed Site Plan - Ground Floor
1450-06-002 Proposed Site Plan - First Floor
1450-06-003 Proposed Site Plan - Roof Plan
1450-06-200 Proposed Site Sections 1
1450-06-201 Proposed Site Sections 2
1450-04-010 Location Plan
1450-04-011 Existing Site Plan

Community Hub

Community Hub Site Plan

1621-10B2-06-005 Community Hub - Site Plan

Community Hub GA Plans

1621-10B2-06-100 Community Hub - Ground Floor Plan
1621-10B2-06-101 Community Hub - First Floor Plan
1621-10B2-06-102 Community Hub - Second Floor Plan

1621-10B2-06-103 Community Hub - Third Floor Plan
1621-10B2-06-104 Community Hub - Fourth Floor Plan
1621-10B2-06-105 Community Hub - Roof Plant Plan
1621-10B2-06-106 Community Hub - Roof Plan

Community Hub GA Sections

1621-10B2-06-200 Community Hub - Section AA
1621-10B2-06-201 Community Hub - Section BB
1621-10B2-06-202 Community Hub - Section CC

Community Hub GA Elevations

1621-10B2-06-300 Community Hub - Elevation North
1621-10B2-06-301 Community Hub - Elevation East
1621-10B2-06-302 Community Hub - Elevation South
1621-10B2-06-303 Community Hub - Elevation West

Community Hub External Envelope

1621-10B2-22-400 Community Hub - Typical North Elevation

Plot 10

Plot 10A GA Plans

1450-10A-06-100 Plot 10A Ground Floor Plan
1450-10A-06-101 Plot 10A First Floor Plan
1450-10A-06-102 Plot 10A Second Floor Plan
1450-10A-06-103 Plot 10A Third Floor Plan
1450-10A-06-104 Plot 10A Fourth Floor Plan
1450-10A-06-105 Plot 10A Fifth Floor Plan
1450-10A-06-106 Plot 10A Roof Plan

Plot 10A GA Sections

1450-10A-06-200 Plot 10A Sections AA BB
15008-10A-PL-SE-01 Plot 10A Sections LL, MM, PP, QQ & RR

Plot 10A GA Elevations

1450-10A-06-300 Plot 10A Elevation North & East (street)
1450-10A-06-301 Plot 10A Elevation South & Inside West (Street)
1450-10A-06-302 Plot10A Elevations West (Courtyard 1 & 2)
1450-10A-06-303 Plot10A Courtyard Elevations South & East (Courtyard)

Plot 10A Bay Elevations

1450-10A-22-400 Plot 10A Great Field North Bay Elevation
1450-10A-22-401 Plot 10A Great Field East Bay Elevation

1450-10A-22-403 Plot 10A Heybourne Cresc South Bay Elevation
1450-10A-22-410 Plot 10A Block F1 Courtyard Bay Elevation
1450-10A-22-411 Plot 10A Block F4 Courtyard Bay Elevation
15008-10A-PL-EL-21 Plot 10A West Bay Elevation

Plot 10A Colour and Material Palette

1450-10A-22-300 Plot 10A Colour/Material Palette
15008-10A-PL-EL-11 Plot 10A West Materials - Bay elevations

Plot 10B GA Plans

15008-10B-PL-GA-01 Plot 10B Ground Floor Plan
15008-10B-PL-GA-02 Plot 10B First Floor Plan
15008-10B-PL-GA-03 Plot 10B Second Floor Plan
15008-10B-PL-GA-04 Plot 10B Third Floor Plan
15008-10B-PL-GA-05 Plot 10B Fourth Floor Plan
15008-10B-PL-GA-06 Plot 10B Fifth Floor Plan
15008-10B-PL-GA-07 Plot 10B Sixth Floor Plan
15008-10B-PL-GA-08 Plot 10B Seventh Floor Plan
15008-10B-PL-GA-09 Plot 10B Eighth Floor Plan
15008-10B-PL-GA-10 Plot 10B Roof Plan

Plot 10B GA Sections

15008-10B-PL-SE-01 Plot 10B Sections DD & EE
15008-10B-PL-SE-02 Plot 10B Sections CC
15008-10B-PL-SE-03 Plot 10B Sections FF, GG, HH, JJ & KK

Plot 10B Bay Elevations

15008-10B-PL-EL-01 Plot 10B North, South Elevations
15008-10B-PL-EL-02 Plot 10B West, East Elevations
15008-10B-PL-EL-11 Plot 10B Materials - Bay elevations
15008-10B-PL-EL-21 Plot 10B South Elevation Bay - East
15008-10B-PL-EL-22 Plot 10B South Elevation Bay - West
15008-10B-PL-EL-23 Plot 10B North Podium Elevation Bay

Plot 11

Plot 11A GA Plans

1450-11A-06-100 Plot 11A Ground Floor Plan 1:200 A1 P01
1450-11A-06-101 Plot 11A First Floor Plan 1:200 A1 P01
1450-11A-06-102 Plot 11A Second Floor Plan 1:200 A1 P01
1450-11A-06-103 Plot 11A Third Floor Plan 1:200 A1 P01
1450-11A-06-104 Plot 11A Fourth Floor Plan 1:200 A1 P01
1450-11A-06-105 Plot 11A Fifth Floor Plan 1:200 A1 P01
1450-11A-06-106 Plot 11A Sixth Floor Plan 1:200 A1 P01
1450-11A-06-107 Plot 11A Roof Plan

Plot 11A GA Sections

1450-11A-06-200 Plot 11A Section AA & BB & CC

Plot 11A GA Elevations

1450-11A-06-300 Plot 11A Elevations North and West

1450-11A-06-301 Plot 11A Elevations South and East

1450-11A-06-302 Plot 11A Elevations Courtyard

Plot 11A Bay Elevations

1450-11A-22-400 Plot 11A Typical Bay Mansion (Street)

1450-11A-22-410 Plot 11A Typical Bay Mansion (Courtyard)

1450-11A-22-420 Plot 11A Typical Bay Mansion West Facing (Street)

1450-11B-22-410 Plot 11B Typical Bay Mansion (Courtyard)

1450-11B-22-420 Plot 11B Typical Bay Mansion East Facing (Street)

1450-11B-22-440 Plot 11B Typical Bay Mews (Street)

1450-11B-22-450 Plot 11B Typical Bay Mews (Courtyard)

1450-11C-22-400 Plot 11C Typical Bay Mansion (Street)

1450-11C-22-410 Plot 11C Typical Gable

Plot 11A Colour and Material Palette

1450-11-22-300 Plot 11 Colour/Material Palette 01 1:100 A1 P01

1450-11-22-301 Plot 11 Colour/Material Palette 02 1:100 A1 P01

1450-11-22-302 Plot 11 Colour/Material Palette 03 1:100 A1 P01

Plot 11B GA Plans

1450-11B-06-100 Plot 11B Ground Floor Plan

1450-11B-06-101 Plot 11B First Floor Plan

1450-11B-06-102 Plot 11B Second Floor Plan

1450-11B-06-103 Plot 11B Third Floor Plan

1450-11B-06-104 Plot 11B Fourth Floor Plan

1450-11B-06-105 Plot 11B Fifth Floor Plan

1450-11B-06-106 Plot 11B Sixth Floor Plan

1450-11B-06-107 Plot 11B Seventh Floor Plan

1450-11B-06-108 Plot 11B Roof Plan

Plot 11B GA Sections

1450-11B-06-200 Plot 11B Section AA

Plot 11B GA Elevations

1450-11B-06-300 Plot 11B Elevations South and North

1450-11B-06-301 Plot 11B Elevations East and West

1450-11B-06-302 Plot 11B Elevations Courtyard

Plot 11C GA Plans

1450-11C-06-100 Plot 11C Ground Floor Plan
1450-11C-06-101 Plot 11C First Floor Plan
1450-11C-06-102 Plot 11C Second Floor Plan
1450-11C-06-103 Plot 11C Third Floor Plan
1450-11C-06-104 Plot 11C Fourth Floor Plan
1450-11C-06-105 Plot 11C Fifth Floor Plan
1450-11C-06-106 Plot 11C Sixth Floor Plan
1450-11C-06-107 Plot 11C Seventh Floor Plan
1450-11C-06-108 Plot 11C Roof Plan

Plot 11C GA Sections

1450-11C-06-200 Plot 11C AA & BB

Plot 11C GA Elevations

1450-11C-06-300 Plot 11C Elevations North and South
1450-11C-06-301 Plot 11C Elevations East and West
1450-11C-06-302 Plot 11C Elevations Courtyard

Pot 11D Parameter Plans

261-A-P-510-00 Plot 11D Location Plan
261-A-P-510-01 Plot 11D Parameter Plan
261-A-P-510-02 Plot 11D Parameter Sections 1/2
261-A-P-510-03 Plot 11D Parameter Sections 2/2

Plot 12

Plot 12A GA Plans

1450-12A-06-100 Plot12A Ground Floor Plan 1:200 A1 P01
1450-12A-06-101 Plot12A First Floor Plan 1:200 A1 P01
1450-12A-06-102 Plot12A Second Floor Plan 1:200 A1 P01
1450-12A-06-103 Plot12A Third Floor Plan 1:200 A1 P01
1450-12A-06-104 Plot12A Fourth Floor Plan 1:200 A1 P01
1450-12A-06-105 Plot12A Fifth Floor Plan 1:200 A1 P01
1450-12A-06-106 Plot12A Sixth Floor Plan 1:200 A1 P01
1450-12A-06-107 Plot12A Seventh Floor Plan 1:200 A1 P01
1450-12A-06-108 Plot12A Eighth Floor Plan 1:200 A1 P01
1450-12A-06-109 Plot12A Roof Plan

Plot 12A GA Sections

1450-12A-06-200 Plot12A1 Sections AA BB 1:200 A1 P01
1450-12A-06-201 Plot12A Sections CC DD 1:200 A1 P01
1450-12A-06-202 Plot12A2 Sections EE FF 1:200 A1 P01

1450-12A-06-203 Plot12A Section GG

Plot 12A GA Elevations

1450-12A-06-300 Plot12A1 Elevations North South 1:200 A1 P01

1450-12A-06-301 Plot12A Elevations East West 1:200 A1 P01

1450-12A-06-302 Plot12A2 Elevations North South

Plot 12B1 GA Plans

1450-12B-06-100 Plot12B Ground Floor Plan

1450-12B-06-101 Plot12B First Floor Plan

1450-12B-06-102 Plot12B Second Floor Plan

1450-12B-06-103 Plot12B Third Floor Plan

1450-12B-06-104 Plot12B Fourth Floor Plan

1450-12B-06-105 Plot12B Fifth Floor Plan

1450-12B-06-106 Plot12B Sixth Floor Plan

1450-12B-06-107 Plot12B Seventh Floor Plan

1450-12B-06-108 Plot12B Eighth Floor Plan

1450-12B-06-109 Plot12B Roof Plan

Plot 12B1 GA Sections

1450-12B-06-200 Plot12B Sections AA BB

1450-12B-06-201 Plot12B Sections CC DD EE

Plot 12B1 GA Elevations

1450-12B-06-300 Plot12B Elevations North South

1450-12B-06-301 Plot 12B Elevations West East

Plot 12A/B1 Bay Elevations

1450-12-22-400 Plot12 Typical Bay Mansion Block

1450-12-22-401 Plot12 Courtyard Bay Mansion Block

1450-12-22-410 Plot12 Typical Bay Villa East

1450-12-22-411 Plot12 Typical Bay Villa North

1450-12-22-420 Plot 12 Typical Bay North Terrace

1450-12-22-421 Plot12 Courtyard Bay North Terrace

1450-12-22-430 Plot12 Typical Bay South Terrace

1450-12-22-431 Plot12 Courtyard Bay South Terrace

1450-12-22-432 Plot12 Communal Entrance South Terrace

Plot 12A/B1 Colour and Material Palette

1450-12-22-300 Plot12 Colour/Material Palette 01

1450-12-22-301 Plot12 Colour/Material Palette 02

1450-12-22-302 Plot12 Colour/Material Palette 03

Plot 12B-2 GA Plans

261-A-P-100-00 Plot 12B2 Proposed Ground Floor Plan
261-A-P-100-01 Plot 12B2 Proposed First Floor Plan
261-A-P-100-02 Plot 12B2 Proposed Second Floor Plan
261-A-P-100-03 Plot 12B2 Proposed Third Floor Plan
261-A-P-100-04 Plot 12B2 Proposed Fourth Floor Plan
261-A-P-100-05 Plot 12B2 Proposed Fifth Floor Plan
261-A-P-100-06 Plot 12B2 Proposed Sixth Floor Plan
261-A-P-100-07 Plot 12B2 Proposed Seventh Floor Plan
261-A-P-100-08 Plot 12B2 Proposed Eighth Floor Plan
261-A-P-100-09 Plot 12B2 Proposed Roof Floor Plan

Plot 12B-2 GA Sections

261-A-P-200-00 Plot 12B2 Proposed Section AA + BB

Plot 12B-2 GA Elevations

261-A-P-300-00 Plot 12B2 Proposed Elevations N + E
261-A-P-300-01 Plot 12B2 Proposed Elevations S + SW
261-A-P-300-02 Plot 12B2 Proposed Elevations W
261-A-P-300-03 Plot 12B2 Proposed Courtyard Elevations

Plot 12B-2 Details

261-A-P-400-00 Plot 12B2 Typical Mansion Block Street Façade Study
261-A-P-400-01 Plot 12B2 Typical Courtyard Façade Study
261-A-P-400-02 Plot 12B2 Typical Villa Façade Study
261-A-P-400-03 Plot 12B2 Typical Northern Terrace Façade Study
261-A-P-400-04 Plot 12B2 Material and Colour Palette

Landscape

Community hub

LL520-2-200-0001 General Arrangement - Community Hub Ground Floor
Landscape Plan
LL520-2-200-0002 General Arrangement - Community Hub Podium Landscape
Plan
LL520-2-200-0031 General Arrangement - Areas Of Paved Surface
LL520-2-200-0100 General Arrangement - Community Hub Section Layout
LL520-2-200-0101 Community Hub - Section CH.1
LL520-2-200-0102 Community Hub - Section CH.2
LL520-2-200-0103 Community Hub - Section CH.3

Site-wide

LL520-1-200-0001 General Arrangement - Landscape Plan
LL520-1-200-0002 General Arrangement - Landscape Plan Ground Floor
LL520-1-200-0003 General Arrangement - Landscape Plan Podium

LL520-1-200-0004 General Arrangement - Streets Hierarchy
 LL520-1-200-0005 General Arrangement - Adoptable Streets
 LL520-1-200-0006 General Arrangement - Landscaping Parking Layout
 LL520-1-200-0007 General Arrangement - Existing Site Information
 LL520-1-200-0009 General Arrangement - Application Boundary
 LL520-1-200-0021 General Arrangement - Existing & Proposed Levels Ground Floor
 LL520-1-200-0022 General Arrangement - Proposed Levels Podium
 LL520-1-200-0031 General Arrangement - Areas Of Paved Surface Ground Floor
 LL520-1-200-0032 General Arrangement - Areas Of Paved Surface Podium
 LL520-1-200-0041 General Arrangement - Landscape Drainage Arrangement
 LL520-1-200-0071 General Arrangement - Tree Planting Plan
 LL520-1-200-0072 General Arrangement - Existing Tree Retention & Removals
 LL520-1-200-0073 General Arrangement - Proposed Tree Planting & Retained Trees
 LL520-1-200-0081 General Arrangement - Planting Plan Ground Floor
 LL520-1-200-0082 General Arrangement - Planting Plan Podium
 LL520-1-200-0100 General Arrangement - Section Layout
 LL520-1-200-9001 Play Space Quantification
 LL520-1-200-9002 Public Realm and Communal Amenity Space Comparison
 LL520-1-200-9003 Public / Private / Communal Space 1
 LL520-1-200-9005 Residential Parking Layout
 LL520-1-200-9006 Commercial Parking Layout
 LL520-1-200-9007 Quality Of Existing & Proposed Open Spaces
 LL520-1-200-9012 Trees Identified As Desirable For Retention By Barnet Tree Officer
 LL520-1-200-9013 Ground Floor & First Floor Operations / Maintenance Plan
 LL520-1-200-9015 Heybourne Park Area Plan

Typical Details

LL520-1-200-0201 Typical Paving Detail - P1 Existing Areas Of Bitumen Macadam To Be Reinstated
 LL520-1-200-0202 Typical Paving Detail - P2 Bitumen Macadam
 LL520-1-200-0203 Typical Paving Detail - P3 Precast Concrete Flags
 LL520-1-200-0204 Typical Paving Detail - P4 & P4A Bitumen Macadam With Coloured Wearing Course
 LL520-1-200-0205 Typical Paving Detail - P5 & P5A Clay Pavers
 LL520-1-200-0206 Typical Paving Detail - P6 Reclaimed Brick Pavers
 LL520-1-200-0207 Typical Paving Detail - P7 Self Binding Aggregate
 LL520-1-200-0208 Typical Paving Detail - P8 & P9 Granite Flags & Granite Setts
 LL520-1-200-0210 Typical Paving Detail - P10 Resin Bound Aggregate
 LL520-1-200-0211 Typical Paving Detail - P11 EPDM Safety Surface & P11A Synthetic Grass Surface
 LL520-1-200-0221 Typical Kerb & Edge Detail - K1, K2, E1, E2 & E3
 LL520-1-200-0231 Typical Step Detail - S1
 LL520-1-200-0241 Typical Drainage Detail - Gulley Covers G1 & G2 & Drainage Channels C2 & C3
 LL520-1-200-0245 Typical Drainage Detail - French Drain
 LL520-1-200-0251 Typical Wall Detail - W1 & W2

LL520-1-200-0261 Typical Planting Detail - Ground Level Growing Medium
LL520-1-200-0271 Typical Tree Pit & Tree Planting Detail - Within Areas Of Hard Landscape
LL520-1-200-0272 Typical Tree Pit & Tree Planting Detail - Within Areas Of Soft Landscape
LL520-1-200-0285 Typical Railing Detail - R1
LL520-1-200-0288 Typical Gate Detail - Gate Detail

Plot 10

LL520-1-200-1001 PLOT 10 Landscape Plan Ground Floor
LL520-1-200-1002 PLOT 10 Landscape Plan Podium
LL520-1-200-1021 PLOT 10 Existing & Proposed Levels Ground Floor
LL520-1-200-1071 PLOT 10 Proposed Tree And Planting Plan Ground Floor
LL520-1-200-1072 PLOT 10 Proposed Planting Plan Podium
LL520-1-200-1101 PLOT 10 Section 10.1
LL520-1-200-1102 PLOT 10 Section 10.2
LL520-1-200-1103 PLOT 10 Section 10.3
LL520-1-200-1104 PLOT 10 Section 10.4
LL520-1-200-1105 PLOT 10 Section 10.5
LL520-1-200-1106 PLOT 10 Section 10.5
LL520-1-200-1201 PLOT 10 Material Swatch 1
LL520-1-200-1202 PLOT 10 Material Swatch 2
LL520-1-200-1203 PLOT 10 Material Swatch 3

Plot 11

LL520-1-200-2001 PLOT 11A Landscape Plan Ground Floor
LL520-1-200-2002 PLOT 11A Landscape Plan Podium
LL520-1-200-2003 PLOT 11B1 And 2 Landscape Plan Ground Floor 1
LL520-1-200-2004 PLOT 11B1 And 2 Landscape Plan Podium
LL520-1-200-2005 PLOT 11C1 And 2 Landscape Plan Ground Floor
LL520-1-200-0206 PLOT 11C1 And 2 Landscape Plan Podium
LL520-1-200-0207 PLOT 11D Landscape Plan Ground Floor
LL520-1-200-2021 PLOT 11A Existing & Proposed Levels Ground Floor
LL520-1-200-2023 PLOT 11B1 And 2 Existing & Proposed Levels Ground Floor
LL520-1-200-2025 PLOT 11C1 And 2 Existing & Proposed Levels Ground Floor
LL520-1-200-2027 PLOT 11D Existing & Proposed Levels
LL520-1-200-2071 PLOT 11A Proposed Tree And Planting Plan Ground Floor
LL520-1-200-2072 PLOT 11A Proposed Planting Plan Podium
LL520-1-200-2073 PLOT 11B1 And 2 Proposed Tree And Planting Plan Ground Floor
LL520-1-200-2074 PLOT 11B1 And 2 Proposed Planting Plan Podium
LL520-1-200-2075 PLOT 11C1 And 2 Proposed Tree And Planting Plan Ground Floor
LL520-1-200-2076 PLOT 11C1 And 2 Proposed Planting Plan Podium
LL520-1-200-2077 PLOT 11D Proposed Tree And Planting Plan
LL520-1-200-2101 PLOT 11 Section 11.1
LL520-1-200-2102 PLOT 11 Section 11.2
LL520-1-200-2103 PLOT 11 Section 11.3
LL520-1-200-2104 PLOT 11 Section 11.4

LL520-1-200-2105 PLOT 11 Section 11.5
LL520-1-200-2106 PLOT 11 Section 11.6
LL520-1-200-2107 PLOT 11 Section 11.7
LL520-1-200-2108 PLOT 11 Section 11.8
LL520-1-200-2201 PLOT 11 Material Swatch 1
LL520-1-200-2202 PLOT 11 Material Swatch 2
LL520-1-200-2203 PLOT 11 Material Swatch 3
LL520-1-200-2204 PLOT 11 Material Swatch 4

Plot 12

LL520-1-200-3001 PLOT 12A1 And 2 Landscape Plan Ground Floor
LL520-1-200-3002 PLOT 12A1 And 2 Landscape Plan Podium
LL520-1-200-3003 PLOT 12B1 And 2 Landscape Plan Ground Floor
LL520-1-200-3004 PLOT 12B1 And 2 Landscape Plan Podium
LL520-1-200-3021 PLOT 12A1 And 2 Existing & Proposed Levels Ground Floor
LL520-1-200-3023 PLOT 12B1 And 2 Existing & Proposed Levels Ground Floor
LL520-1-200-3071 PLOT 12A1 And 2 Proposed Tree And Planting Plan Ground Floor
LL520-1-200-3072 PLOT 12A1 And 2 Proposed Planting Plan Podium
LL520-1-200-3073 PLOT 12B1 And 2 Proposed Tree And Planting Plan Ground Floor
LL520-1-200-3074 PLOT 12B1 And 2 Proposed Planting Plan Podium
LL520-1-200-3101 PLOT 12 Section 12.1
LL520-1-200-3102 PLOT 12 Section 12.2
LL520-1-200-3103 PLOT 12 Section 12.3
LL520-1-200-3104 PLOT 12 Section 12.4
LL520-1-200-3105 PLOT 12 Section 12.5
LL520-1-200-3106 PLOT 12 Section 12.6
LL520-1-200-3107 PLOT 12 Section 12.7
LL520-1-200-3108 PLOT 12 Section 12.8
LL520-1-200-3109 PLOT 12 Section 12.9
LL520-1-200-3201 PLOT 12 Material Swatch 1
LL520-1-200-3202 PLOT 12 Material Swatch 2
LL520-1-200-3203 PLOT 12 Material Swatch 3
LL520-1-200-3204 PLOT 12 Material Swatch 4

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

2. The development hereby permitted shall begin no later than 3 years from the date of this permission and, in the case of Development Phases, no later than 2 years from:

- i. the final approval of the last Reserved Matters Application pursuant to Condition 3, or

- ii. The final approval of any pre-commencement condition associated with that Development Phase.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

3. Applications for the approval of the reserved matters (being scale, layout, appearance, landscaping and siting) for plot 11D be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

4. With the exception of Ground Works and Site Preparation Works, no development shall commence until a Phasing Plan identifying the Development Phases and associated infrastructure works (including highways works) has been submitted to and approved by the Local Planning Authority.

The development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in appropriate phases and to allow the phasing plan to be amended to reflect changes to the phasing of the development that were not foreseen at the date when the phasing plan was approved.

5. Unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside the following times:

08:00 – 18:00 hours weekdays

08:00 – 13:00 hours Saturdays

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

6. No development shall commence within a Development Phase (with the exception of Ground Works and Site Preparation Works) until a scheme of Advanced Infrastructure Works associated with that Development Phase is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Underground drainage details
- ii. Below ground energy infrastructure
- iii. Below ground services and utilities
- iv. Groundworks, earthworks, contouring and levels
- v. A statement of compliance with the site wide strategies as illustrated in the approved application documents.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure appropriate arrangements are made for servicing, utilities and infrastructure and to avoid potential conflicts between impacts upon the development as proposed and its servicing, utilities and infrastructure, in the interests of a sustainable development in accordance with the NPPF.

7. The development shall provide a total of 10% of units across the site designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016); and to ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

8. Prior to the construction of any building, the following details for that building shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
- ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)
- iii. Details of the design and access controls for the car park gate(s)
- iv. Building lighting
- v. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- vi. Details of biodiverse roofs
- vii. Details of any building security measures including cctv

Thereafter the feature hereby approved shall be installed prior to occupation of the relevant phase and thereafter maintained in secure and good working order for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

9. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

10. Prior to construction of any building, a rainwater and greywater feasibility study, investigating the potential for incorporating rainwater or greywater recycling into building across the site, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.13, 5.14 and 5.15.

11. All commercial units and the Community Hub shall achieve a minimum of BREEAM Very Good. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan 2015.

12. 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.

13. No building shall be occupied until an Estate Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall be managed in accordance with the approved Estate Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the coordinated management and maintenance in good working order of the site not limited to an including its buildings, roads including SUDs, parks, gardens, landscaping, street trees, public squares, energy centre and site network in

the interests of sustainable development in accordance with the NPPF, London Plan 2016 and Barnet Core Strategy.

14. No residential unit shall be occupied until the access roads and highways works (on and off-site) associated with the block in which that unit is located (as defined by the approved phasing details) are made available for use.

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

15. No residential unit shall be occupied until the private and/or communal amenity space provision, (excluding public open space) for that unit is available in accordance with the Approved Plans.

Reason: To ensure there is adequate amenity space available for all residential units.

16. Prior to first occupation within the relevant Development Phase, unless otherwise agreed in writing as part of the approved phasing, the play space and sport and recreation features shall be provided in accordance with the approved details for the Development Phase to which the play space relates and thereafter maintained for the lifetime of the development.

Reason: To ensure there is adequate plays space available for all users in accordance with London Plan 2015 policy 3.6 and Barnet Development Management policy DM02.

17. Prior to first occupation, a scheme for the provision of communal/centralised satellite and television reception equipment shall be installed on all blocks within that Development Phase unless otherwise agreed in writing by, the Local Planning Authority. The equipment shall thereafter be retained and made available for use by all occupiers of the development.

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

18. 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.

19. Notwithstanding the details submitted with the application, prior to the construction of any building within the relevant Development Phase, the following details for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority:

- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. satisfactory points of collection; and
- iii. details of the refuse and recycling collection arrangements

The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

20. Prior to first occupation a detailed site wide Parking Management Plan for the overall development 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 (for residential, non-residential users and visitors)
- iii. On-site parking controls and charges (if any)
- iv. The enforcement details of unauthorised parking in line with the Council's parking regime in Colindale within the development's surrounding area
- v. 'Blue badge' space quantities in accordance with London Plan (2015) guidance
- vi. Location of a minimum of 1 car club spaces
- vii. Electric Charging Points: Location and specification. For residential parking spaces, delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces.
- viii. A viability statement to support the proposal for four on street car club spaces, which should be provided in accordance with any new Council policy on car club provision and specification.

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan and the abovementioned provisions shall be

implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

21. Prior to first occupation within each development phase the developer shall hereby submit for approval in writing by the Local Planning Authority, a Temporary Parking Strategy to respond to the phased construction of the development in line with the Phasing Plan (also to be submitted from approval). The details of the temporary car parking during the development build-out shall include:

- i. Management of existing car parking spaces
- ii. Displacement and replacement of parking spaces within the development site boundary for residents
- iii. Associated controls on these spaces.

Reason: To ensure the development meets the needs of its existing and future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

22. Accessible parking bays shall be allocated to wheelchair accessible homes at 1:1 provision and where spaces are in undercroft areas ceiling heights shall meet the recommended height of 2.6 metres above wheelchair accessible spaces, unless otherwise agreed. The maximum gradients for pedestrians and wheelchair users within the site should ideally be no more than 5%, with the maximum being 8%.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016); Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment SPG October 2014 and Manual for Streets 2. To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

23. Before the development within each phase is occupied; further details of cycle parking, number of cycle spaces and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority within the relevant development state 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. The total number of cycle parking provided in line with London Plan is 1659 spaces.

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.

24. Before the development hereby is occupied; details showing a plan, entry and egress arrangements for pedestrian walkways and cycle linkages are to be submitted to and approved in writing by the Local Planning Authority. The submission shall include the following unless otherwise agreed in writing:

- i. Proposed highway features for both the private and adopted roads including swept paths for the Podium Parking, for parallel parking bays adjacent to the entrance/exit in to the podiums, large vehicles, refuse vehicle analysis and buses (in accordance with Transport for London's road widths requirement for this development and TfL Bus Route Requirements) on all routes including the secondary access routes, and the details of the mini roundabout at the southern end of the primary route.
- ii. The location of the proposed bus stop in consultation with TfL buses to ensure of TfL's input.
- iii. Provision of a 1.2m hatching areas adjacent to the disabled car parking spaces (and any other road markings) in the car park to the south of the community hub as part of the detailed design. Details of the proposed retail loading bay to act as footway during the day should be submitted including materials should be submitted whether this is to be offered for adoption or not.
- iv. Details of proposed laybys for parking on the primary and secondary roads within the road area which could be used by the public but cannot be allocated as parking exclusively for Residents.
- v. Design of the 11-metre long raised platform at the central junction of the new primary road as a pedestrians crossing feature between the proposed development and Heybourne Park.
- vi. Plans and design details of the proposed 'Low Speed Environment'.
- vii. Details of cycle linkages at the northern and southern including tie-ins of the Woodland Route in relation to the proposed temporary car park at the north east corner of the development.
- viii. Details of the Woodland Route shared provision including width of the provision, alongside clearly defined plan of existing and proposed cycle network in Grahame Park with its linkages to the existing surrounding network.
- ix. Details of footways on the private and adopted roads across the development and a clearly defined plan of existing and proposed pedestrian network in the area, with its linkages to the existing surrounding pedestrian network.
- x. Proposed loading bays and the locations of these loading bays and potentially the impact on the manoeuvring of the buses at the T junction designed at 90 degrees.
- xi. Any proposed kerb extensions and areas proposed next to the proposed adoptable highways along with details of materials associated with them.

- xii. Details of any planting including the type of grids used will require highway approval.
- xiii. Highways drainage details proposed for adoption, including the proposed SUDS integrated with the Heybourne Park drainage proposals
- xiv. Road Safety Audits supporting all new highway features proposed.

The development shall thereafter be implemented in full in accordance with the approved details of the above to be provided in writing by the Local Highway Authority following submission.

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.

25. Prior to Ground Works and Site Preparation Works, no development shall commence within a Development Phase until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the ES and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

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

Demolition and waste management

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

Construction traffic

xxii. Construction traffic routes

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

Environmental Management

xxiv. Ecology surveys and management plan in relation to any existing ecological features that may be affected by works in that Development Phase

xxv. Measures to minimise visual impact during construction

xxvi. Measures to minimise noise and vibration levels during construction

xxvii. Measures to minimise dust levels during construction

xxviii. Measures to control pollution during construction (including a Pollution Response Plan)

xxix. Construction lighting strategy, including measures to minimise light spill

xxx. Measures to reduce water usage during construction

xxxi. Measures to reduce energy usage during construction

xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

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

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

26. The Community Hub/ Health Centre and retail units shall not be occupied until an Operational Waste Management Plan, setting out the measures for the management of operational waste across the site, has been submitted to and approved in writing by the Local Planning Authority. This development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policy 5.3, and to ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

27. Prior to Ground Works and Site Preparation Works, details of all 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.

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

28. No residential or commercial units shall be occupied until the access roads and highways works (on and off-site) associated with the block in which that unit is located are made available for use.

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

29. No Surface Infrastructure Works shall commence within the relevant Development Phase until a scheme of Landscaping Works for that Development Phase is submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the scheme shall include:

- i. Design and location of electricity sub stations, including surface treatment and means of enclosure
- ii. Vehicle parking and surfacing treatment (including petrol/oil interceptors)
- iii. Surface drainage details
- iv. Surface materials and finishes
- v. Cycle parking locations and details
- vi. Highways details (e.g. crossings and kerb heights)
- vii. Access and wayfinding strategy
- viii. Materials, types and siting of all fencing, boundary treatments, gates or other enclosures (including temporary arrangements to be in place until the site is completed in full)
- ix. Street furniture, lighting and signage
- x. Children's play spaces and play provision
- xi. Details of all proposed trees, hedge, shrub and other planting and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizing, density and arrangement
- xii. Ecological enhancements
- xiii. The position of any existing trees and hedges to be retained or removed and the crown spread of each retained tree
- xiv. details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site
- xv. the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012
- xvi. means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use, referencing details approved under conditions 9 and 14 as relevant
- xvii. Details and specifications of all play, sport and recreational features to be included within the landscaped areas
- xviii. Details of all proposed hard landscape works, including proposed materials, samples and details of special techniques to minimise damage to retained trees and details of techniques to be used to provide conditions appropriate for new plantings
- xix. timing of planting

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2015.

31. No site works or other works within a Development Phase shall be commenced before temporary tree protection measures to safeguard trees adjacent to the Development Phase have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed and no material or soil shall be stored within any of the protected areas during the works associated with this development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

32. No site works or other works within a Development Phase shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the Development Phase, in accordance with British Standard BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

33. Prior to the commencement of the development hereby approved within a Development Phase details of the location, extent and depth of all excavations for drainage and other services in relation to trees to be retained, or trees on adjacent sites, shall be submitted to and approved in writing by the Local Planning Authority for that Development Phase. The development shall be carried out in accordance with such approval.

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

34. If within a period of five years from the date of planting any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place in the next available planting season (unless otherwise agreed in writing with the Local Planning Authority).

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2016.

35. Notwithstanding the content of plans hereby approved, prior to the commencement of development within each Phase, details comprising a scheme of measures to enhance and promote biodiversity within the development shall be submitted to the Local Planning Authority and approved in writing. The approved scheme of measures shall be implemented in full in accordance with the approved details before the development is first used.

Reason: To ensure that the development represent 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 2015.

36. No part of the development shall be occupied until a Landscape Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and maintained in accordance thereafter.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2016.

37. 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 for each Development Phase 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 of each phase 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.

38. a) Before development commences, an air quality neutral assessment report for both buildings and transport, 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. The development shall be at least "Air Quality Neutral".

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. This shall include mitigation for when air quality neutral transport and building assessments do not meet the benchmarks.

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 development does not have an adverse impact on air quality in the vicinity, in line with the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2011

39. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14. In accordance with the Council's Sustainable Design and Construction SPD (adopted October 2016)

40. a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler / CHP Plant shall be submitted to and approved by the Local Planning Authority. The emissions for CHP shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014.

The report shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. It 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. Details of the plant and evidence to demonstrate compliance with the GLA's emissions standards will be required.

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

Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013). To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

41. 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 each phase of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.15 of the London Plan 2011.

42. The level of noise emitted from any 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.

43. If, during development of each phase, contamination not previously identified is found to be present at the site then no further development within that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

44. No infiltration of surface water drainage into the ground at Grahame Park is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason To protect groundwater. Based on the geology of the site, it is considered that shallow infiltration drainage is unlikely to be achieve sufficient soakage rates, and therefore is unlikely to be suitable. The use of deep infiltration systems present a higher level of risk, and given the designation of the permeable strata at depth as a Secondary Aquifer A overlying a Principal Aquifer, it is considered that they are unlikely to be considered acceptable, unless a suitable level of risk assessment demonstrates otherwise.

45. Piling, deep foundations or other intrusive groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling system using penetrative methods shall not be carried out other than with the written consent of

the local planning authority. The development shall be carried out in accordance with the approved details.

Reason To ensure that the proposed development does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework The development is located in a low sensitivity area with respect to groundwater due to the proven presence of approximately a 15m thickness of London Clay. However, it is important to ensure that activities which have the potential to penetrate the clay layer are monitored.

INFORMATIVE(S):

1 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

2. The applicant is advised that the submitted Construction Method Statement shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Proof within the contractor's specification that all NRMM will be registered on the local government website
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- For major developments only: provide a copy of an asbestos survey for smaller developments confirmation that a survey has been carried out.

Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday – Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site

3. 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.

4. The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

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

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

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

7. Environmental Permit The proposed energy centre associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional 'Environmental Permitting Guidance' can be accessed via our main website (<http://www.environment-agency.gov.uk>).

8. Advice to applicant Environment Agency

No investigation can completely characterise a site. The condition may be appropriate where some parts of the site are less well characterised than others, or in areas where contamination was not expected and therefore not included in the original remediation proposals.

The previous use of the proposed development site as an air field presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon Principal Chalk aquifer (at depth).

Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the EA guidance. During piling works (especially if the piles extend to the Chalk within SPZ1 saturated zone) due to the proximity of nearby potable abstractions the weekly groundwater monitoring for insitu parameters and turbidity should be considered.

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>

We recommend that developers should: Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

Refer to the contaminated land pages on GOV.UK for more information. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination. E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011 A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;

- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)
- Use MCERTS accredited methods for testing contaminated soils at the site. A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a “Competent person” E.g. a suitably qualified hydrogeologist. In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.
- GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs.
- Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50m. Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:
 - upflow percolation column test, run to LS 2 – to derive kappa values;
 - pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and
 - LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test. Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL11. The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.) Where SUDs are proposed; infiltration SUDs should not be located in unsuitable and unstable ground conditions such as land affected by contamination or solution features. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit. Further advice is available in the updated CIRIA SUDs manual
http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

9. REFUSE

Refuse collection points should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Level access should be provided for the refuse collection *personnel to collect the bins. The refuse collection personnel are not expected to push the bins* on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge

of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

10. VEHICULAR ACCESS - SECTION 184 OF THE HIGHWAYS ACT (1980)

The applicant must submit an application under Section 184 of the Highways Act (1980) for all the proposed vehicular accesses. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section –Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

11. CONSTRUCTION ADJACENT TO PUBLIC HIGHWAY

For construction works adjacent to the public highways, the applicant must contact the council's First Contact on 0208 359 2000 for any necessary Highways Licenses.

12. HIGHWAYS REPAIR

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

13. RELOCATION OF STREET FURNITURE

The applicant is advised that any street furniture or lighting column affected by the proposed works would be relocated under a rechargeable works agreement by the Council's term contractor for Highway Works. You may obtain an estimate for this work from Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

14. ALTERATION TO ON-STREET WAITING AND LOADING RESTRICTIONS

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.

15. ADOPTION OF ACCESS ROADS

The council's refuse vehicles will be required to enter the site and therefore the estate roads must be constructed to adoptable standards. Details of the materials and surface finishes that would be acceptable for use on the private roads will be

undertaken and constructed to an adoptable standard. Details of the road construction requirements can be obtained from the Traffic and Development Section in Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

16. RAMP GRADIENT

The gradient for the proposed ramps leading to the underground parking areas should have a gradient not steeper than 1:10 or in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks 3rd Edition.

17. S38 WORKS

The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 38 Agreement under the Highways Act 1980.

18. S278 WORKS

The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.

19. Adoption of Proposed Road Layout

Should the scheme be adopted, a commuted sum may be required. This will only be estimated once an application for a S278/S38 is made.

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

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

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

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties

other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

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

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

Relief or Exemption from CIL:

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

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

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

Please visit

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

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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

National Planning Policy Framework

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

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

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

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

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

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

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

London's People:

Policy 3.1 (Ensuring equal life chances for all)
Policy 3.6 (Children and young people's play and informal recreation facilities)
Policy 3.16 (Protection and Enhancement of social Infrastructure)

London's Response to Climate Change:

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

London's Transport:

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

London's Living Places and Spaces:

7.4 (Local Character)
7.6 (Architecture)
7.8 (Heritage assets and archaeology)
7.14 (Improving Air Quality)
7.15 (Reducing and Managing Noise)
7.18 (Protecting Open Space and addressing deficiency)
7.19 (Biodiversity and Access to Nature)
7.21 (Trees and Woodlands)
7.7 (Location and design of tall and large buildings)

Mayoral Supplementary Guidance

Sustainable Design and Construction (April 2014)

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development.

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 (October 2014)

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.

The control of dust and emissions during construction and demolition (July 2014)

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM₁₀ and PM_{2.5} from construction and demolition activities in London.

Play and Informal Recreation (September 2012)

Provides guidance to Local Authorities and development to estimate the potential child yield from a development, and the resulting requirements for play space provision.

Housing (March 2016)

The housing SPG provides revised guidance on how to implement the housing policies in the London Plan.

Affordable Housing and Viability (August 2016)

Set's out the Mayor's policies for assessing and delivering affordable housing and estate renewal.

Relevant Local Plan (2012) Policies

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

Core Strategy (Adopted 2012):

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

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

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

CS7 (Enhancing and Protecting Barnet's Open Spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses+)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

- DM01 (Protecting Barnet's character and amenity)
- DM04 (Environmental considerations for development)
- DM05 (Tall Buildings)
- DM14 (New and existing employment space)
- DM13 (Community and education uses)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

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

Colindale Area Action Plan 2010

The Colindale Area Action Plan sets out the Council's comprehensive but flexible long term strategy to manage change and deliver high quality sustainable development in Colindale.

Grahame Park Supplementary Planning Document 2016

The Grahame Park SPD provided site specific advice for the development of Stage B of the Grahame Park Estate.

Local Supplementary Planning Documents:

- Sustainable Design and Construction (April 2013)
- Planning Obligations (April 2013)

1.2 Key Relevant Planning History

Application Ref.	Address	Description of Development	Decision and Date
W01731JS/04	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north.	Redevelopment of site involving the demolition of 1314 existing residential units and construction of 2977 new residential units providing a total of 3440 units on the estate, provision of approximately 9074sqm replacement retail (Class A1), office (Class A2) food and drink (Class A3) and social and community (Class D1) uses and associated public and	APPROVED 17 th January 2007

		private open space, car parking and access arrangements. (OUTLINE) Submission of Environmental Statement.	
W01731LA/07	PHASE 1A, Grahame Park Estate, Colindale London NW9	Reserved matters application seeking approval for design and external appearance in relation to Phase 1A, comprising 319 residential dwellings pursuant to condition 6 of outline planning permission W01731JS/04 dated 17-01-2007 for the redevelopment of Grahame Park Estate.	APPROVED 15 th January 2008
W01731KW/07	Land relating to Section 73 changes to Phase 1B, Grahame Park Estate, Colindale London NW9	Environmental Impact assessment - screening opinion.	Environmental Statement Not Required - 19 th September 2007
W01731LB/07	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north.	Section 73 application for variation to the approved phasing (amendment to phases 1A (Anson Block), 1B, and 4A) of the regeneration of Grahame Park Estate requiring the variation of conditions 4, 7 and 30 of Outline Planning Permission W01731JS/04 dated 17-01-2007.	APPROVED 9 th April 2008
W01731KY/07	Part of Grahame Park Open Space (Area within south eastern section) Bounded By Lanacre Avenue to the South and Quakers Course to the East, London NW9	Construction of single storey community facility to replace existing log cabin adventure playground, and associated landscaping and vehicle drop off.	APPROVED 11 th December 2007
H/04448/10	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north, Colindale, NW9 5UP	Extension to the time limit for implementing planning permission W01731LB/07 granted 09/04/08 for "Section 73 application for variation to the approved phasing (amendment to phases 1A (Anson Block), 1B, and 4A) of the regeneration of Grahame Park Estate requiring the variation of conditions 4, 7 and 30 of Outline	Approved 16 th February 2011

		Planning Permission W01731JS/04 dated 17-01-2007."	
H/05110/10	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Prior Notification for proposed demolition of buildings in relation to Phase 1B of the Regeneration of Grahame Park Estate comprising of 18 residential buildings of 1 to 4 storey brick and concrete flats, one single storey non-residential building and some separate garages.	Approved 18 th February 2011
H/00308/11	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sqm (GEA) of non-residential floorspace including a library (Use Class D1), community centre (Use Class D1), supermarket (Use Class A1) and ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of outline planning permission reference H/00309/11 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 12) and phasing plans (condition 44) required to form part of the reserved matters, and details of the construction methods statement in order to discharge condition 46.	Approved 21st February 2012
H/02522/13	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Non material amendment to previously approved application Ref: H/00308/11 dated: 12/2/2012 for: Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sqm (GEA) of non-residential floorspace including a library (Use Class D1), community centre (Use Class D1), supermarket (Use Class A1) and	Approved 14 th August 2013

		ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of outline planning permission reference H/00309/11 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 12) and phasing plans (condition 44) required to form part of the reserved matters, and details of the construction methods statement in order to discharge condition 46. Amendments to include: change to sub-phasing of Phase 1B to create Sub-Phase 2 to allow for the delivery of the new Lanacre Avenue shift and Sub-Phase 3 for the delivery of Blocks A1, A8, B1 and B6.	
H/00320/14	Grahame Park Estate, (Plot A8)	Revised application for development of plot A8 consisting of a 5 storey building comprising a 5,536sqm college, 500sqm public library and 500sqm centre for independent living (all Use Class D1); associated vehicle access, parking, landscaping, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 57 flats, a 750sqm public library, 945sqm centre for independent living and 279sqm of retail floorspace).Amendments to include: change to sub-phasing of Phase 1B to create Sub-Phase 2 to allow for the delivery of the new Lanacre Avenue shift and Sub-Phase 3 for the delivery of Blocks A1, A8, B1 and B6.	Approved 6th May 2015
H/04502/14	Grahame Park Estate, (Plot B1)	Revised application for development of plot A8 consisting of a 5 storey building comprising a 5,536sqm college, 500sqm public library and 500sqm centre for independent living (all Use Class D1); associated	Approved 6th May 2015

		vehicle access, parking, landscaping, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 57 flats, a 750sqm public library, 945sqm centre for independent living and 279sqm of retail floorspace).	
14/07210/FUL	Grahame Park Estate, (Plot B6)	Revised application for development of plot B6 comprising buildings between 1 and 6 storeys, to accommodate 92 residential units (84 flats and 8 dwellinghouses); associated vehicle access, highways, parking, landscaping, amenity space, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 84 flats in a part 5, part 6 storey building).	Approved 15th July 2015
15/04039/FUL	Grahame Park Estate, (Plot A1)	Construction of a new council office building between 4 and 9 storeys in height providing 11,146 sqm of floorspace comprising 10,646 sqm of (B1) office space and 170sqm of (A3) cafe and ancillary space on ground floor and basement. Provision of landscaping and public realm improvements, car and cycle parking and refuse and recycling stores. Amended Plans showing alterations to design of proposed council office building.	Approved 5th April 2016

1.3 Pre-application 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 to the submission of the application. This included workshops with the GLA and the London Borough of Barnet, meetings with Local Ward Councillors and residents associations as well as Public Consultation Events held at the site.,

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

1968 local residents were consulted on the planning application by letter on 07.06.2017. The application was advertised in the local press on 6 June 2017 and site notices were put up on site on 8 June 2017 with additional notices with amended expiry date put up on site on the 26th July 2017. 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.

Re consultation

Neighbouring residents were re-consulted on the 26th June 2017, correcting errors in the original consultation letter.

Public Representations

As a result of the consultation, a total of 11 responses have been received with 3 objections and 7 letters of support.

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

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

St Margaret's Church requests additional plans to show relation of proposed blocks to walkway to church. Also request details of phasing to assess disturbance as a result of construction

Object on the grounds of loss of car parking which will push parking problems out to areas outside of the site. One car parking space should be provided for each existing freeholder.

The new buildings are inappropriate and cost too much for the residents. Those who are leaseholders are being made homeless, whilst current tenants are being sold to at cost. It is ridiculous and a shambles.

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

Support but consider more car parking should be provided.

Support but consider capacity of underground station should be increased.

Support the planning application to redevelop the area in Grahame Park. Lots of improvement needed not only aesthetic. Grahame Park is lagging behind surrounding areas such as Aerodrome Road and near Colindale station. Hopefully

you can find a solution for the current residents of Grahame Park so they are not unnecessarily inconvenienced. I would also like to add that transport links (tube and bus) and shops need to be added/supplemented to support the additional population in the Colindale area.

Support current estate is some of the worst public space architecture.

Regeneration of all areas of Colindale is important. For this area to compete with other zone 3/4 areas of London it needs young professionals and families with young children to move to the area. Transport (tube and bus) needs to be improved and does GP and School facilities.

Support but queries raised regarding future function of the Colindale Communities Trust, the One Stop Shop and Community Hub and Café facilities.

Support in principle but clarification required regarding proposed changes to the road network and inclusion of landscaped strip in relation to St Augustine's Church.

Officer Comment

All of the above representations have been taken into account in the officer assessment, which form part of the officer assessment below. Minor amendments have been made to address some of the comments made i.e. from St Augustine Church. Conditions are attached requiring details of phasing and a construction management plan. The proposal includes improvements to health facilities and transport facilities.

Elected Representatives.

No comments received.

Consultation responses from neighbouring associations other non-statutory bodies.

No comments received from these bodies.

Consultation Responses from Statutory Consultees

Greater London Authority (GLA)

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

Strategic issues

Housing: The loss of social rented units is wholly unacceptable. The initial viability assessment demonstrates that more social rented units could be provided. GLA officers will work with the applicant and the Council to ensure that the application

accords fully with the Mayor's Estate regeneration BPG, Affordable Housing and Viability SPG, and the London Plan (paragraphs 22-36 and 42-48).

Urban design. The overall strategy and levels of residential quality are supported, although further work is required to address blank frontages and details are required in relation to the design of Plot 11 and Block 10A. (paragraphs 51-58).

Climate change: The application is broadly compliant with London Plan policy on climate change mitigation, subject to securing an appropriate carbon offset payment and the provision of information verifying this compliance. (paragraphs 59-62).

Transport: Car parking should be reduced and cycle parking provision increased in line with London Plan policy. The applicant should also clarify arrangements for ambulance parking and provide further information in relation to bus priority measures and the cycling strategy. (paragraphs 63-67).

Recommendation

That Barnet Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph of this report; but that the possible remedies set out in paragraph 73 of this report could address these deficiencies.

Conclusion

London Plan policies on estate regeneration, urban design, climate change and transport are relevant to this application. The principle of development is not currently supported in line with the London Plan and the Mayor's Affordable Housing and Viability SPG, and the application does not comply with the London Plan. Further discussion is required regarding the following issues:

- **Housing:** The loss of social rented units is wholly unacceptable. The initial viability assessment demonstrates that more social rented units could be provided. GLA officers will work with the applicant and the Council to ensure that the application accords fully with the Mayor's Estate regeneration BPG, Affordable Housing and Viability SPG, and the London Plan (paragraphs 22- 36 and 42-48).
- **Urban design.** The overall strategy and levels of residential quality are supported, although further work is required to address blank frontages and details are required in relation to the design of Plot 11 and Block 10A. (paragraphs 51-58).
- **Climate change:** The application is broadly compliant with London Plan policy on climate change mitigation, subject to securing an appropriate carbon offset payment and the provision of information verifying this compliance. (paragraphs 59-62).
- **Transport:** Car parking should be reduced and cycle parking provision increased in line with London Plan policy. The applicant should also clarify arrangements for ambulance parking and provide further information in relation to bus priority measures and the cycling strategy. (paragraphs 63-67).

Officer Comment

Detailed discussions have taken place following the Stage 1 between the GLA, Barnet Council and Genesis Housing. The majority of the above issues have now been resolved including the comments relating design and highway issues. The housing comments have also been broadly resolved and officers are satisfied that any minor outstanding matters can be resolved as part of the formal Stage 2 referral.

Transport for London (TfL)

- In order to comply with London Plan policies, TfL requests the following
- The proposed quantum of parking across the site should be reduced.
- The private permit scheme needs to be explained in more detail
- The quantum of cycle parking should be increased to comply with the London Plan and the detailed design of cycle parking should be secured.
- The trip rates and review of modelling need to be agreed
- The proposed changes to the bus network including re-routeing and provision of bus stops need to be discussed further
- A full DSP and CEMP should be secured by condition
- A full Workplace and residential Travel plan should be secured through Section 106 agreement.

Officer Comment

Detailed discussions have taken place subsequent to the TfL comments being received and the majority of issues are now effectively resolved.

Environment Agency (EA)

No objections subject to the attachment of appropriate conditions and informatives.

Highways England

Offer no objection

National Grid

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Thames Water (TW)

Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water

Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Water Comments
No water comments
Supplementary Comments

Thames Water appreciate that there is ongoing discussions with our Developer Services department, we appreciate that these discussions should be concluded in order to support the drainage strategy for this site.

Metropolitan Police Crime Prevention Design Advisor

I've been unable to access the Barnet portal, but having carried out some crime checks, I give the following advice.

Re: Grahame Park, London, NW9

I would expect this development to incorporate all of the Secured by Design requirements detailed in the New Homes 2014 Guide / New Homes 2016, subject to when the application was granted.

The following measures have been developed to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of this site:

Public Realm

Routes for pedestrians, cyclist and vehicles should be open, direct and not segregated from one another.

Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings.

Communal areas, such as playgrounds, seating or drying areas should be designed to allow supervision from nearby dwellings with safe routes for users to come and go.

Windowless gable end walls adjacent to spaces for which the public have access should be avoided, as this prevents natural surveillance.

Boundaries / Gates

Side and rear boundaries should be 2.1m in height (minimum), be positioned where possible at the front of the building line (if a recess is necessary, then not to exceed 600mm) and designed to avoid climbing aids. This can be achieved in a variety of different ways, i.e. close board, panel, etc. but if a trellis topping is to be used, this should be diamond style trellis.

Fencing between rear gardens should be 1.8m in height (minimum) and designed to avoid climbing aids.

Chain link style fencing is not an acceptable option.

Side gates should provide vision, be positioned where possible at the front of the building line, (if a recess is necessary, then not to exceed 600mm) 2.1m in height (minimum) and designed to avoid climbing aids, particularly around the hinges and locking mechanism.

Doors / Windows

Recessed doorways should not exceed 600mm.

Communal doorsets should be certificated to either PAS 24:2012, LPS 1175 Issue 7:2010 Security Rating 2 or STS 202 Issue 3:2011 Burglary Rating 2.

Communal doorsets should incorporate an automatic closing mechanism, automatic deadlock, with internal thumb turn, knob or handle - external entry should be restricted by key, key code, key fob, proximity reader or combination thereof.

All easily accessible doorsets, including front, back, french, patio and balcony doors, should be certificated to either PAS 24:2012, LPS 1175 Issue 7:2010 Security Rating 2, STS 201 Issue 4:2012, STS 202 Issue 3:2011 Burglary Rating 2, or LPS 2081 Issue 1:2014 Security Rating B. Due to crime problems associated with letter plate apertures, such as arson, hate crime, lock manipulation and 'fishing', Secured by Design strongly recommends, where possible, mail delivery via a secure external letter box or delivery 'through the wall' into a secure area of the building.

All sliding and bi-fold doorsets not designated as the primary access/egress route should meet the same physical attributes as above.

A door chain or opening limiter and internal letterbox shield should be fitted to all individual dwelling front doors.

A door viewer should be fitted at a height of between 1200mm to 1500mm from the bottom of all front doors (not required with adjacent unobscured glazing).

All easily accessible windows should be certificated to either PAS 24:2012, LPS 1175 Issue 7:2010 Security Rating 1, STS 204 Issue 3:2012, or LPS 2081 Issue 1 Security Rating A.

All easily accessible windows should have key operated locks. Where windows are required under Building Regulations to act as a fire escape route, the opening window must not have key operated locks.

Windows that form an integral part of the doorframe should be shown to be part of the manufacturer's certificated range of doorsets. Alternatively where windows are manufactured separately from the doorframes, they should be certificated to either PAS 24:2012, LPS 1175 Issue 7:2010 Security Rating 1, STS 204 Issue 3:2012 or LPS 2081 Issue 1:2014. In such cases the window should be securely fixed to the

doorset in accordance with the manufacturer's requirements.

All glazing in and adjacent to communal, front, back and doors and ground floor windows and windows that are easily accessible above ground floor level, should incorporate one pane of laminated glass meeting the requirements of BS EN 356:2000 class P1A.

Communal entrance doors should have vandal resistant audio, visual access control panels, with electronic lock release - tradesperson release buttons are not permitted. Electronic access control proximity 'keys' and readers should be security encrypted to protect against unauthorised copying.

Secure external mailboxes to serve each property should be fixed to the external face of the building.

Balconies / Terraces

Enclosures to balconies at all levels should be designed to exclude handholds and to eliminate the opportunity for climbing up, down or across between balconies.

Drainpipes/soil pipes that provide access to flat roofs or balconies will require metal shrouds to prevent climbing (regardless of whether they are PVCu or not).

Parking

Car parking areas should be close to the properties they serve, with good natural surveillance from regularly habitable rooms of adjacent properties, i.e. living rooms and kitchens.

Basement parking facilities should have secure, controlled access, incorporating full height gates or barriers, accessed via key, key code, key fob, proximity reader or combination thereof. Electronic access control proximity 'keys' and readers should be security encrypted to protect against unauthorised copying.

Refuse / Cycle Storage

Bin storage areas should be enclosed and incorporate a self-closing mechanism and slam-shut BS 8621 lock with internal thumb turn.

Cycle storage areas should, ideally be enclosed and built into the fabric of the building, be visibly permeable, incorporating a self-closing mechanism and slam-shut BS 8621 lock with internal thumb turn.

Where this is not possible, it should be sited in a secure communal area, with good natural surveillance from regularly habitable rooms of adjacent properties, i.e. living rooms and kitchens.

External Lighting / Alarm Systems, etc

All street lighting for both adopted highways and footpaths, private estate roads,

footpaths and car parks, should comply with BS 5489.

The overall uniformity of light is expected to achieve 40% and should never fall below 25%. The colour rendering qualities should achieve 60 (minimum) on the Colour Rendition Index - certification will be required.

External lighting should be switched using a photoelectric cell (dusk to dawn) with a manual override.

Utility meters should, where possible, be sited outside the front of the dwelling - alternatively they should be sited on the ground floor, between access-controlled doors (air lock system).

A 13amp non-switched fuse spur, suitable for an alarm system, should be provided (Subject to whether it's a 2014 or 2016 SBD application) - if a full alarm system is provided, it should comply with:

BS EN 50131 & PD6662 (wired system)
BS 6799 (wire free system)

If complete systems are installed and a police response is required, reference should be made to the ACPO Security Systems Policy, a copy of which can be obtained from the SBD website – www.securedbydesign.com.

English Heritage Archaeology

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

This is a previously developed site outside of an Archaeological Priority Area and with no recorded archaeological interest.

No further assessment or conditions are therefore necessary.

Natural England

The Wildlife and Countryside Act 1981 (as amended)
The Conservation of Habitats and Species Regulations 2010 (as amended)
Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

Internal Consultation responses

Urban Design

No objections raised detailed comments incorporated in officer report below.

Transport and Regeneration

No objections subject to appropriate conditions and heads of terms. Detailed comments incorporated in officer comments below.

Environmental Health

No Objections raised subject to the attachment of appropriate conditions regarding construction method extraction, noise mitigation and contamination.

Trees and Landscape

Detailed comments provided regarding tree protection and proposed landscaping. Comments incorporated in officer comments below.

Skills and Enterprise

The existing s106 financial contribution from the original masterplan is £1.1 mil. Genesis Housing are the Budget holder with LBB/ Re monitoring spend. The allocation and spend is currently around £384,000.

As the Masterplan consent is no longer being built out it will be necessary for the obligations to be covered in the new S106 covering the following:

Local Employment Agreement

Shall include, or provide (or procure that its contractor provides) the Council/ Re (nominated Agency) with:-

- 4.1 An Apprenticeship Placement or cash equivalent on an annual basis to provide Grahame Park Regeneration Team support;
- 5.1 The placement costs will include the cost of wages (to be aligned with a living wage) support training costs, college release and the provision of tools and equipment necessary for the relevant Apprenticeship;
- 6.1 Contribute towards a Colindale- wide Employment and Skills Programme to replace the Workfinder Programme.

Subject to paragraph 1.1 and 1.2

- a. The Council/ Re (nominated Agency) will provide sufficient work placement for the Level 2/3 Apprenticeships to be delivered under this Deed;

- b. The Council/ Re will comply with guidance from the National Apprenticeship Service (or any subsequent organisation which replaces this) regarding the delivery of accredited Apprenticeships
- c. The Developer shall provide an Apprenticeship Placement under the current s106 financial terms, annually to the Council/ Re (nominated Agency) under this Deed for the duration of Plot 10, 11 & 12 developments.

Shall provide (or procure that its contractor provides) the Council (or its nominated agency) with:-

- clear forecast of employment and skills requirements for each Phase (or sub-phase) including employment opportunities/ job vacancies;
- details of local contractors sub-contractors and suppliers procured to provide goods and services
- forecasting details of trades or occupational areas offering site Apprenticeship opportunities during the construction and operational phases of the Development;
- shall endeavour to provide end use jobs to residents living in the London Borough of Barnet
- shall provide work experience places for students aged 16 years and over
- shall allow site visits from schools, colleges and/or universities
- shall arrange workshops providing for the attendance of students from schools and/or colleges
- Local Labour- Shall ensure local at least 30% of the workforce are residents living in the London Borough of Barnet.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

Grahame Park is the borough's largest housing estate, originally comprising 1,777 units of mostly social rented accommodation, along with a small neighbourhood shopping centre and various community facilities. The estate suffers from a number of socio-economic and physical problems. A tenants participation survey in 1999 identified a number of issues including the poor physical environment and poor image, unsafe and difficult circulation routes owing to the Radburn style separation of vehicles and pedestrians, overcrowding and inappropriate occupancy for large families, a high turnover of stock, poorly placed and poorly integrated local facilities and poor levels of shopping choice.

In 2003 residents voted in favour of a full regeneration of the estate and in 2004 a new Masterplan secured outline consent for the whole site. Some parts of this masterplan at the southern end have already been built out by Genesis Housing.

Grahame Park estate itself comprises a mixture of flats and houses, in buildings of varying heights and set in areas of open space. The central area, known as the Concourse, comprises mainly 5-7 storey apartment blocks and also contains almost

all of the retail and community facilities. 4 and 5 storey apartment blocks extend to the north and south of the Concourse, whilst the remaining accommodation is generally 2-3 storey houses and flats. The main area of open space is known as Heybourne Park (formerly known as Grahame Park Open Space) which is located to the west of the Concourse, whilst other areas of informal open space exist between buildings.

The immediate site surroundings are mixed in character. To the north and west of Grahame Park Estate are low-density, predominantly 2-3 storey residential estates, ranging from 1970s to schemes currently under construction or recently completed, as well as the Blessed Dominic School. To the south of the estate are Middlesex University student halls of residence, with blocks ranging between 3 and 4 storeys and the residential development known as Beaufort Park. Immediately to the east of the estate is Colindale Police Station, St James' School and the RAF Museum.

Colindale Underground Station, on the Edgware branch of the Northern Line, serves the immediate area and is located some 400m from the southern edge of the estate. The site is well served by the strategic road network, with good access to the A5 to the west and the A41/A1 to the east. The borough boundary with the London Borough of Brent runs along the A5, whilst the M1 and the Thameslink railway form the eastern boundary of the CAAP area.

2.2 Description of the Proposed Development

The Proposed Development is as follows:

Outline planning permission for the demolition of 630 existing residential units, Everglade GP Practice, Community Hall, library and retail units and the construction in three phases (plots 10, 11 and 12) of: 1083 residential units (use Class C3); a Community Hub of approximately 3,766 sqm (GIA) comprising a community hall and workshop rooms, a daycare nursery, a GP Health centre, community health facilities and ancillary office accommodation (all use class D1) along with 186 sqm (GIA) café (use class A3); approximately 340 sqm (GIA) of retail space (predominantly use class A1, along with A2, A3, A4 and/or A5) ; a flexible ground floor space of approximately 55sqm (GIA) (use class A1 or use class B1) within Block 10B; a new energy centre to provide district heating; and associated car parking, open space, landscaping and access arrangements.

Within the outline application:

- full details are submitted for the means of access, layout, scale, appearance and landscaping of Plots 10 and 12 and associated works; and*
- full details of Plot 11 are submitted for the means of access, layout, scale, appearance and landscaping with the exception of Plot 11D, where details of layout and scale are submitted, with means of access, appearance and landscaping reserved.*

Changes post Submission

Minor changes have been made to the submitted plans post submission to remove the bridge link to Plot 10a following design discussions, minor revisions to the

submitted plans to address concerns from the London Diocese and responses to comments made from Barnet Highway and Tree comments. Due to the minor nature of the proposed changes no additional consultation has been required.

3. PLANNING CONSIDERATIONS

3.1 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 and Scoping for EIA development

In response to a Request for a Screening Opinion to LBB made on the 18 April 2016, LBB confirmed that the proposed development requires an Environmental Impact Assessment (EIA). The scope of the assessment was subsequently agreed with LBB to address the following:

- Ground Conditions and Contamination
- Noise and Vibration
- Air Quality
- Traffic and Transport

An Environmental Statement (ES) has been submitted in support of the application, and this is accompanied by a Non-Technical Summary (NTS). The details contained within these documents are discussed in the relevant sections below.

3.2 Principle of Development

Principle of the redevelopment of the existing housing estate

A residents vote was held in 2003, in which existing residents of Grahame Park voted for the comprehensive redevelopment of Grahame Park Estate. Following this vote an Outline Planning application was submitted under reference W01731JS/04 which was granted Planning Permission in 2007 following the completion of the legal agreement. While only part of this permission has been implemented this permission basic principle of the redevelopment of the Estate.

The redevelopment of Grahame Park Estate is also inline Council's Policies contained within Barnet's Core Strategy along with Supplementary Planning Guidance contained within the Colindale Area Action Plan and the Grahame Park SPD.

Housing

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.

Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Policy CS3 'Distribution of growth in meeting housing aspirations' identifies Colindale as one of the three main areas (the other two being Brent Cross and Mill Hill East) for providing the bulk of the housing requires for the borough, with Colindale providing an anticipated 8120 homes up to 2025/2026, as part of a borough wide requirement for 28000 additional homes over a 15 year time period.. It is noted that this housing target was subsequently revised upwards in the Further Alterations to the London Plan in 2014 to an annual target of 2349 over a ten year period.

In relation to Grahame Park itself the supporting text contained within the Core Strategy advises that:

Regeneration proposals for Grahame Park aim to transform the estate into a 3,440-home mixed tenure neighbourhood. The Estate forms part of the Colindale Regeneration Area (Grahame Park Way Corridor of Change) as set out in the Colindale Area Action Plan. Around 1,310 homes will be demolished and 460 retained providing a net increase of 1670 new homes.

The regeneration is to be taken forward in two stages. Stage A is under way and comprises 962 new homes. Stage B will comprise 2,015 new homes. Stage A is expected to be completed by 2016. Stage B is expected to be delivered between 2015 and 2026.

The Grahame Park Estate SPD which was adopted in May 2016 envisaged the provision of 2161 homes for the area of Stage B which includes the current application site.

The redevelopment accords with the abovementioned policies for an intensive, mixed-use proposal which is intended to positively transform the site and the area with its uses including residential, commercial, community facilities and open space provision, as well as its design and the associated improved relationships to and connectivity with the surrounding area.

Specific aspects of the development principles of this proposal are discussed in more detail below.

Housing Density

London Plan policy 3.4 seeks to optimise the housing potential of sites. This

provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

The Transport Assessment indicates a varying PTAL across the existing site of between Level 1 (Very Poor) and Level 2 (Poor) through the site.

The density matrix of the London Plan 2016 nominates a density range of 150-250 habitable rooms per hectare for PTAL 1 and between 150 to 250 units habitable room per hectare for Suburban PTAL 2.

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150–200 hr/ha	150–250 hr/ha	200–350 hr/ha
3.8–4.6 hr/unit	35–55 u/ha	35–65 u/ha	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha
Urban	150–250 hr/ha	200–450 hr/ha	200–700 hr/ha
3.8 –4.6 hr/unit	35–65 u/ha	45–120 u/ha	45–185 u/ha
3.1–3.7 hr/unit	40–80 u/ha	55–145 u/ha	55–225 u/ha
2.7–3.0 hr/unit	50–95 u/ha	70–170 u/ha	70–260 u/ha
Central	150–300 hr/ha	300–650 hr/ha	650–1100 hr/ha
3.8–4.6 hr/unit	35–80 u/ha	65–170 u/ha	140–290 u/ha
3.1–3.7 hr/unit	40–100 u/ha	80–210 u/ha	175–355 u/ha
2.7–3.0 hr/unit	50–110 u/hr	100–240 u/ha	215–405 u/ha

The Site has an existing PTAL rating ranging between 2-3. In accordance with Table 3.2 of the London Plan, the Site is located within a urban setting defined as an area “*areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes*”. Given the Site’s PTAL rating and suburban local, the London Plan seeks to provide residential densities of between 200-450 habitable rooms per hectare.

The Proposed Development results in an average density of 356 habitable rooms per hectare which is in compliance with the London Plan density matrix.

The numerical application of the London Plan density matrix in any event needs to be balanced against design quality and the quality of residential environment created. Account also needs to be taken of the improved connectivity through the site and to the surrounding area including its public transport as well as the provision of social infrastructure on site. This reflects the approach of “*optimising*” housing according to London Plan Policy 3.4, it being noted that the density matrix is not intended to be applied mechanistically (London Plan para 3.28).

In addition the Mayors housing SPG sets out the exceptional circumstances where densities above the relevant density range may be justified (London Plan para 3.28A). Exceptional circumstances include the following and which are considered relevant in the case of this application:

- “Liveability” as described in section 2.2 – 2.4 of the SPG (E.g. Neighbourhood scale and provision of outdoor spaces, playspace, designing out crime, social infrastructure, dwelling standards and facilities, and sustainability)
- Exemplary design and quality
- Access to services
- Management of communal areas
- Contribution to ‘place shaping’

These comments are reflected in the GLA comments which do not raise any strategic concerns in relation to density and instead, considers that the densities across the site are broadly appropriate.

Community Hub

The Concourse in Grahame Park currently includes a community centre, GP Practice and Nursery.

Policy DM13 of Community and education uses’ advises that:

a: Loss of community or educational use

Loss of community or educational use will only be acceptable in exceptional circumstances where:

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

In accordance with the above policy the submitted planning application proposes the creation of a new replacement community hub in the northern part of the development site comprising the following elements:

- an entrance lobby to serve all uses;
- a double-height community hall and community workshops at mezzanine level;
- a GP surgery to replace the existing Everglade Medical Practice;
- community health facilities;
- a café on the ground floor;
- a 75 place daycare nursery; and
- flexible office, meeting and staff accommodation to support all of the above uses.

The design of the Community Hub has been development in close collaboration with Barnet Council and stakeholders and end users. The developer is contributing 7.6 million towards the delivery of the hub with Barnet Council also contributing additional monies.

The provision of the new Community Hub is welcomed and is in accordance with Policy DM13 involving the reprovision of a purpose built multi use community hub

which represents a qualitative and quantitative improvement over the existing facilities.

Retail uses

In addition to the Community Hub and residential elements of the proposal, the application also proposes up to 340 square metres of A class retail space (Mostly A1, along with A2, A3, A4 and/or A5) along with approximately 55 square metres of flexible B1 or A1 floorspace. The proposed floorspace is located with the part of the site adjoining the proposed community hub. The purpose of inclusion of this space is to enable active ground floor frontages and to cater for local convenience needs rather than attracting visitors from outside the site. On this basis the proposed retail centre is unlikely to adversely affect any neighbouring shopping centres and is considered acceptable. The location of the proposed retail use is also in accordance with the approved Grahame Park SPD and is supported in planning policy.

3.3 Housing Quality

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

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 (London Plan Policy 3.8, and 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 proposed development proposes the following unit mix across the application site:

Unit Type	Affordable		Private		Total	
	Unit	% of Units	Unit	% of Units	Unit	% of Units
1 Bed	208	32%	157	36%	365	34%
2 Bed	239	37%	190	44%	429	40%
3 Bed	169	26%	84	20%	253	23%
4 Bed	36	5%	-	-	36	3%
Total	652	100%	431	100%	1,083	100%

Table 2: Unit mix

In terms of dwellings types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units. It is worth noting that 340 of the 2 bed units proposed are larger 2 bed 4 person units.

Overall it is considered that the proposal proposes an appropriate split in housing type to address housing preference and need in accordance with the abovementioned policies.

Affordable Housing

London Plan 2015 policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings. All of the above policies seek a tenure split of 60% social rented and 40% intermediate housing.

The development comprises a total minimum affordable housing provision of 652 units which equates to 60% affordable housing provision. The total breakdown of the units is as follows:

Tenure	Proposed homes		Hab Rooms		GIA (sqm)	
Social Rent	39	4%	116	3%	3,896	4%
London Affordable Rent	153	14%	517	15%	15,007	14%
London Living Rent	166	15%	571	16%	16,843	16%
Sub-total	358	55%	1204	56%	35,747	57%
Shared Ownership	294	27%	953	28%	26,648	26%
Sub-total	294	45%	953	44%	26,648	43%
Affordable total	652	60%	2157	62%	62,395	60%
Private Sale	431	40%	1304	38%	41,980	40%
Market total	431	40%	1304	38%	41,980	40%
TOTAL	1083		3461		104,375	

Table 4.4: Proposed tenure mix

In terms of the quantity of affordable housing provided, the development clearly exceeds the minimum level of 40% required by Policy. The proposals would also provide an uplift in housing units and residential floorspace and the current affordable housing offer represents 62% by habitable room. There would also be an increase in the overall level of affordable housing by both units and floorspace,

The main issue arising out of the mayoral Stage 1 response and subsequent discussions revolve around how the quantity of affordable rented units relates to the number of affordable rented units to be delivered as part of the redevelopment. In this regards the current housing estate, plots 10, 11 and 12 currently contains 630 residential units of which 557 were affordable with the remainder private.

In relation to the occupation of these units, 39 units are occupied by secure tenants and the remainder are either vacant, or housing non secured tenants or guardians.

The 39 Social rented units are effectively being provided on a like for like replacement for existing secured tenants. Grant funding is no longer available for the provision of social rented units, with the type of accommodation provided to persons on Local Authority waiting lists being changed firstly to affordable rent and under the current Mayor to London Affordable Rent. London Affordable Rent has been designed to provide a similar rental chare to the old social rented category and has replaced affordable rent as the model of rented affordable property being

delivered in London.

Subsequent the Stage 1 response there has been numerous correspondence and meetings between the GLA, Genesis Housing and Barnet Council. From these meetings matters have moved forward and all parties agree that London Affordable Rent should be counted as Social Rent for the purposes of calculating re-provision. London Living Rent is a new cross over product which is currently being pushed by the GLA housing team, which allows for tenants to pay a rent level similar to London Affordable Rent/ Social Rent for a 10 year period with the option of buying the property after 10 years, with the rationale being this being the easiest way for persons to break into the housing market by paying a relatively low level of rent allowing persons the chance to save up for a deposit something which is not as easy to do in the current private rented market.

Agreement has also been reached that the scheme viability is already stretched and that additional grant funding from the GLA and the HCA is not available and effectively the only way in which the number of London Affordable Rented Units (the GLA has not requested any additional Social Rented Units would be to increase the density of the scheme to provide additional private units.

This approach is not seen as desirable from Barnet's Council's perspective, as the whole point of redeveloping the estate is to improve the environment of the estate and to build a mixed and balanced community. Something which would be adversely affected by ramping up the density still further over and above the application submission. It is also noted that to date the regeneration proposals have been developed in close consultation with existing residents and ward councillors as illustrated by the low public response rate to the consultation, and could potentially be jeopardised by a decision to amend the density upwards.

Both the Council and the GLA have also both acknowledged that while the application is standalone, it needs to be seen in the context of the wider Grahame Park regeneration numbers, including the units which have been delivered to date, and the future units which would be delivered in the remainder of the Stage B area.

In terms of the Estate as a whole, this numbered 1365 socially rented units and 412 private units at the time of the grant of the original masterplan approval. To date part of Stage A provided 235 socially rented properties' and 38 affordable rented properties (which were the model which existed at the time and housed persons on the Council Housing waiting list). In addition to this 100 social rented units were provided on the Adastral development (within the Grahame Park regeneration area) by Notting Hill, 16 units at Withersmead by Genesis and 8 repossessed private houses converted to social rent. As such taking these units into account (minus the 38 affordable rented units as these are not counted by the GLA) there is a net shortfall of 141 affordable rented units in relation to the units which have been delivered to date along with retained stock.

This minor shortfall is not unexpected due to the nature of the parts of the estate developed to date, including the Concourse site which is subject to the current application which has suffered from having an overconcentration of social housing tenants within a confined area. The overarching aim of redevelopment proposals

which date back nearly 20 years is that redevelopment proposals should tackle perceived existing problems with the estate, transforming it into a vibrant, safe and mixed and balanced community, which it is considered that the current proposals achieve. The proposals accord with Local and London Plan Policy and accord with the requirements of the Planning Delivery Agreement and adopted supplementary planning policy including the CAAP and Grahame Park SPD.

The proposals provide for the regeneration of the existing estate providing a large number of affordable rented properties along with intermediate affordable housing providing a total of 60% affordable housing. It is considered and hoped that outstanding differences can be resolved by continued dialogue and the affordable housing element of the scheme is supported by officers in its current form.

Floorspace standards

Housing standards are set out in the Nationally Described Space Standards (NDSS), the London Plan and London Housing SPG and Barnet's Sustainable Design and Construction SPD.

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

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

	Dwelling Type (bedroom/persons- bed spaces)	Gross Internal Area Standard (m ²)
Flats	1 bedroom 1 person	37
	1 bedroom 2 person	50
	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86
	3 bedroom 6 person	95
	4 bedroom 5 person	90
	4 bedroom 6 person	99
	2 storey house	2 bedroom 4 person
3 bedroom 4 person		87
3 bedroom 5 person		96

	4 bedroom person	5	100
	4 bedroom person	6	107
3 storey house	3 bedroom person	5	102
	4 bedroom person	5	106
	4 bedroom person	6	113

All the dwellings in the detailed element of the development meet the minimum standards as demonstrated in the applicant's supporting documents in relation to the unit sizes and also meet the minimum areas for single bedrooms and main double bedrooms. However in some cases secondary double bedrooms meet the 11.5 sqm requirement of the National Space Standards but not the 12 sqm specified in the London Housing Standards. However given that the proposal complies with the National Standards, this is considered acceptable.

. Details of the outline element in Plot 11D would need to be provided as part of any future Reserved Matters application.

Lifetime Homes and wheelchair housing standards

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

In respect of LTHS, while this legislation has been abolished the applicant advises in their application submission that all units will be built to this standard. This is considered acceptable and in any event is controlled by Building Regulations.

In respects of wheelchair housing, the applicant has advised that 10% of units will be built to wheelchair standards and as such is in accordance with Policy. A suitable condition is attached to this affect.

Amenity space

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Table 2.3:Outdoor Amenity Space Requirements	Development Scale
For Flats: •5 m ² of space per habitable room.	Minor, Major and Large scale
For Houses: •40 m ² of space for up to four habitable rooms •55 m ² of space for up to five habitable rooms •70 m ² of space for up to six habitable rooms •85 m ² of space for up to seven or more habitable rooms	Minor, Major and Large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

The Mayor’s housing SPG sets out a requirement of 5 sq.m of private amenity space for 1 and 2 person dwellings with a further 1 sq.m per additional person.

The proposed development meets the minimum Mayor standards and also provides adequately sized and spaced balcony areas for all units. In relation to Barnet’s external space standards, all of the smaller units meet Barnet’s amenity standards although there is some shortfall in the larger units. This is in itself inevitable due to the predominately flatted nature of the development and need to include a large number of larger units to provide for an appropriate unit mix. The proposal provides up to 9,302 sq m of private amenity space and on balance taken in conjunction with the large areas of open space being delivered or upgraded as part of the development is considered acceptable in this instance.

Playspace and Open Space

Open Space

London Plan Policy 2.18 (e) seeks to integrate green infrastructure with the wider network and improve accessibility for all. Standard 3 of the Mayor’s Housing SPG (2016) requires proposals to audit existing open space, and take *“opportunities to help address a deficiency in provision by providing new public open spaces”*. Standard 4 then provides additional details on the expected quality of new public open space, saying that proposals should demonstrate that the space:

*“is overlooked by surrounding development;
 is accessible to disabled people including people who require level access and wheelchair users;
 is designed to take advantage of direct sunlight;
 has suitable management arrangements in place.”*

Barnet’s Core Strategy (Map 10), as well as Barnet’s Parks and Open Spaces Strategy 2016-2026, identifies areas with a deficiency of open space. The application site does not fall within such an area. Similarly reflecting the existing level of provision, the explanatory text to CAAP Policy 5.5 notes that whilst the

provision of recreational open space with the development is supported, the CAAP proposes:

“a lower level of on-site provision which reflects the metropolitan location and the existing provision of open space in the Borough and the surrounding area, particularly the existing local parks such as Montrose Park and Grahame Park and those slightly further afield including significant Green Belt and MOL”.

Development Management Policy DM15 protects existing open space from development, except in exceptional circumstances 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.”*

The policy goes on to note that *“Any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.”*

As Grahame Park is not an identified area of open space deficiency, the quantity standards for new open space provision do not apply. However the Colindale Area Action Plan (CAAP) sets out the Colindale-wide open space policy, requiring Stage B of Grahame Park to deliver “new and improved public open space proposed in the Grahame Park Estate”. The CAAP included proposals for improvements to Grahame Park including improving links to the wider network and providing both smaller local parks and new areas of hard landscaped open space as part of the development. The provision of these improvements were part of the legal obligations pursuant to the original masterplan approval.

As previously mentioned the masterplan is no longer being built out, and has been superseded in part by the Grahame Park SPD adopted in 2016.

The Grahame Park SPD (2016) noted that Heybourne Park is designated as a ‘Site of Local Importance for Nature Conservation’. Barnet’s adopted Parks and Open Spaces Strategy 2016-2026 categorises Heybourne Park as a park of ‘low quality, high value’ and supports proposals to improve the park’s quality in line with its high value. The Grahame Park SPD also sets out further detail on the existing open spaces that should be retained and enhanced and the locations for new open space and public realm. This includes the remodelling of Heybourne Park with the provision of new public realm around the Community Hub and the St Augustine’s development site.

In relation to the application proposals involve the loss of 349 sq.m of open space from Heybourne Park in order to facilitate the delivery of the scheme. However the application also proposes improvements to Heybourne Park. This is the matter of continued discussions and will form the basis of a future planning application. However in short the proposed improvements aim to create a new community recreational focus to the wider Grahame Park Area and include a remodelling of the park, creation of new routes, purpose built children’s playground, MUGA, mountain bike track, skateboard park, parkour area and outdoor gym.

Other areas of open space to be created the development include the creation of a Woodland Walk along the eastern part of the site, and the creation of a new public square around the Community Hub and St Augustine Church.

Overall the level of public open space, being delivered and enabled to be delivered as a result of the development is considered appropriate meeting London Plan and Barnet Policy in terms of providing significant improvements to the quality of open space, which compensate for the minor land take of Heybourne Park.

Playspace.

London Plan Policy 3.6 of the London Plan requires housing development to make provisions for play and informal recreation based on child yield, referring to the Mayor's SPG Shaping Neighbourhoods: Play and Informal Recreation 2012.

London Borough of Barnet Core Strategy Policy CS7 requires improved access the children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

Using the Mayor's Play and Informal Recreation SPG calculator, the child yield from the development is estimated to be 501 (223 under 5, 169 aged 5-11 and 109 aged 12+). Based on the child yield of 501 the scheme is expected to deliver 5,064 sqm of playable space, broken down as follows:

- 2,256 sqm of playable space suitable for 0-5 year olds;
- 1,705 sqm of playable space suitable for 5-11 year olds;
- 1,103 sqm of playable space suitable for 12+ year olds.

0-5 Year old provision:

In relation to 0-5 year old provision the scheme proposes 7,544 sq.m of doorstep playable space with the proposed podium decks. This exceeds the 2,256 sq.m. required by Policy. All playable areas also meet or exceed the 100 sq.m requirement in relation to site area.

0-11 Year Old Provision:

Neighbourhood Playable Space for children of all ages is provided in the Woodland Walk and its extension to the north. This space provides 3,135 sq.m of space which exceeds the . required 1,705sqm for children aged 0-11. The Woodland Walk as a whole has been designed to be playable, including incidental landscape features and also focused equipped areas of play. This provides playable space within the 400m walking distance for all plots except Plot 10, and each space meets the 500sqm minimum size requirement from the GLA.

Account also needs to be taken of the previously mentioned improvements to Heybourne Park, which the development is required to provided under the legal obligations pursuant to this consent and the PDA between Genesis and Barnet Council. The dedicated playspace elements of the park would provide for an

area of 5,563sqm of Neighbourhood Playable Space for children of all ages and a facility within the 400m walking distance of Plot 10.

12+ Year Old Provision:

The Woodland Walk includes features for children aged 12+ and dedicated facilities will be provided within the Heybourne Park improvements including the proposed new MUGA and skate park and parkour facilities. . These areas will provide the required .required 1,103sqm for children aged 12+.

3.4 Design

High quality design underpins the sustainable development imperative of the NPPF 2012, as well as London Plan (2016) 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.

Design background

Barnet Council design officers have been involved with dedicated design workshops held with the applicant at Mae's Architects offices during the preparation of the application proposals. The workshops covered the proposed architectural material on a plot by plot basis, landscape and overall masterplanning principles were discussed tested and scrutinised.

Masterplan Concept

The current masterplan has been designed to respond to the requirements set out in the SPD. The overarching vision is to create a high quality living environment that is integrated into the wider context through a traditional street network which is defined and overlooked by building frontages.

The proposed illustrative masterplan is based on a hierarchy of streets and interconnected open spaces framed by buildings of varying scale height and density. There is a dominant pattern of courtyard blocks consisting of a mix of Mansion blocks, Villas, Terraces and Mews. The perimeter of the development plots is designed to provide active frontages and soften the impact of vehicular access points.

The masterplan responds to the existing new developments fronting Heybourne Park to the West, the new developments on Lanacre Avenue and existing residential areas. Due to the nature of the project and the subsequent phases of Grahame Park this masterplan has to be considered both on the basis of the relationship with the existing environments but also with regards to future developments as prescribed by the SPD.

Height, bulk, scale and massing

As mentioned above the proposed built form of the site comprises a series of perimeter blocks and development zones organised around a network of streets and public spaces. The bulk, scale and massing of individual blocks varies to account for the proposed uses and the scale of the spaces that they frame or relate to. This provides variation in character, visual interest, identity, place and way-finding across the masterplan.

The overall design approach is proposing to enrich new streets by creating diverse places within the masterplan. In order to achieve legible environments that are familiar, comfortable and easy to navigate, a standard collection of typologies has been utilised (mentioned as pattern book). The typologies as mentioned above are: Mansion blocks, Villas, Terraces and Mews. Naturally the height bulk scale and massing varies between these typologies and is discussed below.

Mansion Blocks, are the largest of the proposed structures; the designers have utilized this typology to create strong edges overlooking Heybourne Park, the extension to Woodland Walk and Bristol Avenue. Typically between 6 and 8 storeys, the Mansion blocks create a strong edge and define the pedestrian experience on the ground floor. These buildings are more formal and have sourced inspiration from the Edwardian and Victorian era, maintaining the familiarity with London architecture but expressed slightly different and with a modern approach in mind.

The horizontality of the mansion blocks which rises from the need for long and strong edges particularly around Heybourne Park and Bristol Ave. is broken down by vertical bays that introduce visual interest. Where the blocks face onto Heybourne Park green space, wider gables are proposed; on the Southern Character Area, mansion blocks have a single bays on the longer façades.

Where Mansion blocks exceed 6 storeys, the roof steps back in order to allow light into the courtyards, reduce the visual impact on the street and introduce interest to the roof line.

Terraces are proposed in the Southern Character Area, framing the East to West residential streets. These streets are important as they provide a much needed connection between Heybourne Park and the Woodland walk and as seen as important pedestrian routes. Therefore a more clam residential typology is rightfully proposed here. Between 3 and 5 storeys, the terraces are lower in height and offer informal edges to the traffic calmed streets which encourage activity.

The main variance between Terraces is the appearance of the north facing and south facing terraces. The north facing blocks are simpler in architectural expression and in places incorporate different access in the form of decks. The South facing Terraces are modelled to look more like town houses. The Terraces on Plot 12 also incorporate a different design to the entrance points which further adds to the overarching principle of achieving visual richness and diversity.

Mews are the smallest of the proposed typologies and are utilised in the Central character area in order to achieve intimate streets that are truly used by residents. The relationship of the Mews typology and the traffic calmed streets they front is

important as it encourages the use of the street by future residents. These are expressed by 4 storey blocks of maisonettes which frame the residential streets of plot 11. The frontage is at 3 storeys with the roof stepping back in order to mitigate the intimate height to width ratio of the street, this enables more light to penetrate the street and softens the perceived mass of the buildings from the pedestrian perspective.

The Villas have a smaller footprint and are the tallest of the proposed structures; acting like visual landmarks on corners of the perimeter blocks along the Woodland Walk. Ranging between 5 and 11 storeys, the Villa's almost act as gable ends with an accent of height, this is welcome as the height is contained in a smaller footprint rather than spread across the perimeter. These accents of height further enforce the rooflines and give a legible and framed sky exposure. Massing steps back at the top storey to soften the perception of mass from the pedestrian viewpoint.

Tall buildings assessment

Barnet Core Strategy defines tall buildings as buildings of 8 storeys or 26m and states that they may be appropriate in strategic locations subject to detailed assessment criteria.

London Plan Policy 7.7 states that tall buildings should not have an unacceptably harmful impact on their surroundings. It states that tall buildings should be part of a plan-led approach to the development of an area and should not have an unacceptably harmful impact on their surroundings. In particular, Para. 7.7 requires tall buildings to *“relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features) particularly at street level”*.

Local Development Plan Policy DM05 ‘Tall Buildings’ further advises that:

‘Tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable. Proposals for tall buildings will need to demonstrate:

- i. an active street frontage where appropriate
- ii. successful integration into the existing urban fabric
- iii. a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- iv. not cause harm to heritage assets and their setting
- v. that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.

Proposals for redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.’

It is noted that while the buildings are classified as Tall Buildings the height of the buildings is at the lower end of the Tall Building classification consisting of 8 to 11 storey blocks and are considered appropriate on the basis that they are contained within the site and relate appropriately to the scale of new open spaces being created. It is also considered that the proposals are broadly in compliance with the assessment criteria contained within London and Local Plan Policies as well as National Guidance as set out below.

London Plan Policy considerations:-

- Will not adversely affect their surroundings in terms of microclimate, wind, overshadowing, noise and reflected glare
- No impact is identified in terms of aviation, navigation and telecommunications interference
- The site and its surroundings including listed buildings/structures and conservation areas are not considered to be sensitive or adversely affected by the proposal
- Both the elevations of the detailed component as well as the primary controls for the outline component and supporting details illustrate the scheme is of the highest architectural quality. The tall elements of the scheme serve as markers to the development including its public spaces, new neighbourhood centre as well as the nearby public transport interchange on Colindale Avenue

Barnet Development Management Policy considerations:-

- Active ground floor frontages are provided with commercial retail space fronting areas of open space in Plot 11.
- The proposed design integrates into the surrounding urban fabric noting that this overall form of the development accords with the adopted North London Business Park Planning Brief.
- The Taller Buildings are located on parts of the site with an aim to act as landmarks while having a small footprint.
- There are no adverse impacts identified to views and the skyline
- There is no harm to heritage assets and their setting, including conservation areas
- The microclimate effects on adjacent the site within the proposed spaces on site are not significant nor compromise their intended use and function

Taller buildings are designed and located as prominent corners at key points, in order to enforce wayfinding and mark important locations in the masterplan. The building heights relate directly to the street hierarchy, with taller buildings defining streets at the top end of the hierarchy and lower scale buildings defining streets at the bottom of the hierarchy. This is important in designing a legible environment, where enough variation is achieved and the height to width ratio of streets remains pleasant.

Character and appearance

The overall character of the masterplan is defined through the SPD and is effectively split between two areas, the central and southern character areas. The streets are crucial for defining character within the masterplan as each street typology is framed by different typology of building. Further to the street variance there are smaller, predominantly hardscaped areas which act as nodes, these areas also help shape the appearance and character of the streets.

The robustness of the buildings base and its response to the human scale is welcome as it provides a similar language throughout the masterplan. This language manifests differently on the different typologies of buildings, further

highlighting individual character but with a familiar design language. This attempt is welcome as it could reinforce wayfinding, provide more robust edges where needed and differentiate between public and private spaces.

Another aspect that induces variety and defines character is the frontage strategy. The Eastern part is dominated by mansion blocks and provides a robust edge and continuity. The Western part fronting onto the Woodland walk is more fragmented (especially on the Southern part) providing a different interface and overall character. It is notable to say that the Western edge is seen as more informal and the eastern edge onto Heybourne Park as the formal edge of the masterplan. This is also reflected within the landscape proposals as well as the two main bodies of green vary in character and the uses the aim to provide.

The materials as per the SPD prescription have been kept; a combination of dark and light brick with subtle variations throughout the masterplan in order to induce visual interest. One of the slight variations for example is to use the same brick but vary the mortar colour. In addition there are metal elements which are predominantly used in the form of railings; these metal elements are presented as complementary to the facades. In addition the visualizations of certain views reinforce the successful use of contrasting brick and highlight some areas where more detail is introduced by texture in the brickwork.

Visual impact and views

Due to the nature of the site, surrounded by a heavily built up the proposal would not impact upon views from outside of the immediate site surrounds.

Layout and connectivity

The Grahame Park SPD sets out an overall framework for street hierarchy which aims to achieve streets that are active, legible, overlooked and visually open.

The movement strategy creates optimum car flows without compromising the ability for pedestrians and cyclists to move around in an attractive environment, without interruptions, with minimal exposure to noise and air pollution and with clear and frequent views to destinations. This is achieved by the variety of streets proposed within the masterplan, these are primary routes, secondary routes, residential, mews, park edge and tertiary streets.

Vehicular access into the site is via two the two existing access points i.e. Clayton field to the North-East and Lanacre Avenue to the South. Additionally pedestrian friendly links in the form of traffic calmed streets and shared surface streets are proposed on an East West basis as well as on a North-South basis. These new links reinforce the connectivity towards the Underground which is 500-800 meters away depending on which part of the masterplan the journey starts. Vehicular movement is not a dominant feature on the tertiary, mews, park edge and residential streets of the development. This allows for pedestrians to activate the streets and results win more outdoor areas for future residents to enjoy and use in a positive way.

Cycling links are proposed on an East West basis as well as a north south cycling route parallel to Lanacre Avenue, allowing cyclists easy access to Heybourne Park and community Hub as well as transport links and adjacent neighbourhoods. These provide the primary route through the site.

The use of alternative transport modes such as cycling, carpooling and walking should be encouraged. Whilst the Travel Plan is a key mechanism for achieving this, it is important that the physical design of the scheme supports these alternative modes. The proposals will improve the connectivity and permeability of the site, reconnecting it with its surroundings as well as improving access to adjacent public transport and wider networks such as cycling routes.

Safety, security and crime mitigation

Pursuant to London Plan policy 7.3 and Barnet Core Strategy Policy CS12, the scheme is considered to enhance safety and security and mitigate the potential of crime because:

- Routes through the site and network of spaces are legible and will be well maintained noting that the scheme is supported by an estate management plan
- It is considered that the design details provide a clear indication of whether a space is private, semi-public or public, with natural surveillance of publicly accessible spaces from buildings at their lower floors achieved across the entire site
- The design including active ground floor frontages and surveillance and mix of uses encourages a level of human activity that is appropriate across the site, which will maximize activity throughout the day and night, thereby creating a reduced risk of crime and a sense of safety at all times
- The network of communal spaces proposed are considered to be laid out and detailed in such a way to promote an appropriate sense of ownership
- Security measures will be integral to the design of buildings with details secured through appropriately worded conditions, it being noted that the MPS Designing Out Crime Officer has provided advice on achieving Secured by Design accreditation for the scheme
- The design of the scheme including perimeter development, defensible frontages and active ground floors across the site is considered to minimise the safety and security interventions needed and therefore the demands of ongoing management and maintenance costs

Conservation and Archaeology

The preservation and enhancement of heritage assets is one of the 12 core principles of the NPPF. It is a statutory obligation of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the special architectural and historical interest as well as the setting of listed buildings as well as the character and appearance of conservation areas. Saved PPS5 'Planning and the Historic Environment' provides guidance regarding consideration of designated and non-designated heritage assets. In addition, London Plan policy 7.8 and Barnet Core Strategy CS5 and DM06 variously require the consideration of the impact to heritage assets including listed buildings, conservation areas and archaeology.

In respect of archaeology, the application is not located in an area of archaeological interest and involves a previously developed site. English Heritage Archaeology were consulted on the proposal and have advised that the site is unlikely to have a significant effect on heritage assets of archaeological interest and no further investigation is required.

3.5 Amenities of Neighbouring and Future Residents

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

Privacy, overlooking and outlook

The Barnet Residential Design Guidance SPD states there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

Privacy and separation to surrounding sites

All of the proposed buildings are located over 11m from site boundaries and more than 21m from the rear elevations of neighbouring properties. There are a few instances where front to front distances go down to 19m. However given that any overlooking would be across public highways where anticipation of privacy is less and in the interests of natural surveillance these distance separations are considered acceptable in these instances.

Privacy and separation within the site

In relation to buildings within the site, all of the proposed apartment buildings have large central amenity areas, resulting in the majority of properties achieving a distance separation of over 21m between windowed elevations and as such are in accordance with policy requirements.

There are a couple of units within Plot 12, where distance separations fall below 21m. However design mitigation measures such as angled windows and positioning of podium planters have been incorporated in order to avoid problems of overlooking. These measures are considered appropriate and it is considered that a satisfactory level of privacy would be achieved by all units.

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, the use is consistent with the residential character of the wider area. The commercial and community uses including the Community Hub are appropriately located and accord with the redevelopment intent of the Grahame Park SPD.

In considering the potential impact to neighbours, conditions are recommended to ensuring that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment and plant noise. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air quality

In respect of air pollution, no significant impacts are identified by the council's environmental Health Team. The applicant has submitted an Air Quality Assessment in support of the application demonstrating that residents will not be exposed to poor air quality. Suitable Conditions are attached regarding ventilation and the submission of details of proposed plant and equipment.

In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the travel plans 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.

Daylight and Sunlight

The application proposals are accompanied by a daylight sunlight assessment which demonstrates that the proposal would not result in any demonstrable impact on daylight/ sunlight levels to adjoining residential properties in accordance with the criteria contained within the Building Research Establishment (BRE) Daylight/ Sunlight Guidelines.

In relation to the proposed dwellings, the proposed blocks have also been designed on a spacious layout with large gaps between blocks and within courtyards which will allow daylight and sunlight to permeate through the development to both existing and future residential occupiers. The daylight/ sunlight analysis submitted with the application demonstrates that over 90% of habitable rooms will achieve the BRE Guidelines. This is considered satisfactory in the context of the scale and nature of the redevelopment proposals. In addition to this it is noted that the vast majority of units (over 89%) are dual aspect which helps to maximise daylight. Sunlight and improve cross ventilation and outlook.

3.6 Transport, highways and parking

TRIP GENERATION & IMPACT

The development consists of the complete demolition of the Concourse area of the estate containing 630 residential units, the community centre, health centre and children’s nurseries. These will be replaced by 1083 new homes and a new Community Hub containing a new nursery, health centre, Community Hall and café. The development will result in a net increase of 453 homes which will be contained in 13 individual blocks.

The proposed non-residential uses within Plots 10, 11 and 12 will decrease in floorspace in comparison to the existing uses within the site. However, the proposed Health Centre is expected to slightly increase in capacity. Overall the trip generation from the non-residential will be similar or slightly less than existing, and therefore has not been taken into account. In terms of vehicular trips, the net trip generation for the residential units, based on trip rates agreed with officers of the London Borough of Barnet, is summarised in the following table:

Residential Vehicle Trip Generation

	AM Peak Hour			PM Peak Hour		
	Arrivals	Departures	Total	Arrivals	Departures	Total
453 Homes	45	104	149	83	56	139

The proposed development will have a net increase of 149 two-way vehicle trips during the AM peak and a net increase of 139 two-way vehicle trips during the PM peak.

Traffic has been assigned across the highway network based on origin and destination data from the London Borough of Barnet’s Colindale Area Action Plan (CAAP) Model. In addition to capacity assessments of the individual junctions, a microsimulation (PARAMICS) model has been developed to assess the interaction between adjacent junctions.

Overall, the development in net terms is not considered to have a significant impact on the local public highway. The only issue arising from the modelling work undertaken is that the Grahame Park Way/Bunns Lane Roundabout is predicted to operate at capacity within the scope year assessment of 2026. The proposed development will not have a significant impact on Grahame Park Way/Bunns Lane roundabout operation, and the junction is expected to operate at its design capacity with or without the proposed development.

PUBLIC TRANSPORT

The majority of the site currently has a Public Transport Accessibility Level (PTAL) of 2 (poor) with the southern section of Quakers Course and the area to the south of Lanacre Avenue having a PTAL rating of 3 (moderate). The northeastern corner of the site has a PTAL rating of 1b (very poor).

The nearest surface rail station to the development site is Mill Hill Broadway which is located approximately 1.2 kilometres to the north of the centre of the site. Mill Hill

Broadway is on the Luton-London St Pancras International-Sutton (Surrey) line served by trains operated by Thameslink.

The nearest underground station to the development site is Colindale which is on the Edgware branch of the Northern Line. Colindale Underground station is located 915 metres walking distance from the centre of the development site.

The nearest bus stops to the site are located on Quakers Course and Corner Mead. All have shelters with seating and bus information, with the stops served by the following services:

Service	Bus Stop	Route	Daytime Frequency	Daytime Frequency
186	Quakers Course	St Marks Hospital – Brent Cross Shopping Centre	Every 10-13 mins	Every 20 mins
204	Quakers Course	Sudbury town – Edgware Station	Every 8-12 mins	Every 13-14 mins
303	Quakers Course & Corner Mead	Edgware Station – Colindale Superstore	Every 14 mins	Every 30 mins
632	Corner Mead	South Mead – Kilburn Park Station	School Service	-
642	Corner Mead	West Hendon – London Academy	School Service	-
N5	Quakers Course	Trafalgar Square – Edgware Station	-	Every 15 mins

With the removal of Quakers Course, which currently incorporates two central bus stops for the estate, Routes 186, 204 and N5 will no longer be able to turn around. However, they will continue along Lanacre Avenue, where two replacement bus stops are proposed to be placed within the existing lay-bys.

A new through route is envisaged for the route 303 bus which will service three proposed stops.

The route change proposed for the 303 service has been discussed with Transport for London and the London Borough of Barnet and agreed in principle. The proposed route change is expected to save approximately a kilometre per route as the proposals will remove the existing double back section within the estate by connecting Corner Mead to Lanacre Avenue.

The change in route means that three southbound and two northbound bus stops located at the southern part of Corner Mead, next to the RAF Museum on Grahame Park Way and close to junction with Lanacre Avenue (Bristol Avenue) on Grahame Park Way will no longer be served by the service.

However, the route change will still be providing bus stops within 400 metres of the key demand areas and the stops being made redundant have, based on Transport for London data, minimal use.

Proposals to extend the bus route 125 to serve both the London Borough of Barnet's new offices and the new estate have also been progressed. The route would turn right into Corner Mead and right onto Grahame Park Way, therefore providing a service to the stops no longer served by route 303. The proposal would improve the PTAL of the area, resulting in reduced parking demand and associated provision. Funding for this extension is sought via.

These changes will be incorporated into the Wider Sustainable Transport Strategy for Colindale to ensure a comprehensive approach to sustainable transport in the area is progressed.

PARKING (CAR, CYCLE, DISABLED, VISITORS)

Residential Parking

The London Borough of Barnet's Grahame Park Supplementary Planning Document dated May 2016 sets out the car parking approach for the development. The parking ratios proposed for the estate are assigned to particular character areas (Northern, Central and Southern). The indicative parking ratios listed by the Grahame Park SPD for each of the relevant Character Areas and the proposed provision are summarised in the following table

Supplementary Planning Document		Proposed						
Character Area	Ratio	Plot	Dwellings	Off Street Spaces	On Street Resident Spaces	On Street Visitor Spaces	Total Spaces	Ratio
Central	0.9	10 / 11	704	370	125	14	509	0.72
Southern	0.7	12	379	239	33	29	301	0.79
Total			1083	609	158	43	810	0.75

The Grahame Park Supplementary Planning Document originally envisaged that Plots 10, 11 and 12 would incorporate approximately 850 new dwellings. In order to create a viable scheme, the number of units has increased to 1083 and it is therefore a challenge to provide the amount of parking required by the Supplementary Planning Document whilst also creating an attractive, pedestrian-friendly public realm.

Therefore, the proposed development meets and exceeds the parking requirements for Plot 12 located in the Southern Character Area, but fails to meet the 0.9 parking ratio requirement for Plots 10 and 11 located within the Central Character area.

However, the Supplementary Planning Document requirements are based on existing Public Transport Accessibility Levels. The proposals to extend bus route 125 and amend route 303, so that both services operate through the Central Character Area between Plot 10 and 11, result in improved accessibility levels for the Central Area. The calculated PTAL value for the proposed development site would include a PTAL 3 corridor at Lanacre Avenue and the new Primary Road,

which in turn will fade to PTAL level of 2 at the outer boundaries of the development.

Furthermore, while Barnet as a borough has a car ownership/availability of 0.71 cars per household, the car ownership/availability per household in the Colindale ward is lower at 0.60 cars per household and is reduced even further for Grahame Park at just 0.55 cars per household.

Also, a Controlled Parking Zone (CPZ), across the new adopted roads is proposed with residential parking on the adopted highway subject to a residential parking permits being issued by LBB. On the non-adopted streets, a private parking permit scheme will be introduced to cover all of the roads under private control, which could be extended to an additional 20 spaces at the north end of Long Mead, if required. The podium parking areas will be the subject of right to park permits and the visitor parking for the estate is proposed to be managed via two time (short and long term) restraint levels.

Therefore, based on the above and as the parking ratio remains above 0.7 per unit across the site, the provision is deemed acceptable subject to conditions associated with funding for the improved bus provision and the operation of the CPZ.

The podium car parks will provide 79.4% of overall provision, whilst 10.2% of residential parking spaces will be located on adopted public roads, with the remaining 10.4% being on unadopted private roads. The design of the podium / court car park layouts and on street spaces on adopted roads have been reviewed and are considered suitable. The location of the on-street visitor spaces has been clarified and is acceptable, being spread across the development site.

There will be:

- 4 Car club spaces;
- 87 Disabled spaces;
- 161 Active Electric Vehicle Charging Points; and
- 161 Passive Electric Vehicle Charging Points.

The 20% provision for active and 20% provision for passive electric vehicle charging is in accordance with the London and are acceptable. Provision of designated blue badge parking bays at 10% is also agreed, being provided in accordance with Building Standards part M requirements of 1 space per each wheelchair unit. All disabled bays are provided within the podium parking areas.

Non-residential parking

The non-residential parking provision consists of a 34 space (including 3 disabled bays) car park located at the north-east corner of Heybourne Park, and 23 on street parking spaces (including 3 disabled bays).

The proposed parking provision is based on the requirement for 32 staff parking spaces for staff and 25 parking spaces provided for visitors.

The car park will operate via a pay and display system with the following tariffs:

0-20 mins	Free	Up to 3 hours	£5.00
Up to 60 mins	£0.50	5 hours maximum	£10.00
Up to 90 mins	£1.00		

The on street spaces will operate via business parking permits. Fifteen spaces within the car park will have the option to operate via either system

The spaces will be fitted with electric vehicle charging points at a ratio of 20% active and 20% passive, across all types of spaces (standard and disabled).

Cycle Parking

The cycle parking provided exceeds the London Plan requirement of 1635 cycle spaces, with a total of 1659 spaces. All residential and staff cycle parking will be secure and weatherproof. The development proposals therefore conform to the cycle parking requirement of the London Borough of Barnet and the requirements of the London Plan and is secured by condition.

ACCESS

A new street network will create a more legible place and include the provision of a new primary, secondary roads, tertiary streets, shared-surface Residential Streets and a mews. Primary and secondary routes will be adopted by London Borough of Barnet as the local Highway Authority, while the remaining streets and mews will remain private.

The primary route will be designed to accommodate buses with integrated cyclist uses. Parking spaces will be accommodated along the road in a parallel form. There is a proposed raised platform at the central junction of the new primary road with a tertiary road. This will help to assist pedestrians crossing between the proposed development and Heybourne Park. This area adjacent to the park will form a main Park entry and key connection route. The platform will be at least 11 metres long to allow for a bus chassis.

The primary route alongside the Community Hub will create a 'Low Speed Environment'. It is envisaged that speed will be limited in this section to 20 mph with a low kerb to create a pedestrian friendly environment.

The secondary road will be designed to maintain a low speed environment with a degree of horizontal traffic calming. The low speed environment will be achieved mainly by reducing the road width, introducing bends and pinch points with build-out pedestrian crossings.

The minor roads, located between the primary and secondary route will be private estate roads. They will be mostly provided on a shared surface basis with some delineated carriageway. There will be different materials used for those roads and a large variety of planting and street furniture to discourage any parking outside of designated spaces. The general idea leading the internal road design was to create active frontages and provide some local meeting points.

In terms of highways, stopping up and land ownership plans have been revised and will need to be formalised by the Local Authority and the applicant. The final details of the proposed works to be undertaken to the existing public highways and adopted highways will be secured via S2078 agreement. Whilst the remainder of the estate road network will remain private, they will be constructed adoptable standards.

PEDESTRIANS & CYCLISTS

The existing pedestrian network, with all streets and roads having footways on one or both sides of their carriageway, creates a web of paths that connect the buildings and the central Concourse area, as well as connecting to the external footways. However, it can be confusing.

The proposal will have a positive impact on the footway network within the site area. The proposed new footway network will be a lot easier to navigate and will have a more intuitive layout.

The site will provide easy and well defined north-south routes across the site along the new primary and secondary roads. In addition the minor, non-adopted roads will provide clear east-west connections across the development site. This will allow for much better pedestrian permeability in all directions.

In terms of cycle provision, the only positive cycle facilities currently on the highway network adjacent to Grahame Park is a cycle lane provided on the eastbound carriageway of Grahame Park Way and a shared footway/cycle way on the westbound side of the road.

The proposed cycle strategy follows the principles outlined within the Grahame Park Supplementary Planning Document. The primary road is expected to be used by more experienced cyclists, as the road will be used by buses, whilst the secondary road will be designed to enforce a lower speed limit and will offer an alternative route for less experienced cyclists.

A 3m wide off-road shared pedestrian-cycle way will provide a north-south connection through the green corridor of the development. The off-road shared surface cycle lane is expected to be used mostly as a leisure ride route or for people who are not confident cyclists, or children.

MANAGEMENT PLANS

A full Delivery and Servicing Plan and also a detailed Construction Environmental Management Plan which are secured by condition. These would 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 which is also conditioned.

A Residential Travel Plan will be introduced to cover all residential units and will include measures aimed at making people aware of the alternatives to car travel and the benefits of sustainable travel choices. The proposal will include travel voucher incentives to new residents to spend according to their preferred alternative to private car-based commuting.

The Framework Workplace Travel Plan will cover non-residential uses across the site. As there are a number of lessees expected to lease the units a Framework Travel Plan will set out the main guidelines and measures for individual Travel Plans, which in turn will be prepared by the larger individual occupiers and will feed into the framework plan. It is envisaged that occupiers of smaller units or areas will sign up to the Framework by producing Travel Plan Statements as part of their lease agreement.

3.7 Waste and Recycling

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

A suitable condition is attached to ensure the provision of adequate waste and recycling facilities in accordance with the above requirements.

3.8 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

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve zero carbon on new residential developments post 2016. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

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

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

An Energy Report has been support of the application. The energy statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions, including the use of Combined Heat and Power, Photovoltaics and fabric efficiency. The proposed measures achieve the following energy reductions:

Combined total - 57%

Residential - 58%

Non-residential - 35%

In order to achieve zero carbon (and bridge the 42% gap), the proposal needs to mitigate 563 tonnes CO₂. As such the developer is proposing to make a carbon offset contribution of £1,013,400 (based on £60 a tonne over 30 years). The GLA have confirmed in their stage 1 response that the energy strategy is considered acceptable subject to the payment of this contribution.

BREEAM

The Sustainability Statement includes a BREEAM pre-assessment (in relation to the proposed Community Hub) which demonstrates an 'Very Good' level can be achieved for the scheme. An appropriately worded condition is recommended for assessment at the time of detailed assessment to reconfirm the target will be achieved.

3.9 Landscaping, Trees 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.

Landscape and Open Space

As previously mentioned, the application proposes the creation and improvement of several areas of open space, including the new square in front of the new Community Hub, the proposed woodland walk as well as the proposed improvements to Heybourne Park. In addition to this additional planting is proposed along the proposed estate roads along with podium deck gardens for the proposed apartment blocks. Detailed landscaping conditions are included in the list of

suggested conditions which will ensure the Council can secure the future quality of these areas.

Trees

A total of 338 trees and 57 tree groups have been surveyed within and adjacent to the application area, totalling approximately 395 trees. A total of 308 trees are located within the application boundary. These trees would have been planted around the original estate in the 1970's to soften the built environment.

The values are summarised:

BS5837:2012 Trees in relation to design, demolition and construction quality values	Number of trees recorded
Category A high value (Green)	2
Category B medium value (Blue)	94 and 13 groups
Category C low value (Grey)	226 and 43 groups
Category U unsuitable (Red)	16 and 1 group

Table 1 Summary of tree values from submitted tree report by ADAS.

The proposed development requires the removal of 174 individual trees and partial removal of 3 groups of trees, which represents over 57% of the trees currently on plot.

While the loss of this number of trees is clearly regrettable, unfortunately it is necessary due to the need to rebuild Grahame Park with a logical street pattern according to modern urban design principals

Replacement planting is proposed along the proposed roads and in areas of open space, the final details of species and maturity of the proposed planting will be agreed as part of future landscape proposals. In total 326 trees are proposed to be replanted both within the application boundary and Heybourne Park.

Overall it is considered that the proposed tree removal is considered acceptable in this instance in order to allow for the development of the estate, however in order to mitigate the impact of the development it is suggested that trees are replaced at a rate of 2 trees planted to each tree removed, and a S106 clause is suggested requiring replacement planting elsewhere in the wider Grahame Park area in order to achieve this level of reprovion.

Biodiversity

The applicant has submitted a Biodiversity Report in support of their Planning Application. The Biodiversity Reports provides the following assessment of the site at present:

Habitats

No statutory or non-statutory designated sites were identified that would be affected by the Proposed Development, apart from Heybourne Park which is located directly to the west of the Site.

One site with a national or international statutory designation was identified within 5km of the Proposed Development. This site is Brent Reservoir which is designated as a Site of Special Scientific Interest (SSSI).

Within 2km of the Site are twelve Local Wildlife Sites (Sites of Importance for Nature Conservation (SINCS)), the closest of which is Heybourne Park. The western edge of the Park overlaps with the planning application boundary with this section consisting of amenity grassland, a habitat of negligible ecological importance.

Habitats recorded on/around the Site are as follows:

- Amenity Grassland
- Hardstanding (Bare Ground)
- Buildings
- Introduced Shrub
- Scattered Trees
- Dense Scrub
- Species Poor hedgerow
- Tall Ruderal

Amphibians

Records of protected or notable species within 2km of the Site (extending to 5km for bats) were obtained during the desk study. No biological records for Great Crested Newts were noted within the local area and the nearest pond is located 125m to the west within Heybourne Park. A Habitat Suitability Index (HSI) was conducted and identified that the pond was 'poor' for Great Crested Newt Breeding. An eDNA assessment of the pond was undertaken in 2016 to assess the presence/absence, with the results returning as negative for the presence of GCN.

Common toad and Common frog were recorded within 2km of the Site but the habitats on Site are considered sub-optimal for these species.

Badgers

There were no records for badgers in the area and the habitat on Site is unsuitable for this species.

Bats

A number of bats were recorded in the area. The buildings on Site provide some features with potential for roosting bats. A few trees also had features that had the potential to support bat roosts. Results of the emergence/re-entry surveys

undertaken of the buildings on Site identified no bat roosts within any of the buildings. Low levels of Common Pipistrelle activity were recorded at all buildings.

One recording of the Noctule bat was obtained but this and no other species with the exception of the Common Pipistrelle were recorded again. Bat activity transects only recorded the Common Pipistrelle occurring at low numbers commuting and foraging within the Site predominantly near Heybourne Park. A climbing inspection was carried out which found that four trees surveyed provided features suitable for roosting bats, although no evidence of bats was found.

Birds

The Site presents limited opportunities for notable bird species, with potentially only House Sparrow and Starling likely to use the Site. Birds were noted on Site including Crow, Magpie and Feral Pigeon.

Dormouse

There are no records of Dormouse within 2km and the Site is unsuitable for this species.

Invertebrates

One record of Stag beetle was found within 1km of the Site, but the habitats on Site are not suitable for supporting this species.

Otter

Records for Otter in the local area were identified, however the Site does not support suitable habitat for this species.

Reptiles

Common Lizard and Slow Worm were recorded within 2km of the Site however it is extremely unlikely these could commute to the Site. The Site contains habitats considered sub-optimal for these species.

White Clawed Crayfish

There is no suitable habitat for this species in or in the vicinity of the Site.

Non-native Invasive Plants

Wall Cotoneaster was identified growing on Site within Plot 12 during the survey and will need to be disposed of appropriately. As it was not possible to gain access to every garden there is the potential that Cotoneaster plants or Schedule 9 species may be present on Site.

Other Notable Species

Records of European Hedgehog and Common Toad were obtained, however habitats on Site were sub-optimal for both species and therefore unlikely that either will be present on Site.

Ecological and Enhancement Measures

The Biodiversity report also proposes the following ecological mitigation and enhancement measures:

Survey / Action	Rationale	Timing / Notes
Protect Heybourne Park during construction.	Protect the green space.	During construction.
Inspection of trees with bat roost suitability	Features have been identified on four trees which could be used for bat roosts	Immediately prior to felling.
Soft felling of nine trees	The trees have suitability to support bat roosts.	During construction / Any time of the year.
Provision of 9 bat boxes	To enhance the site for bat species currently foraging and commuting in the area	During and/or post construction.
Include native species landscape planting	To attract insects which bats eat	Post construction.
Nesting Bird Checks	Potential for nesting birds to use trees and buildings during breeding season.	Checks to be undertaken if building demolition or vegetation removal to be conducted between March and August inclusive.
Wall Cotoneaster	Non-native invasive species which must not be spread off site.	Check ahead of clearance works of ornamental beds for the presence of the plant. If to be removed, arisings containing this plant must be disposed of appropriately.
Scattered trees	An ecological feature on site that fits within Barnet's Local Plan Policy CS7.	Design Site to retain trees where possible and to connect up with Heybourne Park.
BS:5837 -2012 Trees in relation to design, demolition and construction	In order to protect the trees carry out all recommendations within the BS:5837 report (ADAS 2015).	During construction.

These measures are considered proportionate and are acceptable to the Council. A suitable condition is attached requiring final biodiversity enhancement measures to be agreed by the Local Planning Authority,.

Flood risk, Water Resources, Drainage and SUDs

In support these considerations Flood Risk is considered within the submitted Environmental Statement

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding. The proposed development is acceptable in this zone and there is no requirement for exception and sequential testing of the acceptability of the scheme.

In line with policy requirements the proposed development proposes to restrict surface water discharge rates from Site to a maximum of 265.4l/s for the 100year +40% for climate change storm, subject to agreement by Thames Water, which is done through the provision of 3550m³ of surface water attenuation, provided by a combination of tanks, subbase storage, swales and detentions basins.

Swales and detention basins are proposed to attenuate surface water runoff from adopted roads before discharging into Thames Water surface water sewers. As well as reducing the peak discharge rates, this strategy also aims to increase the quality of surface water discharged from Site by utilising drainage systems such as swales, detention basins and petrol interceptors.

Foul water drainage has also been considered as part of this strategy. Due to the increase in the number of units in the Proposed Development, the peak foul water discharge rates have increased from 29.2l/s to 50.1l/s. To accommodate this offsite reinforcement of the foul sewer network has been agreed with Thames Water.

The Environment Agency and Thames Water have been consulted on the application. No in principle objection has been raised, however Thames Water have requested the imposition of a Grampian Style Condition which is included in the list of suggested conditions.

3.10 Other matters

Utilities

In support of the application a Utilities report has been submitted in support of the application. The utility report advises that existing below ground utilities will be removed on demolition and site clearance with new infrastructure being installed during the construction of the new blocks.

It is concluded that the proposed redevelopment scheme can be delivered without any abnormal utility constraints. Furthermore, given the inclusion of renewable energies and rainwater harvesting within the proposed redevelopment scheme, there are not expected to be any future capacity restrictions or abnormal reinforcement requirements.

In regards to sewer infrastructure, Thames Water have requested a Grampian style condition is imposed requiring the drainage strategy to be agreed which is included in the list of suggested conditions.

Ground conditions and Contamination

In regards to potential contamination, the submitted Environmental Statement recommends that a site investigation is carried out which has been secured by condition. Subject to the attachment of this condition scientific services raise no objections to the proposal.

3.11 Viability, Planning Obligations & CIL

S106 obligations & viability

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.

The full list of planning obligations is set out in the heads of terms to this report.

In summary the scheme includes **62%** affordable housing by habitable room which will be secured by legal agreement, along with other contributions such as the provision of the new Community Hub, the remodelled Heybourne Park improvements, carbon offset payments along with the requirements to address the transport impacts of the proposal in the form of securing the highway and public transport improvements.

LB Barnet CIL

As noted in SPD para 2.2.11, the purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.

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 not chargeable (SPD Para 2.2.14).

Mayoral CIL

Pursuant to the 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 the application, this

In total approximately the applicant's supporting documents indicate that £8,524,820 will be payable under both Barnet and Mayoral CIL before affordable housing relief is taken into account.

4. EQUALITY AND DIVERSITY ISSUES

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

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

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

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

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

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

A minimum of 10% of units will be wheelchair adaptable.

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

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

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

7. CONCLUSION

In conclusion, the scheme is considered acceptable on balance having regard to relevant national, regional and local planning policies and guidance. The principle of the redevelopment of the Grahame Park Estate is considered acceptable and accords with national, regional and local plan policy guidance

An ES has been submitted which robustly assesses the proposed development against a full range of topics and identifies appropriate mitigation such that there are no significant adverse impacts posed by the scheme.

The proposed detailed design is considered to be high quality with appropriate levels of amenity space, public open space and residential standards achieved for future occupiers reflecting a development of this intensity and balanced with the

need to optimize the use of the site. The proposal would also provide a purpose built Community Hub along with improvements to Heybourne Park.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The potential transport impacts of the scheme have been considered and appropriate mitigation proposed in the form of the amendments to the bus network, provision of a detailed travel plan as well as improvements to access and connectivity as part of the proposal.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed including a carbon offset payment to achieve mayoral standards for a reduction in CO2 emissions.

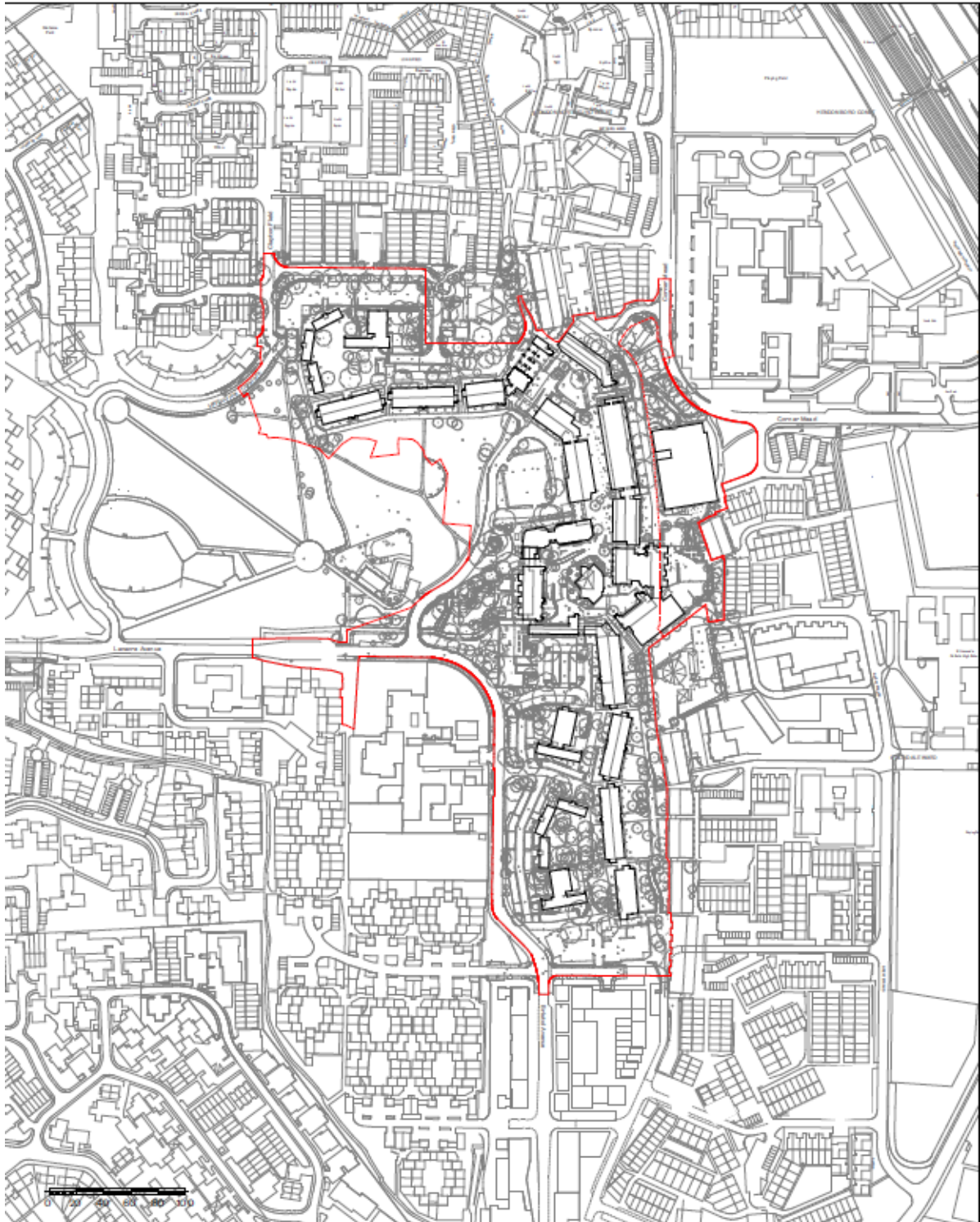
A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site with appropriate treatments and species and mitigation.

The scheme has also considered utilities provision and contamination and appropriately worded conditions are recommended. The scheme is considered to be appropriate and acceptable having regard to the full range of considerations in this report including the stated policies and guidance.

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 referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.

SITE LOCATION PLAN: Grahame Park, London NW9

REFERENCE: 17/2840/OUT



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Location **Old Fold Manor Golf Club Old Fold Lane Barnet EN5 4QN**

Reference: **17/5047/CON**

Received: 2nd August 2017

Accepted: 9th August 2017

Ward: High Barnet

Expiry 4th October 2017

Applicant: Mr Mike Bishop

Proposal: Submission of details of conditions 4 (Landscaping) 5 (Excavation) 7 (Tree Protection) 8 (Tree Felling and Pruning) 9 (Landscape Management Plan) 10 (Construction Management and Logistics Plan) pursuant to planning permission 15/03873/FUL dated 08/08/17

AGENDA ITEM 10

Recommendation: Approve

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal 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)

Informative(s):

- 1 The documents accompanying this application are:
 - Covering letter from agent dated 2 August 2017 and 27 September 2017.
 - HydroLogic Services letter dated 25 September 2017 and Drawing 105.07b (received 27 September 2017).
 - EcoScope 25 year habitat management, creation and aftercare report Rev 4, EcoScope Tree Felling Phasing Program Rev 4, Tree Protection and excavation method statement Rev 3, covering letter from agent dated 31 October 2017 and Drawing Nos. 105.05L, 06L,07a A, 17A (received 31 October 2017).
 - Agent email dated 3 November 2017.

- 2 The applicant is reminded that any tree removal works must only take place in accordance with the timescales set out on Drawing 105.17A.

Officer's Assessment

1. Site Description and background

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

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

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

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

Planning application 15/03873/FUL proposed the recontouring of western boundary alongside St Albans Road to form safety banks between 1 and 4 metres high. Creation of driving range with six covered range bay and attenuation pond, short game academy course, minor modification to hole 10. Temporary construction access from St Albans Road. The application was referred to the Planning Committee on 29 March 2017, and the committee resolved to approve the application, subject to conditions and the completion of a legal agreement. Following completion of the legal agreement, planning permission was granted on 8 August 2017.

As part of the deliberation of the application, Members specified that any submission pursuant to condition 4 (Landscaping) should be referred to Planning Committee to consider. The current application relates to a number of conditions including landscaping, and therefore falls to be considered by committee.

2. Consultation

Consultation has been undertaken with the Planning Trees and Landscape Officer, Barnet's Traffic and Development Team and Environmental Health team, and Hertfordshire County Council via Hertsmere Borough Council. The consultation responses are summarised within the appraisal at Section 5 below.

In addition, two public responses have been received to this submission:

The objection can be summarised as follows:

- Construction management plan fails to address requirements in the condition.
- Document should set out overall absolute maximum deliveries to the site.

The comment can be summarised as follows:

- Insufficient new trees are shown, and some species have been omitted.
- Insufficient information is given in the 25 year management plan.
- There is a risk of lorry and foot traffic damaging trees.

Following the receipt of the above comments, amended documentation has been received. The author of the objection does not consider their concerns have been addressed.

The Barnet Society have confirmed:

- Pleased to see how much the landscape proposals have developed over the last three years. We particularly welcome the increased quantity, variety and distribution of new trees, though - on a point of detail - we would prefer smaller *Pinus sylvestris* to be planted.
- We still believe a replacement stile should be provided, set back from the road not less than 1.5m (to avoid pedestrians walking straight onto St Albans Road).
- We are also unconvinced of the merits of swales over permanent land drainage.
- Finally, we remain puzzled about the sequencing of felling, ground-forming and planting, particularly along St. Albans Road, in view of the risk of lorry and foot traffic damaging roots, foliage and earlier phases of work. The Proposed Phasing & Works Plan no. 105.13G (in the original application 15/03873/FUL) was no help, and the latest information throws no new light on this. It is not helped by inconsistencies about the quantity of Poplars to be felled (32 in the Habitat Management Report, 34 in Woodland's letter dated 27 September 2017).

3. Policy Context

Relevant Development Plan Policies:

- London Plan (2016)
- Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5, CS7 and CS9.
- Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM06, DM15, DM16 and DM17.
- Sustainable Design and Construction SPD (2016)

4. Assessment of proposal

Condition 4 - Landscaping

The condition states:

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

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

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

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

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

The original planning application was approved on the basis of the provision of some 7500 square metres of woodland planting, amounting to 2835 new trees being planted at the site. As part of the condition submission, Officers initially raised concern in respect of the proposed planting density, and the eventual appearance of the site when the planting eventually becomes established. Concerns were also raised in respect of the planting sizes, with too large a proportion of new planting being smaller sized "whips" initially and fewer larger 'standards'. During the course of the submission, this has been amended.

The applicant is now proposing to plant, including the hedgerow enhancement a total of 6735 trees at the site. Of these, 4975 will be trees within the woodland blocks. The climax tree species (to be planted as standards, toward the higher parts of the proposed mound) include Hornbeam, English Oak and Lime. The woodland edge species (to be planted as whips, closest to St Albans Road) would include Hazel, Hawthorne and Elder. Between the two groups, nurse species (to be planted as feathered) would include Birch, Field Maple and Scots Pine. The trees would be planted in a similar manner at the proposed driving range and short course are set within the site. Officers consider that the proposed landscaping, given both the number of trees and the proposed planting sizes, would make an appreciable contribution to the landscape to offset the removed Poplar trees and ensure the long term success of this development. They would ensure that the development preserves the character and appearance of the conservation area.

In addition to the planting, the existing hedgerow alongside St Albans Road would be retained and 440m of hedgerow enhancement would be undertaken. This would further visually enhance the character and appearance of the site on completion of the works.

The proposed landscaping is considered to mitigate satisfactorily against the loss of the established row of Poplar trees alongside St Albans Road. On this basis, the landscaping scheme is considered acceptable pursuant to condition 4.

Condition 5 - Excavations for services

The condition states:

a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site, along with the method of excavation and installation have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015)

In respect of services, the applicant has advised that the only excavations within the site would be undertaken for the installation of drainage. There will be no other services installed. In terms of the drainage, alongside St Albans Road a swale will be constructed at the bottom of the proposed mound, running parallel to St Albans Road. This will be constructed using a no-dig procedure, which ensures it will be constructed on the

proposed mound and will not be constructed in a way that risks tree roots being severed. Furthermore, the design of the swale has been assessed by a hydrological consultancy and they have confirmed that the design of the swales is such that water from the mound would generally gather in an area not immediately abutting the retained trees along the site boundary. The swales have been designed to avoid any adverse impact on the trees and would be constructed by hand to avoid any adverse impact that machinery could cause to tree root systems by ground compaction or direct physical damage to trees.

The drainage to the driving range would be set outside of the RPA of retained trees, with a swale used to convey water to an attenuation pond.

The submitted details have demonstrated that existing trees to be retained would be safeguarded and on this basis are considered acceptable pursuant to condition 5.

Condition 7 - Tree Protection and Method Statement

The condition states:

a) Notwithstanding the details submitted with this application, no site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) which includes details of development phasing and the construction of the temporary haulage road and method of removal of this road following completion of the development have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees to be retained on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature to the site and the wider area in accordance with Policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

The applicant has submitted a proposed tree protection plan and method statement. In terms of protective fencing, the developer is proposing to install Herras style fencing around all existing trees proposed for permanent retention. That fencing will be installed prior to any works taking place on site, and removed only once all development works are completed. This fencing is proposed specifically in areas where incursions by mechanical machinery is high risk.

For the remainder of the tree protection, Euromesh fencing (ie plastic mesh fencing) would be installed. The applicant has confirmed that protective barriers will only be completely removed once all machinery has left each phase. The site operatives will be made aware of the requirement for the no dig construction method within the sensitive areas of retained trees, with works taking place in stages to contain the development works and enable management.

The applicant has confirmed that a site arboriculturalist would visit the site during the preliminary phases of the construction of the roadside mound (which is estimated to take eight weeks) to ensure the protective fencing is constructed to the correct specification and in the correct location. Two random inspections would also be carried out. The preliminary stages of the construction of the driving range and short course would also be reviewed by an on-site arboriculturalist.

The retained Poplar trees would be inspected in years 2, 3, 4, 5 and 6 following completion of the development.

The temporary haul road within the site would be excavated to a depth of 450mm, after which a hard core would be added to create a finished road surface. This would all take place outside of the root protection area of any retained tree. The haul road would be removed as the mound is constructed, with the indicative turning circle shown on the submitted plans being migrated north as works progress. It would remain outside of the RPA of retained trees. The developer has confirmed that trucks will deposit material at the working face of the mound. The material will be shaped by a bulldozer and 360 excavator, however in the areas of no dig (primarily under the Poplars and retained trees, the material will all be spread and shaped using manual labour. This includes the construction of the no-dig swales.

The submitted means of tree protection, and the construction methodology within the RPA, is considered acceptable. The no-dig solution has been designed to ensure no adverse impact on the root system of retained trees. The haul road will not impact on the RPA of retained trees. On this basis, the submission is considered acceptable pursuant to condition 7.

Condition 8 - Tree felling and pruning specification

The condition states:

a) Notwithstanding the details submitted with this application, no site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling and pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition, and the Landscape and Ecological Management Plan, and all in accordance with British Standard 3998 (Recommendation for Tree Works).

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

In respect of the removal of Poplar trees, an informative attached to the original grant of planning permission makes it clear that the tree removal works shall take place on a phased basis, with full details of this phasing being submitted. The applicant has proposed a scheme which involves the removal of the remaining 44 Poplar trees over a 6 year period. In the first year, a total of ten trees would be removed, including seven Poplar trees which are severely diseased and must be removed immediately. Ten trees would be removed at year three, ten at year five and the final 14 at year six. This phasing program enables a linear boundary of Poplar trees to be seen on site up to the final felling. In this

time, the proposed planting would have the opportunity to become established which would mitigate the visual impact of the loss of the trees.

It is acknowledged that whilst the Poplar trees are shown on plan to be retained, the proposed bund alongside St Albans Road will be constructed and this will include/involve mounding material up to and around the poplar trees. This will inevitably have some adverse impacts on the longer term longevity of these trees. The applicant is concerned that the provision of robust protection to these trees would cause delays to the timescales of the development, despite the inevitability that the entire row of Poplar trees will be removed in time. The LPA considers that on balance the proposed tree protection measures and development methodology is acceptable to provide for the temporary retention of the trees for the period of this phasing program.

The proposed phasing and tree removal works are considered acceptable pursuant to condition 8.

Condition 9 - Landscape management

The condition states:

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

A 25 year habitat management, creation and aftercare report has been submitted, which details how the proposed landscaping would be planted and maintained for a 25 year period. As explained during the original planning application, the scheme includes substantial woodland planting and establishing some 11250 square metres of wildflower planting. Wetland habitat would also be created around the proposed attenuation pond. Other ecological enhancement works include the provision of log piles within the site, to retain some on-site timber from the felled trees to provide habitat.

The 25 year management plan sets out in detail how the proposed new planting would be installed and maintained. It includes provision for any shrubs and trees to be replaced if dead, misshapen or diseased, with plants of identical specification, and the relevant consents sought from the Local Planning Authority prior to any other tree works taking place which fall within the scope of a S211 Notice of Intent. The plan includes provision to, after 10 years, thin the canopy of the woodland planting where the canopy cover approaches 100%, in order to favour the climax species.

Condition 10 - Construction Management and Logistics Plan

The condition states:

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

- i. details of the routing of construction vehicles to and from the site from the A1(M) J1/M25 J23 at South Mimms, hours of access, access and egress arrangements within the site and security procedures;*
- ii. site preparation and construction stages of the development;*
- iii. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;*
- iv. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;*
- vi. noise mitigation measures for all plant and processors;*
- vii. details of contractors compound and car parking arrangements;*
- viii. Details of a community liaison contact for the duration of all works associated with the development;*
- ix. details of hours of construction activities detailing scheduling of deliveries, loading and unloading of plant and materials;*
- x. a schedule of deliveries including maximum vehicle movements per day, and days within the months when deliveries will take place, over the life of the construction works.*

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.3 and 5.18 of the London Plan (2015).

The Construction Management and Logistics Plan provides for adequate controls over the construction work, including confirmation that all vehicles used in connection with the application site will travel from and to the site via St Albans Road and the South Mimms/M25 J23 roundabout. The plan has also confirmed the working hours of the site, which accord with the council's standard construction site working hours.

This plan has also been submitted to Hertsmere Borough Council, to enable them to consult Hertfordshire County Council as Local Highway Authority. Hertsmere have not formally determined their submission (at the time of drafting this report), however they have informally confirmed that Hertfordshire County Council are satisfied with the submission.

On this basis, the submission is recommended for approval.

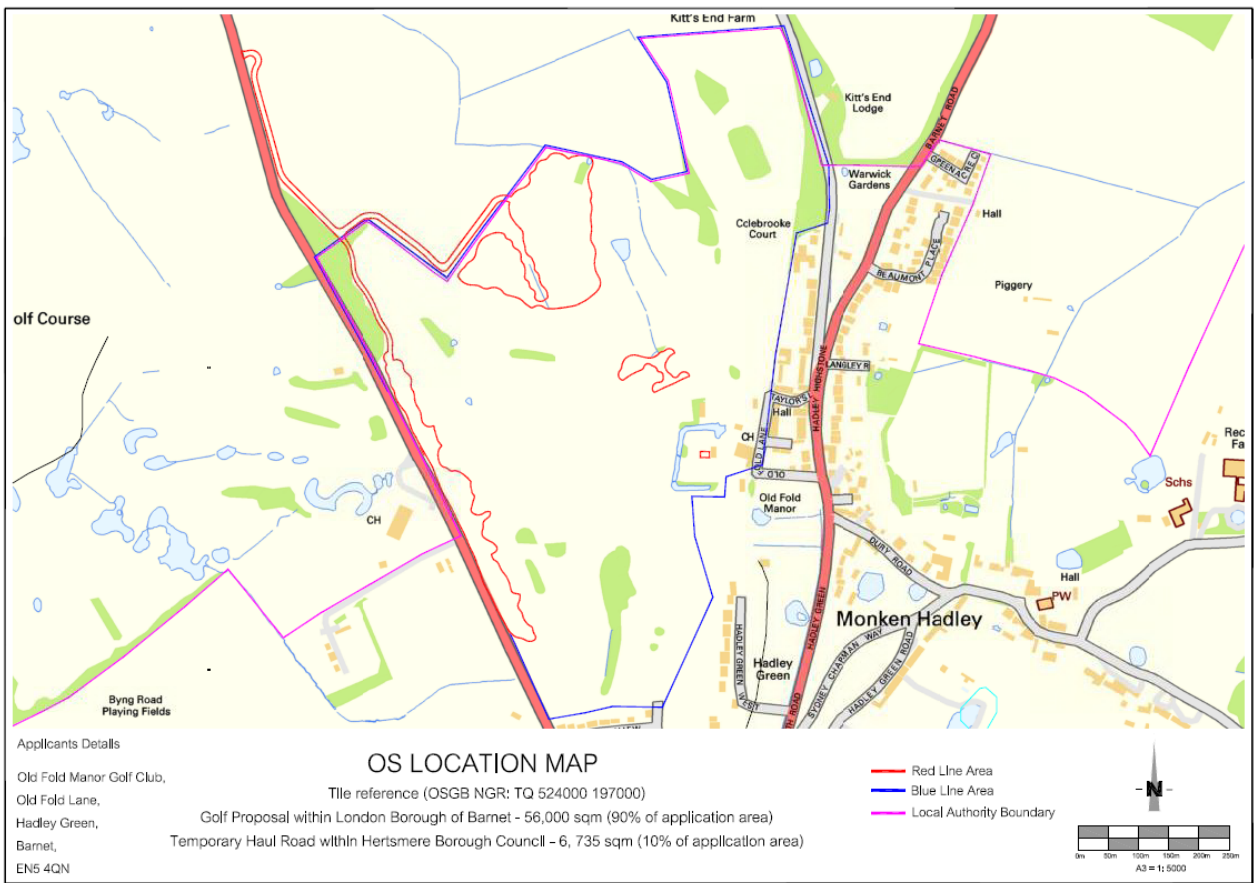
5. Response to public consultation

The construction management plan does provide details in respect of all individual elements required by the planning condition.

The other comments are addressed in the appraisal above.

6. Conclusion

The submitted details are considered to be acceptable pursuant to the conditions, and this application is therefore recommended for approval.



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