

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 28TH MARCH, 2018

AT 6.30 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

Councillors

Maureen Braun
Claire Farrier
Mark Shooter

Eva Greenspan
Agnes Slocombe
Jim Tierney

Stephen Sowerby
Tim Roberts
Laurie Williams

Substitute Members

Anne Hutton
Dr Devra Kay
Hugh Rayner
John Marshall

Sury Khatri
Gabriel Rozenberg
Arjun Mitra

Reema Patel
Philip Cohen
Shimon Ryde

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

Andrew Charlwood – Head of Governance

Governance Services contact: paul.frost@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

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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.	Referral from Chipping Barnet Area Planning Committee	9 - 34
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12.	180199FUL - RAF	175 - 194
13.	Phase 4c, Millbrook Park	195 - 234
14.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

21 February 2018

Members Present:

AGENDA ITEM 1

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

Councillor Maureen Braun	Councillor Mark Shooter
Councillor Claire Farrier	Councillor Laurie Williams
Councillor Eva Greenspan	Councillor Jim Tierney
Councillor Stephen Sowerby	Councillor Anne Hutton (as substitute)
Councillor Devra Kay (as substitutes)	

Apologies for Absence

Councillor Tim Roberts Councillor Agnes Slocombe

CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting, explained the speaker rules and that the meeting would be audio recorded.

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on **8 February 2018**, be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies for absence were received from:

1. Councillor Slocombe who was substituted by Councillor Kay.
2. Councillor Roberts who was substituted by Councillor Hutton.

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

Councillor Hutton declared a non-pecuniary interest in relation to agenda 6 – as she is a governor for a school adjacent to the Playing Fields.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

The Committee noted the addendum.

6. MONTROSE PLAYING FIELDS, MONTROSE AVENUE, COLINDALE, NW9 5BY - 17/1929/FUL

The Planning Officer introduced the report and addendum, which related to Montrose Playing Fields.

Following discussion of the item, the Chairman moved to vote on the recommendation in the addendum, which was to approve the amended conditions.

The votes were recorded as follows:

For	11
Against	0
Abstain	0

The Committee therefore **RESOLVED to APPROVE** the amended conditions as per the officer's report and addendum.

7. BRENT CROSS CRICKLEWOOD REGENERATION AREA - 17/6662/RMA

The Planning Officer introduced the report and addendum, which related to Brent Cross Cricklewood Regeneration Area.

A representation in support of the application was heard from Eileen Douglas.

Following discussion of the item, the Chairman moved to vote on the recommendation in the cover report, which was to approve the application subject to conditions.

The votes were recorded as follows:

For	11
Against	0
Abstain	0

The Committee therefore **RESOLVED to APPROVE** the application, subject to the conditions as per the officer's report and addendum, and the additional informative.

8. PHASES 9A & 9B, MILLBROOK PARK, FRITH LANE, LONDON, NW7 1PX - 17/7662/RMA

The Planning Officer introduced the report and addendum, which related to Phases 9a & 9b, Millbrook Park.

A representation was made by the ward councillor, Councillor Sury Khatri.

A representation was made by the applicant's agent Tim Sturgess.

Following discussion of the item, the Chairman moved to vote on the recommendation in the cover report, which was to approve the application subject to conditions.

The votes were recorded as follows:

For	11
Against	0

Abstain	0
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The Committee therefore **RESOLVED to APPROVE** the application, subject to the conditions as per the officer's report and addendum, and the additional informative.

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

None.

The meeting finished at 8.00 pm

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	AGENDA ITEM 6 Planning Committee 28 March 2018
	<p>Title Referral from Chipping Barnet Area Planning Committee</p> <p>Report of Head of Governance</p> <p>Wards All</p> <p>Status Public</p> <p>Enclosures Appendix 1: Application - Wessex Court 51 West End Lane Barnet EN5 2RA Appendix 2: Chipping Barnet Area Planning Committee 22.2.18 Addendum to Officers Report - Wessex Court 51 West End Lane Barnet EN5 2RA Appendix 3: 177820FUL - Wessex Court, 51 West End Lane Barnet EN5 2RA - Additional information</p> <p>Officer Contact Details Naomi Kwasa Naomi.kwasa@barnet.gov.uk 020 8359 4144</p>

Summary

At the Chipping Barnet Area Planning Committee meeting, held on 22 February 2018, one application was referred to this Committee for consideration.

Recommendations

1. That the Planning Committee note the additional information provided regarding parking provision for the Bell Hills Development as noted in Appendix 3.
2. That the Planning Committee consider the application referred by the Chipping Barnet Area Planning Committee, subject to conditions, as found in the Officers report, Appendix 1, and Addendum, Appendix 2.

1. WHY THIS REPORT IS NEEDED

- 1.1 The Council's Constitution permits the referral of applications to the Planning Committee for consideration and determination.
- 1.2 At the meeting of Chipping Barnet Area Planning Committee held on 22 February 2018, one application was referred to this Committee for consideration and determination, as permitted by the constitution.
- 1.3 The application was referred for the following reason:

Some members of the Area Planning Committee expressed the view that they had inadequate information to determine this application. In order for this application to be determined, officers were requested to provide further information in relation to the calculation of amenity space and the total amount of flats and parking being provided under the development proposed under the planning application in comparison to the total site as a whole. This information is provided to the Planning Committee in Appendix 2.

The Chairman was also mindful of the previous appeal decision on this site by an Inspector on a similar application. The Planning Committee needs to take the Inspector's decision, as highlighted in the original report, into account as a material planning consideration when determining this application.

2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out above.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 N/A

4. POST DECISION IMPLEMENTATION

N/A

5. IMPLICATIONS OF DECISION

- 5.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

Not in the context of this report.

- 5.2 **Legal and Constitutional References**

Article 2, 2.3 (e) of the Council's Constitution states that;

'The Chairman or three Members of an Area Planning Committee may refer an item to the Planning Committee for determination by indicating before the vote is taken that they wish to refer the item and providing reasons for the referral'.

5.3 Risk Management

Not in the context of this report.

5.4 Equalities and Diversity

Not in the context of this report.

5.5 Corporate Parenting

Not in the context of this report.

5.6 Consultation and Engagement

Not in the context of this report.

6. BACKGROUND PAPERS

6.1 [Chipping Barnet Area Planning Committee Thursday 22nd February, 2018 7.00 pm](#)

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Location	Wessex Court 51 West End Lane Barnet EN5 2RA	
Reference:	17/7820/FUL	Received: 11th December 2017 Accepted: 20th December 2017
Ward:	Underhill	Expiry 14th February 2018
Applicant:	Mr M BISHOP	
Proposal:	Demolition of an existing garage and removal of existing roof and creation of a new pitched roof with front and rear dormer roof extensions to provide 8no additional flats at second floor level. Provision of additional 10no off street parking spaces. Provision of refuse, recycling and cycle storage	

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:

423714-2 (Existing Elevations Sections and Roof Plan), 423714-4 Rev A (Proposed Second Floor Plan and Roof Plan), 423714-5 (Site Plan), 423714-5 Rev A (Proposed Elevations and Sections), 423714-10 (Existing Floor Plans) 423714-12 Rev A (Proposed Site Plan), OS Plan, Planning Statement prepared by Joe Henry Planning.

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

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

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

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

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

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

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

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. 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 policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

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

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

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

- 6 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 8 a) Before the development hereby permitted is first occupied, details of enhanced landscaping improvements and seating arrangements to the amenity area(s) including planting of shrubs in the area along the access road and installation of benches in the amenity area nearest to Bell Lane block shall be submitted to and approved in writing by the Local Planning Authority.

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

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

- 9 Before the development hereby permitted is first occupied access to the parking area from the public highway, the access to the parking spaces, turning and parking spaces including a disabled space shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

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

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

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

- 11 Notwithstanding the plans submitted, before development commences, details of the gates and the operation of the gated vehicular access as indicated on Drawing No. 423714-12 Rev. A, including maintenance contract details of electronically operated gates, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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

12. a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 10% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 10% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

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 2015..

Informative(s):

- 1 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. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

3 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding

public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 4 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 metres.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 5 Gates/barriers if proposed in conjunction with crossovers will be set back by 6 metres from the back of the public highway for the vehicular access from West End Lane. This is to ensure that no vehicles are waiting or queuing on public highway due to gates waiting to open and priority will be given to vehicles coming off the public highway. Consideration will be given to the location of the gate/barrier to ensure that waiting vehicle does not cause any obstruction to the free flow of traffic on public highway. Electronic gated access is preferred to ensure minimal adverse impact on public highway.
- 6 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially

registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 7 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

Officer's Assessment

Officer's Assessment

1. Site Description

The site property is a two storey residential block of flats built in the 1980's as part of the redevelopment of an old factory Site. The development comprises of sixteen flats.

The neighbouring properties are mainly 2 storey Victorian terraced Cottages on West End Lane. To the rear of the site are two storey developments and a 3 storey development plus mansard fronting Bells Hill.

2. Site History

Reference: C04719

Address: Wessex Court Wessex Way NW11

Decision: Refuse

Decision Date: 23 January 2017

Description: Erection of 4 three-room flats

Reference: N02251K

Address: Factory Site West End Lane; Bells Hill Barnet

Decision: Approved

Decision Date: 24.05.1984

Description: Redevelopment of factory site comprising two-storey block of sixteen flats fronting West End Lane, with 16 garages and two parking spaces, part three part four-storey block of 26 flats fronting Bells Hill with 14 integral garages and 16 parking spaces.

Reference: C04719A

Address: Wessex Court Wessex Way London NW11

Decision: Refuse

Decision Date: 28 March 1985

Description: Single storey rear extension to form self-contained flat.

Reference: 16/3985/FUL

Address: Wessex Court 51 West End Lane Barnet EN5 2RA

Decision: Withdrawn

Decision Date: 22 August 2016.

Description: Removal of existing roof and creation of a new mansard roof to provide 8no. additional flats at second floor level.

Reference: 17/0453/FUL

Address: Wessex Court 51 West End Lane Barnet EN5 2RA

Decision: Refused

Decision Date: 10 May 2017

Description: Removal of existing roof and creation of a new mansard roof to provide 8no. additional flats at second floor level. Addition of 18 off street parking spaces

Reason(s)

1. The proposed mansard roof due to its bulk, mass and excessive number of dormer windows would appear overly bulky, cluttered and out of scale with the prevailing character of West End Lane, relating poorly to neighbouring buildings and appearing obtrusive and incongruous. This would be detrimental to the character and appearance of the site

property, streetscene and the local area contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

2. Insufficient information has been provided in respect of refuse and recycling storage facilities together with cycle storage facilities to demonstrate that the facilities required by the 8 additional flats, could be satisfactorily provided within the curtilage of the application site. In the absence of such information the proposal would be detrimental to the character and appearance of the street and harm the living conditions of both neighbouring occupiers as well as future occupiers of the development contrary to policies DM01 and DM17 of the Adopted Barnet Development Management Policies DPD (2012) and CS9 and CS14 of the Adopted Barnet Core Strategy DPD (2012), the Sustainable Design and Construction SPD (adopted October 2016) and Residential Design Guidance SPD (adopted October 2016).

3. No additional amenity space is proposed to serve the residents of the new flats, and the development would therefore fail to provide satisfactory living conditions for existing and future occupiers, contrary to policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and the Sustainable Design and Construction SPD (October 2016).

Appeal: Dismissed on the basis of amenity space and provision of refuse and recycling facilities.

Appeal Decision Date: 07.11.2017

Reference: 17/4338/FUL

Address: Wessex Court 51 West End Lane Barnet EN5 2RA

Decision: Refused

Decision Date: 24 October 2017

Description: Demolition of an existing garage and removal of existing roof and creation of a new pitched roof with front and rear dormer roof extensions to provide 8no. additional flats at second floor level. Provision of additional 18 off street parking spaces. Provision of refuse, recycling and cycle storage

Reason(s)

1. The proposed roof due to its bulk, mass and excessive number of dormer windows would appear overly bulky, cluttered and out of scale with the prevailing character of West End Lane, relating poorly to neighbouring buildings and appearing obtrusive and incongruous. This would be detrimental to the character and appearance of the site property, streetscene and the local area contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

2. Insufficient information has been provided in respect of refuse and recycling storage facilities to demonstrate that the facilities required by the 8 additional flats, could be satisfactorily provided within the curtilage of the application site. In the absence of such information the proposal would be detrimental to the character and appearance of the street and harm the living conditions of both neighbouring occupiers as well as future occupiers of the development contrary to policies DM01 and DM17 of the Adopted Barnet Development Management Policies DPD (2012) and CS9 and CS14 of the Adopted Barnet Core Strategy DPD (2012), the Sustainable Design and Construction SPD (adopted October 2016) and Residential Design Guidance SPD (adopted October 2016).

3. Insufficient detail has been submitted to show that the amenity space would adequately serve the existing residents of Wessex Court, the Bells Hill flats and future occupiers of the new flats and the development would therefore fail to provide satisfactory living conditions for existing and future occupiers, contrary to policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and the Sustainable Design and Construction SPD (October 2016).

3. Proposal

The proposal is for the demolition of an existing garage and removal of existing roof and creation of a new pitched roof with front and rear dormer roof extensions to provide 8no additional flats at second floor level. Provision of additional 10no off street parking spaces. Provision of refuse, recycling and cycle storage.

The dwelling mix would be 3 studios, 1 x 1 bed flat and 4 x 2 bed flats.

The current proposal has been amended to take into account officer and the appeal inspector's comments with regards to the proposed amenity spaces and the bin storage and recycling areas. In addition, the proposal amends the number of additional car parking spaces reducing it from 18 to 10 spaces in total.

4. Public Consultation

290 consultation letters were sent to neighbouring properties.
68 responses have been received, comprising 40 letters of objections, 28 letters of support and 0 letter of representation.

The objections received were mainly from residents of Wessex Court and West End Lane.

The objections can be summarised as follows:

- Out of character
- Bulky and over bearing
- Insufficient Parking provision
- Impact on traffic
- Noise & disturbance
- Impact on outlook / view
- Overlooking
- Existing infrastructure inadequate to support proposed
- Existing green areas could be affected to provide more parking
- Problems with existing drainage will be compounded.
- Impact on existing trees
- housing target is being met
- inadequate amenity space
- proposed parking are existing
- impact of construction traffic
- narrow road, insufficient access.

The comments supporting the proposal can be summarised as follows

- Sufficient parking
- cycle parking space will encourage cycling

- Inconvenience would occur anyway if roof was to be replaced under permitted development rights
- Provision of more housing
- Studios present an opportunity for first time buyers
- Roof lower than existing, will not affect view of neighbouring residents
- Improved car park will enhance privacy and security
- Improvement to the general area
- Increase in value of existing flats
- Improvement to appearance of existing building
- Construction works will be minimal

Representation from Barnet Residents Association

- The reason (1) given for rejecting the previous application was in our view the most important and the applicant has not offered any reason why this might now be invalid. This reason can be developed further.
- The officers report on the previous application referred to neighbouring properties being predominantly two-storey Victorian cottages. But much of the street is formed of maisonettes, hence our view that this street already has a very dense level of housing and why we considered the existing block of flats was essentially an instance of over-development.
- The heading to policy DM01 refers to 'character and amenity' and so the reference in DM01(b) to preserving local 'character' should rightly embrace the amenity impact. In this context the officers report on the previous application referred to the development harming the living conditions of ... neighbouring properties. Quite so, which is why this further application should be rejected.

Representation from Cllr Wendy Prentice

- Call in to committee if application is to be refused.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital. 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.

Draft London Plan 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

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, DM08, DM17

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted 2016)

Sustainable Design and Construction SPD (adopted 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the proposals would have a harmful impact on the character and appearance of the streetscene and general locality
- Whether the proposals would have an acceptable impact on the amenities of neighbouring and future occupiers
- Whether the proposals would have an acceptable impact on highway and pedestrian safety.

5.3 Assessment of proposals

The existing block is two storeys high and the overall height is very similar to the height of the adjacent Victorian houses. The flats are seen within the context of the Victorian houses in West End Lane as the property facing Bells Hill has a different setting and context. Considering the block and the Victorian houses differ markedly in terms of their elevational treatment, the consistency in their height together with their roof form and alignment helps to assimilate the block of flats into the area.

The previous two applications (17/0453/FUL & 17/4338/FUL) which are almost identical to the current application were refused by Committee due to bulk, mass and excessive number of dormer windows and the impact it would have on the character of the existing building and the character of the area. The applicant appealed against the Council's decision in respect of refused application ref: 17/0453/FUL and the appeal was subsequently dismissed for the under provision of amenity space and the harm this would have on the living conditions of both existing and future residents.

(The Inspector also commented that the bin and cycle storage adjacent to amenity space, together with its enlargement could encroach on amenity space provision which, given the under provision of amenity space, would be unacceptable).

The Inspector did not consider the size, bulk and massing of the proposed second floor and the number of dormer windows would harm the character of the area.

It should be noted the Inspector's decision would form material planning consideration to the assessment of this application.

This scheme proposes a total of 8 number of units which is identical to the previously refused schemes. However the roof form, amenity space provision, access, refuse and recycling storage facilities and cycle storage facilities differs between the appeal scheme and the two subsequent schemes. This proposal is similar to the recently refused scheme (17/4338/FUL) than the appealed scheme (17/0453/FUL). Both the refused scheme (ref: 17/4338/FUL) and the current scheme proposed a pitched roof whilst the appeal scheme was for a Mansard roof extension. The number of proposed new parking spaces for both the refused applications was 18. Under this application this would be reduced to 10 spaces to allow for an improved access width and refuse and recycling storage facilities to be provided within the site. The amenity space provision has also been increased to comply with the councils standards which also include the provision of amenity space for the existing units at Bells Hill flatted development.

Impact on the character of the area

The proposed roof extension and dormers are exactly the same as the previous scheme (17/4338/FUL) which was refused in October 2017 and similar to the appeal case (17/0453/FUL). Whilst the appeal was dismissed in respect of application ref 17/0453/FUL the inspector did not consider there would be any harmful impact on the character and appearance of the area.

The Inspector was of the opinion that the proposed dormers would transform the buildings "somewhat institutional appearance into one that would be more recognisably domestic, and would relieve its massing". Furthermore, he opined that "the part of the building with the bulkiest appearance would be the side elevations but, as these would not directly face West End Lane and would be close to the side boundaries, their impact on the street scene and surrounding properties would be limited. When viewed in the context of the

street scene, the building would not appear out of character with the varied styles of its surroundings. Although it would be clearly visible and noticeable, it would not appear incongruous or obtrusive, and would represent an improvement to the building's current appearance”.

Given the above, the proposal is not considered to harm the character and appearance of the area and comply with the councils relevant policies .

Impact on the amenities of neighbours

One of the core principles set out in the National Planning Policy Framework is that planning should always seek to secure a high standard of amenity for all occupants of buildings.

Concern has been raised by the residents that the proposed pitch roof would have an impact on the front windows of the properties on West End Lane. These are located to the north-west of the building and due to the distance between the application site and the terraced properties; it is considered that no harm would arise in terms of loss of light and outlook.

Concern was also raised in relation to impact of the proposed development on the front gardens. The proposed development is to the south of the properties, the proposed building would be higher than the existing but given the distances between the properties, it is not deemed that it would lead to loss of light. There are existing windows fronting onto the cottages, the addition of the proposed dormers would add to the sense of overlooking however overlooking of the front gardens is not considered to be unduly harmful to residential amenity.

Most of the issues raised related to impact of noise and disturbance arising from the new flats and construction traffic. Conditions relating to sound insulation between the flats and a construction management and logistics plan would be attached

Impact on the amenities of neighbours and future occupiers

It is considered that the application complies with the space standards for the new development outlined in Policy 3.5 (table 3.3) of the London Plan 2016 and is considered to provide adequate internal space. The proposed units include 3 x studio flats, 1 x 1 bed flat and 4 x 2 bed flats.

The proposed internal stacking is considered appropriate and acceptable, helping to ensure a minimum of noise disturbance between the units. However sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). The applicant is required to achieve the recommended sound insulation levels and a condition is attached to the planning permission to ensure that this is achieved in accordance with the requirements.

To address the under provision of amenity space the plans have been amended incorporating a much larger amenity space. A Total of 1017 sqm of amenity space would be provided.

Currently Wessex Courts has 6 x 1 bed and 10 x 2 bed flats resulting in 48 habitable rooms.

Bells Hill development has 13 x 1 bed and 13 x 2 bed resulting in 65 habitable rooms. The proposal for Wessex Court is for 3 studios, 1 x1 bed and 4 x 2 bed flats, resulting in 20 habitable rooms.

Council policy requirement is 5sqm per habitable room. The amount of communal amenity space that would be required for 133 habitable rooms would be 665sqm.

Although, the proposal has been revised to take account of the appeal inspectors comments and officer reasons for refusal and provide amenity space in accordance with the councils requirements for the existing and future occupiers of Bells Hill and Wessex Court residents, officers remain concerned that the amenity area proposed to the side of the building adjacent to the access road would not provide a quality usable private amenity space.

In view of this, to ensure that the proposed communal garden provides a quality and usable amenity space that would meet the need of existing and future occupiers, the applicant has agreed to a condition being attached (if the application is minded to be approved) requiring that the quality of the amenity space to be enhanced by planting shrubs along the boundary of the access road and installation of benches in the area nearest to Bell Lane block of flats as this is considered to be the most useable space for these residents.

Refuse and recycling storage facilities would be placed by the existing access to the parking area. The proposal will provide a formal refuse storage area for the existing and proposed flats in Wessex Court. The proposed provision is for 3 x 1100 litre recycling bins) and 3 x 1100 litre refuse bins.

The Council's requirement for refuse and recycling bin storage would be met and would be an improvement to the existing arrangement. A condition requesting details of the storage area will be attached.

A garage will be demolished to provide 12 cycle storage.

Impact on highway and pedestrian safety

The application has been assessed by Highways, and they have indicated that the 26 parking spaces proposed for the existing and proposed use will be in accordance with the DM17 Policy.

Furthermore, the proposed application with the revised access arrangement with 4.2m wide access is acceptable on highway grounds. However information is required as to how the gated access is to be operated. Highways preference is for an electronic operated gate as it would ensure that vehicles will not be waiting on public highway whilst the gated has to be opened manually. Further information regarding the gated access will be required and a condition to this effect would be attached.

In addition Highways have requested that Electrical Vehicle Charging Points and Disabled Parking provision should be provided in accordance with the London Plan Parking Standards

In view of the above, the proposal is recommended for approval on Highways ground subject to conditions and informatives.

Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, except for the provision of a lift due to layout and ownership of the existing flats, the viability and service charge implication associated with providing a lift. A request has been made that there should be some flexibility given in this case. As the issues mentioned relates to control outside of the planning regime, the applicant is advised to liaise with Building control in seeking concessions in complying with the condition which is attached and to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 10% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

In terms of water consumption, a condition is attached to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

5.4 Response to Public Consultation

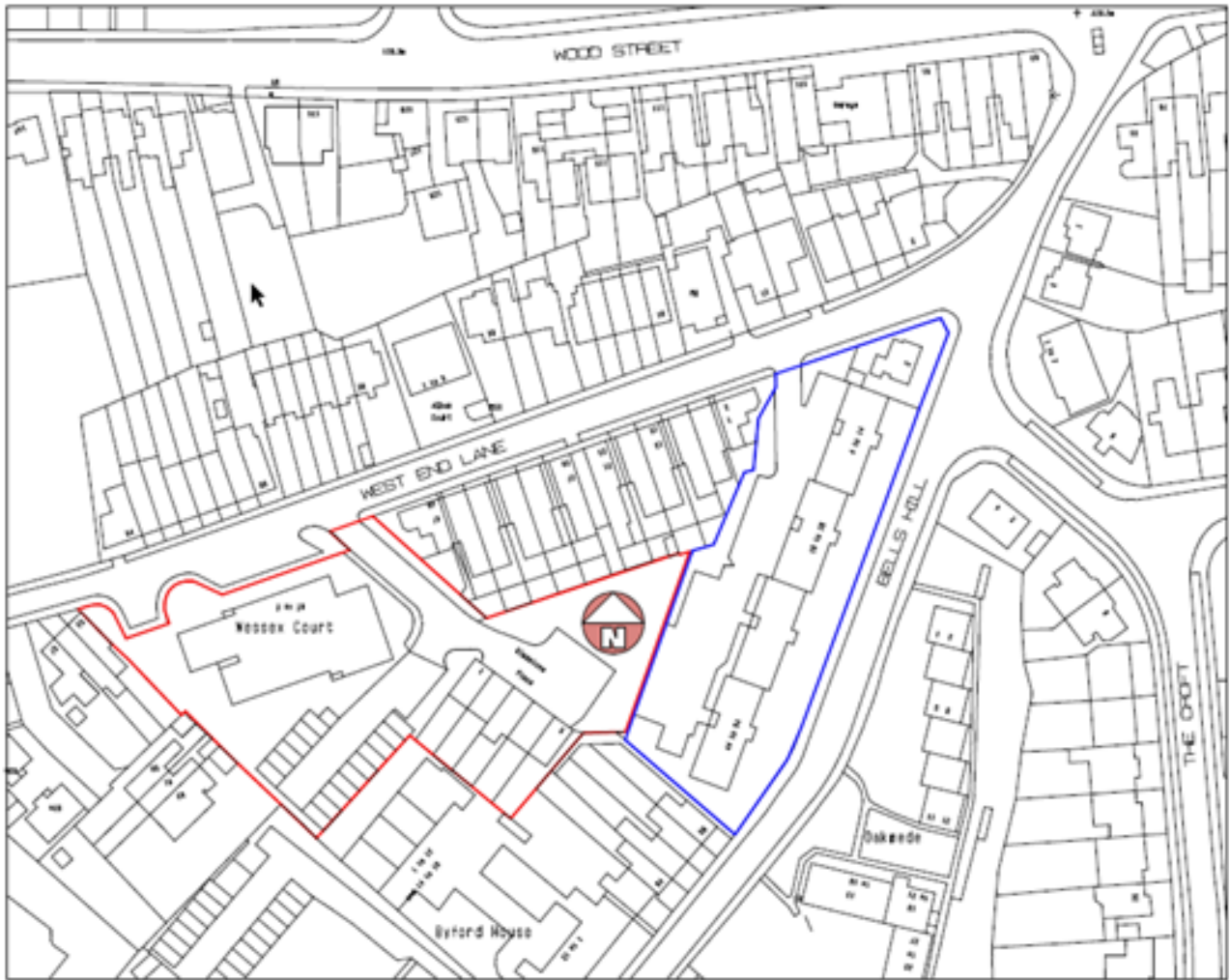
The letters of support and objections are noted and are taken into account in the sections above.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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Chipping Barnet Area Planning Committee
22nd February 2018
Addendum to Officers Report

Pages 61-78
Wessex Court 51 West End Lane Barnet EN5 2RA
18/0129/FUL

Pg 69 Site history – delete references to C04719 and C04719A

Pg 72 para 2 - revised to include reason for call-in

Representation from Cllr Wendy Prentice - Call in to committee if application is to be refused because the previous applications have been through the committee and would like the committee to consider the new proposals.

Since the report was written, the applicant's agent has clarified that the gates will be electronically controlled with a remote key fob which will be given to every resident.

In view of the above, the following conditions shall be added to the recommendation:

Condition 13 - New Condition to read as follows

Notwithstanding the plans submitted, details of the remote operation of the proposed gated access from public highway using electronic key fobs including maintenance contract details shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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

In addition, the following conditions shall be added to the recommendation to ensure the sustainability of the development.

Condition 14 - New Condition to read as follows

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

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

Condition 15 - New Condition to read as follows

Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum

Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

17/7820/FUL - Wessex Court, 51 West End Lane Barnet EN5 2RA

Additional information concerning parking for the existing flats in the development

17/7820/FUL - Wessex Court, 51 West End Lane Barnet EN5 2RA

The Chipping Barnet Area Planning Committee held in February 2018 referred the above application to the Planning Committee to enable additional information regarding parking provision for the Bell Hills Development to be provided prior to deciding the application. The applicant's agent has provided the information and Highways have been consulted to ensure that the parking provision would be sufficient for existing and future occupiers of Wessex Court and Bells Hill Development. The applicant has also submitted detailed landscape plans in support of the application, the plans shows that the quality of the existing amenity area will be improved through the provision of a winter garden, sensory garden and community garden. In addition, there will be a picnic area, seating areas and a low hedge will be provided to screen the amenity area from the car parking area. These measures will enable existing and future occupiers to utilise the area better. The Arboricultural Officer has been consulted and the response will be reported to committee as an addendum.

Analysis of Parking Provision

The existing number of residential units in Wessex Court is 16 with 16 garages. There are also 6 parking spaces formally laid out. An additional 8 units are proposed with an additional 10 parking spaces.

Gladstone Place has 5 residential units all with integral garages, while the Bells Hill Development (4-54 Bells Hill) has 26 residential units with 41 spaces (14 garages and 26 parking spaces). The total number of residential units including this application is 55 units and the total number of parking spaces would be 77 spaces.

Highways have assessed the application and have stated that:

- the parking requirements for Wessex Court would be between 10 to 21 parking spaces in accordance with the DM17 Parking Policy. Therefore, the existing parking garages/spaces available for the existing development is considered acceptable on highway grounds.
- The parking provision required for the proposed new development would be between 7 to 11.5 parking spaces therefore the proposed 10 parking spaces is in accordance with the DM17 Parking policy and therefore acceptable on highway grounds.

In view of the above, the proposed development would be in accordance with policy DM01 and there is no change to the Officer's recommendation for approval.

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Location Victoria Park Ballards Lane London N3

Reference: 17/7610/S73

Received: 30th November 2017

AGENDA ITEM 7

Accepted: 30th November 2017

Ward: West Finchley

Expiry 25th January 2018

Applicant: Mrs Mia Freedman

Proposal:

Variation of condition 7 (Expiration Date) pursuant to planning permission 17/1030/FUL dated 12.07.2017 for Use of land for weekly food market on Sundays to change the date to commence on the 15th of April 2018 and to end on the 15th of April 2019 (AMENDED DESCRIPTION)

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: 217.02, Design and Access Statement- Design report dated February 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 The use of the market hereby permitted shall cease from 15/04/2019.

Reason: To enable the Local Planning Authority to monitor the impact of the development on neighbouring residential amenity.

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

- 4 No motor vehicle engines should be left idling or generators used for the purposes of storing, cooling or heating foods relating to the market.

Reason: To ensure that the amenities of occupiers are protected from noise and poor air quality in the vicinity.

- 5 The use hereby permitted shall not operate before 11:00 or after 15:00 on on Sundays and on no other day.

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

- 6 Prior to the implementation of the market hereby approved starts a Market Management Plan shall be submitted to and agreed by the Local Planning Authority. The Plan shall include, but not be limited to, details of:
- Set up and take down operations;
 - Noise management;
 - Refuse collection;
 - Servicing and deliveries (including frequency and swept paths for vehicles entering the site);
 - A community liaison point of contact.
- The market use shall be operated in accordance with the approved Market Management 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.

- 7 The market hereby permitted shall be a food market only.

Reason to safeguard the residential amenities of neighbouring residents.

Informative(s):

- 1 Submitted plans: 217.02, Design and Access Statement- Design report dated February 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.

- 0 The applicant is advised that no furniture such as temporary signs for example 'A boards' or any stock items shall be placed on public footway to avoid obstruction to pedestrian movement. A minimum clearance of 2 metres for pedestrians access should be maintained at all times. Location of any existing street furniture in the vicinity of the site must be taken into consideration to ensure that the minimum clearance required for pedestrians is not compromised.

Officer's Assessment

The item has been referred to the Planning Committee as the Council owns the site in question.

1. Site Description

The application site is located on the southern side of Ballards Lane within the Finchley Church End Town Centre and West Finchley ward.

The application site is the entrance to Victoria Park adjacent to Ballards Lane, before the entrance to the bowling green.

To the west of the application site the rear gardens of properties along The Ridgeway are sited, in particular Nos. 1a, 1 and 3 abut the position of the proposed market.

To the east of the site the rear gardens of properties along Seymour Road are sited, in particular Nos. 2 and 4, however, these properties are separated from the market position by an existing Electricity Sub-Station and Public Convenience.

Opposite the park flatted developments are sited.

2. Site History

Reference: 17/1030/FUL

Address: Victoria Park, Ballards Lane, London N3

Description of Development: Use of land for weekly food market on Sundays.

Decision: Committee Approve subject to conditions

Date: 24.04.2017

3. Proposal

This application seeks permission for a variation of condition 7 (Expiration Date) pursuant to planning permission 17/1030/FUL dated 12.07.2017 for use of land for weekly food market on Sundays to change the date to commence on the 15th of April 2018 and to end on the 15th of April 2019 (AMENDED DESCRIPTION).

Planning permission has been approved subject to seven conditions and Condition 5 (Hours of Use) permits a weekly food market to be held on Sundays between 11am and 3pm from the date permission had been approved on the 12.07.2017. The applicant is applying to vary the commencing date to commence on the 15th of April 2018 and to end on the 15th of April 2019.

4. Public Consultation

Site Notice: 7th December 2017

179 consultation letters were sent to neighbouring properties.

12 responses had been received, comprising of 8 objections and 4 letters of support.

The views of objectors can be summarised as follows:

- No logic reason to extend the time limit as the applicant has not commenced
- Traffic congestion, parking problems and air pollution will impact on residents
- Impact on wildlife and ecology

- Land is not un-used, increase in noise and enjoyment of the park for relaxation
- Impact on the viability of the parks café and gives rise to rubbish
- No valid reason to extend the time
- run the park for commercial greed
- No reason to have another food outlet when there are enough cafes nearby

The letters of support can be summarised as follows;

- It is a great idea
- It is reasonable that the applicant starts in spring when there are summer visitors
- Changing the time from spring to summer will be a trial to see if it works

4.1 Internal Consultation

Environment Health - Overall, I am satisfied that the conditions that were set under 17/1030/FUL were adequate for EH purposes. I recommend that you use similar conditions.

Highways- Variation of condition 7 of the planning application No. 17/1030/FUL is a planning condition and therefore I have no comments to make on highway grounds.

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 July 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM11, DM13, DM14, DM15, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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 living conditions of neighbouring residents.

5.3 Assessment of proposals

A previous planning application for the use of the land as a market was presented to the committee in June 2017. The committee attached a condition that the use be for 1 year only so that it can be monitored. The applicant is yet to begin the use as wishes to delay the start time until 15/04/18. The permission would remain limited for a year.

Impact on Residential amenity

Concerns have been raised by residents that the proposals would result in additional noise and disturbance due to increased footfall and vehicle movements. However, the site lies within an established town centre, which already experiences high levels of background noise and general movement during the day and it is not considered that the introduction of Sunday market will result in unacceptable disturbance to neighbouring occupiers.

Overall, it is considered that the proposed use would not result in a detrimental impact on the amenities of neighbouring residents by way of noise and disturbance, and subject to a condition restricting hours of use it is considered that it would be appropriate for the use of the entrance of the park to commence between the hours of 10.00 hours and end at 17.00 hours on Sundays to accommodate setting up and packing up times. These restrictions are considered to strike an appropriate balance between the amenities of neighbouring residents and the function of the proposed market use.

Furthermore a condition preventing the use of generators has been applied to the permission on the advice of the Environmental Health department to further restrict potential noise disturbance to the locality.

In regards to potential additional litter caused by the proposed market use, the agent has confirmed that additional refuse bins will be utilised on the market day to prevent unnecessary littering and a team of cleaners will be on hand after the event to ensure that

the site is cleaner than it started. This should help to reduce the existing vermin problem that the park is suffering from. A Management Plan Condition is suggested to provide additional details of how the organisers of the market will ensure that it does not result in detrimental harm to amenities of neighbouring occupiers.

Taking the above, assessment into account, the variation proposed to Condition 7 (Expiration Date) pursuant to planning permission 17/1030/FUL dated 12.07.2017 for use of land for weekly food market on Sundays to change the date to commencement are considered acceptable.

5.4 Response to Public Consultation

The concerns raised by objectors are noted.

Issues relating to noise disturbance, litter and vermin have been addressed in the above report and a Management Plan Condition is suggested to address these issues. Primarily environmental health issue not a planning issue.

A condition restricting the hours of use has been applied to the permission in order to ensure proposals have limited impact on neighbouring amenity.

It is not considered that the market will take away custom from local food shops and the park café since it proposes limited hours of operation. This was assessed by Committee previously.

The proposed market is not considered to have a detrimental impact on existing wildlife, especially as it is of limited size and restricted to a limited location. There are no protected species in the vicinity of the site.

There is not proposed to be any vehicular parking within the park as a result of the proposed market use.

The comments made that the market is not needed is not considered to be a material planning consideration and not evidenced. Planning Policy does not state that proposals for markets need to demonstrate need. However, it must be noted that there is both significant support and opposition to the proposals. Again assessed in 17/1030/FUL.

It is not considered that the use of the front of the park site will take away from residents using the park for quiet refuge for relaxation and exercise, or for residents of flatted developments who do not have their own private amenity space. IT will be for a limited number of hours a week and will not prejudice wider enjoyment of the park.

The concerns raised that the proposed land is not un-used is noted. However, this part of the park does not have a specific use compared to the Bowling Green or children's play areas for example, it would not change the character of the site as open space.

The comments made that the market should be held less frequently for trial period are noted. However, it is not considered necessary to do this where the proposals are considered to be acceptable in their own right.

The concerns raised that markets at both Avenue House and North Finchley were not successful are noted. However, it could be suggested that as these markets were not so visible within the town centre and this proposal will abut the main road, it will be more successful.

The comments that Finchley Central Station car park would be better location for market are noted, however, this application does not include this proposal and therefore it cannot be considered. Only the proposals before officers and Members of the Committee can be considered.

The proposals are not considered to result in the erosion of existing green space, as the majority of the park will remain untouched by the proposals. It is only for four hours a week.

6. Equality and Diversity Issues

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

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

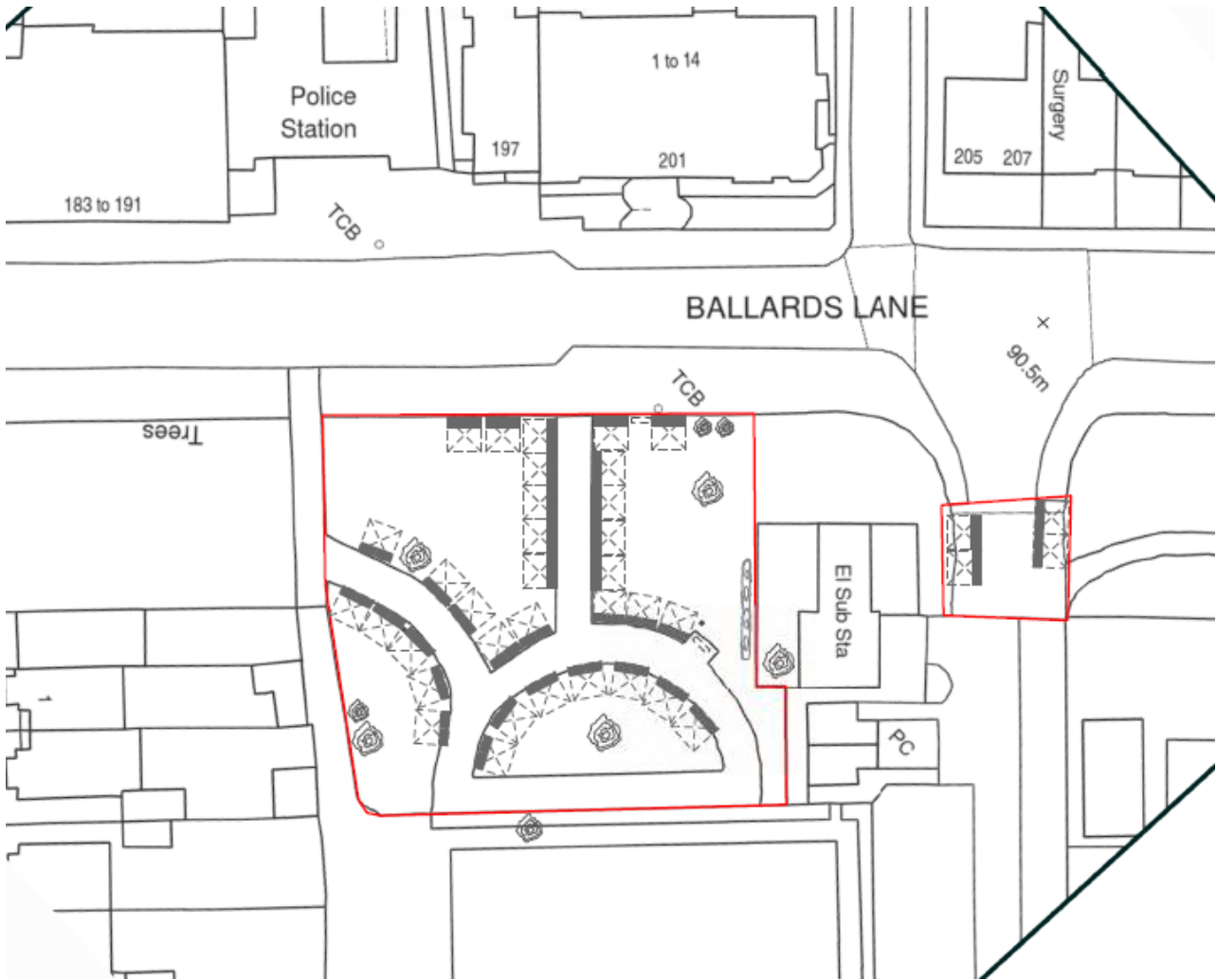
For the purposes of this obligation the term "protected characteristic" includes:

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

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, change to commencement for the proposed weekly food market, to be held on Sundays would have an acceptable impact on the character and appearance of the application site, the street scene and the Finchley Town Centre locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. The proposals are not considered to detrimentally impact on the health of trees of high amenity value. This application is therefore recommended for approval.



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Location Prospect Ring, East Finchley N2 8BP

Reference: 17/6827/FUL Received: 26.10.2017
 Accepted: 06.11.2017

Ward: East Finchley Expiry: 05.02.2018

Applicant: Open Door Homes

Proposal: Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation.

RECOMMENDATION I:

- (i) Subject to no substantive issues being raised by the London Fire and Emergency Planning Authority and to satisfactory amendment of the detailed aspects of the proposal as noted in Section 5.3 of this report , to approve following completion of a Section 106 legal agreement and the conditions listed below; and
- (ii) 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).

RECOMMENDATION II:

The applicant and any other person having a requisite interest in the site be invited to enter into a section 106 Agreement to secure the following:

1. The Council's legal and professional costs of preparing the Agreement and any other enabling agreements.
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
3. Provision of a minimum 50% of the development as affordable rental housing, to be provided in perpetuity, the 50% to be calculated in accordance with Policy DM10 (on the basis of habitable rooms).
4. Other than for registered disabled drivers, a restriction shall be placed on residents of the approved from eligibility to obtaining resident and visitor parking permits for the East Finchley Controlled Parking Zone, with a contribution of £2,000 towards the amendment of Traffic Order to exempt the occupiers of the new residential development from purchasing the CPZ permits.
5. Provision of the Council's costs for reconfiguration and realignment of Prospect Ring.
6. Provision of Travel Plan monitoring contributions of £5000 and £7500 towards Travel Plan Incentives in accordance with the Planning Obligations SPD.is required.

7. Meeting the costs of providing appropriate play space and public amenity space improvements within the locality of the site - (sum to be advised).
8. Provision of a long-term landscape management plan.
9. Meeting the Council's costs of monitoring the planning obligation (£3000).

Conditions:

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

BPTW-ZZ-XX-DR-A-0104 Revision: CO1 Location plan

BPTW-ZZ-XX-DR-A-0104 Revision: 3 Proposed site layout

BPTW-ZZ-ZZ-DR-A-0107 Revision: CO1 Demolition plan

BPTW-ZZ-GF-DR-A-1000 Revision: 3 Ground floor plan

BPTW-ZZ-01-DR-A-1001 Revision: C01 First floor plan

BPTW-ZZ-02-DR-A-1002 Revision: C01 Second floor plan

BPTW-ZZ-03-DR-A-1003 Revision: C01 3rd, 5th, 7th, 9th and 11th floor plan

BPTW-ZZ-04-DR-A-1004 Revision: C01 4th,6th,8th,10th,12th floor plan

BPTW-ZZ-13-DR-A-1013 Revision: CO1 Roof plan

BPTW-ZZ-XX-DR-A-2000 Revision: CO1 East elevation

BPTW-ZZ-XX-DR-A-2001 Revision: CO1 North elevation

BPTW-ZZ-XX-DR-A-2002 Revision: CO1 South elevation

BPTW-ZZ-XX-DR-A-2003 Revision: CO1 West elevation

BPTW-ZZ-XX-DR-A-3002 Revision: CO1 Short site section (from west)

BPTW-ZZ-XX-DR-A-3003 Revision: CO1 Long site section (from north)

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

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

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

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

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

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

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

4 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.

5 a) Notwithstanding the approved drawings, no development other than demolition works shall take place until amended drawings that provide the following amendments to the ground floor flats and first floor flats directly above them, and to the front elevation of the building within the recess adjacent to the communal entrance are to the front of these flats, have been submitted to and approved in writing by the Local Planning Authority:

(i) Amended position of entrances for the ground floor flats away from the communal entrance,

(ii) deletion of terraces within the void for the ground floor flats, and repositioning of the balconies out of this void for the two first floor flats directly above them,

(iii) revised ground floor rear elevation to accentuate and differentiate rear door to cycle store from the plant room door.

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

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

6 The site excavation or construction works shall commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development including foundations and any other structures below ground level including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority. The design and method statements shall provide:

- Details of all structures
- Details on the use of tall plant/scaffolding
- Accommodate the location of the existing London Underground structures
- Demonstrate that access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering LU land

- Demonstrate that there will at no time be any potential security risk to our railway, property or structures
- Accommodate ground movement arising from the construction thereof
- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development which are required by the approved design statements in order to procure the matters required by this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2016 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 7 No demolition or development shall take place until a stage 1 written scheme of archaeological investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2016.

- 8 Prior to the commencement of the development hereby approved, details of any highways to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority. The development shall only be carried out after the stopping up order has been made.

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

9 a) No development other than demolition shall take place until details of the levels of the buildings, vehicle access and footpaths in relation to the adjoining land and adjacent buildings, and any other changes proposed in the levels of the site, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

9 a) No development other than demolition works and foundation works shall be carried out in connection with the development 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 October 2016) and Policy 7.15 of the London Plan 2016.

11 a) No site works or works in connection with the development including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development shall be commenced until a biodiversity strategy, to include details of the timing of development works has been submitted to and approved in writing by the Local Planning Authority.

b)Vegetation removal and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

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

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

- 13 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.
- b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

- 14 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, telecommunications and installation of electric vehicle charging points including electricity supply cables) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with details approved under this condition.

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

- 15 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the development, which shall include on-site brick and mortar panels that show the proposed variations in brick laying and detailing and samples of other materials including balcony railings and screens and those to be used in the hard surfaced areas in the approved drawings, have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 16 a) Prior to the commencement of the development other than demolition, the following details shall have been submitted to and approved in writing by the Local Planning Authority:

(i) The capacity, appearance, location and layout of recycling and refuse stores in relation to car parking and landscaping on the north side of the proposed building, and

(ii) a plan for the management and collection of recycling and refuse from the development.

b) The development shall then be implemented in full accordance with the details as approved under this condition prior to the first occupation of the development, and shall be retained as such.

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

- 17 a) Before above-ground construction work are commenced, details of further modelling and design work shall be carried out and submitted to and approved in writing by the Local Planning Authority, which assesses whether any mitigation for impacts on microclimate is required at any locations outside the application site and that provides design solutions to provide that mitigation.

b) The development shall be implemented in full accordance with the design solutions as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure that the development ensure that any microclimatic impacts will be properly mitigated, in accordance with Policy CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM05 of the Development Management Policies DPD (adopted September 2012), and Policy 7.7 of the London Plan 2016.

- 18 Prior to the commencement of above ground construction, detail of how all parts of the development would achieve satisfactory comfort and internal temperature levels during intense and long warm weather conditions shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details prior to first occupation and thereafter shall be maintained as such.
Reason: To ensure that the proposal provides for satisfactory living conditions for future occupiers and sustainable construction objectives.
- 19 a) Before the development hereby permitted is first occupied details of further modelling and design work shall be carried out and shall be submitted to and approved in writing by the Local Planning Authority, including an acceptable design solution that incorporates additional levels of glazed screening to ensure optimal comfort levels during all climatic conditions for upper balcony locations within the building.
b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.
Reason: To ensure that the development ensure that any microclimatic impacts will be properly mitigated, in accordance with Policy CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM05 of the Development Management Policies DPD (adopted September 2012), and Policy 7.7 of the London Plan 2016.
- 20 Prior to the commencement of above ground construction, details of additional photovoltaic (PV) on-site renewable energy generation including details of the additional carbon dioxide emissions that would be provided shall be submitted to and approved in writing by the Local Planning Authority. The approved PV array shall be operational and implemented in accordance with the approved details prior to first occupation and thereafter shall be maintained as such.
Reason: To ensure that the proposal provides a high level of on-site renewable energy generation.
- 21 a) No development other than demolition works shall take place until a surface water drainage strategy including detailed design of the Sustainable Drainage System to be used as part of the development has been submitted to and approved in writing by the Local Planning Authority.
b) The details to be provided in accordance with part (a) of this condition must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development and evidence that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development, and that the Adopting Authority is satisfied with the suitability of the adopted SuDS prior to adoption and has sufficient arrangements in place to keep records of operation and maintenance activities for possible inspection by the Local Planning Authority. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial

Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

c) The development shall be implemented in accordance with the approved details prior to the first occupation of the development, and shall be retained and maintained as such for the lifetime of the development.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems); and to ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development.

- 22 Prior to any highways works and car parking being carried out, a revised parking layout drawing shall have been submitted to and approved in writing by the Local Planning Authority. The approved car parking layout and the access to the parking spaces shall then be provided in accordance with the approved details prior to the first occupation of the development, and the parking spaces shall be used for parking of motorised vehicles and not for any purpose.

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

- 23 Prior to occupation of the development, full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than five of the approved residential parking spaces to be provided with active electric vehicle charging facilities and five passive electrical charging facilities. 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.

- 24 Prior to the occupation of the development, cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

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

- 25 The development shall not be occupied until the approved disabled parking spaces have been provided and clearly marked with a British Standard disabled symbol. The disabled parking spaces shall then be permanently retained for the use of disabled persons and their vehicles and for no other purpose.

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

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

- i. location and layout of car parking spaces,
- ii. The allocation of car parking spaces;
- iii. On-site parking controls and charges;
- iv. The enforcement of unauthorised parking; and
- v. disabled parking spaces.
- 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.

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The parking management plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

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

- 27 Prior to the commencement of any works on the substation, a full design study for the proposed substation shall be submitted to the local planning authority for approval in writing, which outlines the screening and any mitigation required for the transformer that is to be accommodated within the proposed substation. The study should include: i) predicted electro-magnetic levels in the residential units and the commercial floor space and the associated calculations; and ii) reference to relevant standards and/or studies. The development should be carried out in accordance with the approved details.

Reason: To protect the amenities of the future occupiers of the residential properties and non-residential floor space within the building hereby approved.

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

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

- b) The measures approved under this condition shall be implemented 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.

- 29 The level of noise emitted from new plant including the proposed mechanical ventilation 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.

- 30 The mitigation measures submitted under the report submitted by Cass Allen, Architectural & Environmental Acousticians Noise and Vibration Engineers. RP01 16119 shall be implemented in their entirety before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are 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 2016.

- 31 The development shall not be occupied until all parts of the building have been fitted with a fire sprinkler system and it has been verified as such by an independent

assessor, full details of which shall then have been submitted to and approved in writing by the Local Planning Authority. The approved system shall then be retained and maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the safety of future occupiers of the development.

- 32 a) Prior to substantive construction of the approved buildings, a scheme of hard and soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority, including:
- (i) details of existing trees to be retained and size, species, planting heights, densities and positions of soft landscaping,
 - (ii) amended details of the car parking layout that shall include buffer landscaping alongside the paths directly into those buildings within the estate that pass alongside the approved car parking areas
 - (iii) amended car parking layout and to the north side of the building that provides space for boundary planting along the adjacent northern boundary with Holy Trinity Church of England Primary School, and
 - (iv) if required to provide above-ground refuse storage in line with the Council's Waste and Recycling Team' requirements, an amended location for refuse and recycling storage and collection facilities.
- b) All work comprised in the approved scheme of landscaping shall have been completed before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 33 a) Prior to the occupation of the development, 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 2016.

34 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016), the Planning Obligations SPD (adopted October 2016), Policy 3.6 of the London Plan 2016 and the Mayor of London's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance.

35 a) Prior to the first occupation of the development, all boundary treatment and any gates shall be installed / erected in accordance with details of appearance and materials that have first been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the approved details and maintained as such 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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

36 a) No external lighting shall be installed and used until details of the appearance and luminance of the proposed lighting has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition, and retained as such 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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

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

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

- 38 The development shall not be occupied until details of the electronically controlled access for that building has been submitted to and approved in writing by the Local Planning Authority and the approved details have implemented.

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

- 39 The development shall not be occupied until the identified wheelchair units have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and until the remaining units within the building have all been constructed to meet and achieve all the relevant criteria of Part M4(2) of the abovementioned regulations. The development shall be maintained as such for the lifetime of the development.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

Informatives:

- 1 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

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

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

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

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

Please visit

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

The applicant's attention is drawn to the requirements of London Plan Policy 7.7 C(e) and local plan policies that in order for tall buildings to be acceptable, proposals should incorporate the highest standards of architecture and materials. For those reasons, the details required by condition 15 above will be of particular importance in securing the required quality of design and materials that is implicit in this planning permission.

- 3 The Written Scheme of Archaeological Investigation (WSI) will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

It is envisaged that the archaeological fieldwork would comprise the following:

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted. The evaluation will aim to clarify the nature and extent of survival of any archaeological remains. It will aim to identify if further archaeological mitigation is required, and if so, what scope would be the most appropriate. Further information on archaeology and planning in Greater London including Archaeological Priority Areas is available on the Historic England website.

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

1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');

2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);

- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 5 The Environmental Health Officer advises that the 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.
- 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.

- 6 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 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant; scaffolding; security; boundary treatment; safety barriers; landscaping and lighting.

1. Site Description

The Prospect Ring estate comprises a group of two, three and eleven storey buildings located between the Northern Line and East Finchley Town Centre. It includes the following properties, which are grouped around a central green:

- 1 - 12 Prospect Ring is a three storey building on the estate's eastern side, orientated to the north-west.
- Numbers 13-56 are an eleven storey tower block, which is the southernmost of the buildings on the estate.
- Numbers 57-60 are a terrace of four dwellings located on the south-western side of the estate.
- Numbers 61-104 are the second eleven storey tower block, on the north-west side of the estate.
- 21-31 Market Place also forms part of the estate although as the address infers, its main frontage is to Market Place rather than to Prospect Ring.

Heights of the two existing eleven storey buildings at the estate is approximately 28.65m.

The northern estate boundaries are formed by the 21st century Ash Tree Court and the very early 20th century Post Office. The Holy Trinity Primary School and Nursery abuts the site to the north-west, and the Northern Line forms the site's south-western boundary. The rear boundaries of residential properties at East End Road form the eastern site boundary.

Car parking within the site is largely to the rear of the existing buildings, including one area to the side of 1 - 12 Prospect Ring and rear of numbers 13-56, while a second area including garages is to the rear of numbers 57-60. There is also some car parking on what appears to have been part of the central green, and on the estate road itself.

Nearby, Kitchener Road and the section of Market Place to the south-east of the junction with Prospect Ring are Victorian or very early 20th century terraces; the north-western end of Market Place is of a mixed character including Ash Tree and Elm Tree Courts and with Council housing further to the north. North End Road is of more mixed character although consistently two stories in scale, and to the south of the Northern Line Prospect Place and the culs-de-sac running off it are late twentieth century developments.

The East Finchley TfL station is located some 400m from the site, and the edge of East Finchley Town Centre is 200m to the east and 240m from 57-60 Prospect Ring, (the terrace which would be replaced by the building proposed in this submission).

2. Site History

There is no relevant planning history for Prospect Ring with respect to the current application. However the following history for neighbouring sites is of some relevance in setting the context of development in the area over recent decades:

- The site immediately to the north of Prospect Ring comprising 1-10 Ash Tree Court and 1-4 Elm Tree Court was the former George Public House. This was subject to planning permission ref. C08580P/01 which was granted on 29 August 2001 for *Redevelopment comprising fourteen two bedroom flats, in a part two, part three storey building. Car parking spaces for 14 cars.*

- Properties on the southern side of the Northern Line at Prospect Place were approved circa 1978 to 1981 under planning references C06376 and C06376A to C06376G.

3. Proposal

The application seeks full planning permission for the demolition of the 15 existing garages and four residential units at the site, the relocation of an existing electrical substation, and the erection of a 13-storey building to accommodate 50 residential units (4 x 1-bed and 46 x 2-bed flats), with associated car parking, cycle storage, and refuse and recycling storage. In addition, the proposal provides for the realignment of Prospect Ring to make it a regular circle around a landscaped central area with provision of playspace and reconfigured car parking across the Prospect Ring estate.

The proposed building would comprise 13-storeys on a hexagonal footprint, located in the western corner of the site between the two existing 11-storey blocks of flats. Building height would be 42.45m as against approximately 28.65m for the existing 11-storey buildings (excluding lift overruns in all cases). Access would be primarily from the eastern elevation of the building, facing Prospect Ring, where a double height lobby would lead off an exterior void space that would form a recess at the front of the building at ground and first floor levels. The lobby would provide post boxes and delivery lockers, leading to a single stair and lift core from which, as shown on the submitted plans, all flats except the two ground floor units would be accessed. The access core would accommodate two lifts and a staircase to all levels. Access would also be gained from this part of the building to an integrated cycle store at the rear of the building.

All proposed units would meet or exceed the London Plan minimum internal space standards and 100% of the units would be dual-aspect. The proposed mix of accommodation would include a total of five wheelchair accessible dwellings across the ground, first and second floors, designed in compliance with Part M4(3) of the Building Regulations. Two of these would be single bedroom units and three would provide 2-bedrooms. Each wheelchair flat would be provided with an accessible car parking space within 50m of the building entrance.

There would be four flats on each floor of the building apart from at ground floor level, where two flats are proposed. Private amenity space would be provided for 46 of the flats by inset balconies on the northeast (front) and southwest (rear) elevations, arranged in pairs at the front and rear of the building. The amenity spaces shown on the submitted plans for the two ground floor flats and two of the first floor level flats directly above them will be subject to further revision; this is discussed further in Section 5.3 of this report.

The rear part of the ground floor will be devoted to a plant room in which a Combined Heat and Power (CHP) installation would be provided, and a secure cycle store to accommodate 100 cycle spaces. The cycle store would be accessed from the internal communal corridor at ground floor level and through a secondary external access at the rear of the building. The storage area will accommodate the 96 spaces for residents as required to meet London Plan standards and 4 additional visitor cycle parking spaces.

Across the rest of the estate, re-organisation of the parking is intended to allow for the consolidation and enhancement of amenity space to include the central amenity area in the middle of Prospect Ring and other existing amenity spaces within the estate. Car parking for new residents would be provided on the north side and rear of the building, and two car club spaces would also be provided here.

Refuse and recycling storage provision for the proposed units would be provided in underground bin stores located close to the entrance of the car park to the north of the proposed building, and these would remain accessible from the highway for collection.

4. Public Consultation

The proposal was referred to the Mayor under Category 1C of the Schedule of the 2008 Order:

1C 'Development which comprises or includes the erection of a building that is more than 30 metres high and outside the City of London'

Consultation letters were sent to 924 neighbouring properties.

90 letters have been received, 88 of which are objections and 2 representations. These are summarised as:

Parking and Access:

- Concerns raised regarding the existing lack of parking facilities in the area, corresponsive to concerns relating to the number of parking spaces proposed for the new development.

Traffic and congestion:

- Area is described as an existing 'bottleneck' and concerns raised for increase in traffic particularly between the two schools within the area.
- Increased vehicle use during the construction process including lorries and vans.

Scale of Development:

- Height of the proposed development.
- The proposal would be overbearing, dominant and not in keeping with the building levels in the surrounding area.
- Due to the proposed height of the property, issues have been raised regarding loss of privacy upon surrounding neighbours and schools.
- Neighbours have questioned the effects the development may have on the provision of daylight/sunlight on both surrounding neighbours and school playing fields.
- Concerns regarding the impact the development may have on the local character of the area including the existing skyline.
- The increased density amounts to town 'cramming'.

Housing Needs:

- Lack of support for a high rise building over single family dwellings in relation to the housing need in the area.
- Little to no open space surrounding the proposed site, therefore raised issues regarding children's play area.
- Loss of space, which may be used for other facilities rather than flats.

Pollution:

- Issues rose in relation to increase pollution which may be caused during the construction of the site and continued due to the increase in density of the space after construction.

Pressure on Local Services:

- Concerns raised regarding the increase in population may have upon the local services, such as doctors, hospitals, banks, shops etc.

Distrust in Consultation

- Issues regarding the amount of information neighbours have received about the project. Some objectors believe this was insufficient.

These issues are considered in sections 5.3 and 5.4 of this report.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such.

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

Policy 2.18 - Green Infrastructure

Policy 3.3 - Increasing Housing Supply

Policy 3.4 - Optimising Housing Potential

Policy 3.5 - Quality and Design of Housing Developments

Policy 3.6 - Children and young people's play and informal recreation

Policy 3.8 - Housing Choice

Policy 3.9 - Mixed and Balanced Communities

Policy 3.10 - Definition of affordable housing

Policy 3.11 - Affordable housing targets

Policy 3.13 - Affordable housing thresholds

Policy 3.14 - Existing housing

Policy 5.2 - Minimising carbon dioxide emissions

Policy 5.3 - Sustainable design and construction

Policy 6.9 - Cycling

Policy 6.10 - Walking

Policy 6.13 - Parking

Policy 7.2 - An Inclusive Environment

Policy 7.3 - Designing Out Crime

Policy 7.4 - Local Character

Policy 7.5 - Public Realm

Policy 7.6 - Architecture

Policy 7.7 - Location and design of tall and large buildings

Policy 8.1 - Implementation

Policy 8.2 - Planning Obligations

Policy 8.3 - Community Infrastructure Levy

Consultation Draft London Plan December 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

– Relevant Core Strategy DPD Policies:

CS NPPF	National Planning Policy Framework - Presumption in favour of sustainable development
CS1	Barnet's place shaping strategy - the Three Strands approach
CS3	Distribution of growth in meeting housing aspirations
CS4	Providing quality homes and housing choice in Barnet
CS5	Protecting and enhancing Barnet's character to create high quality places
CS9	Providing safe, effective and efficient travel
CS13	Ensuring the efficient use of natural resources
CS14	Dealing with our waste
CS15	Delivering the Core Strategy

– Relevant Development Management Policies DPD:

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
DM07	Protecting housing in Barnet
DM08	Ensuring a variety of sizes of new homes to meet housing need
DM10	Affordable housing
DM11	Development principles for Barnet's town centres
DM12	Maintaining our local centres and parades
DM16	Biodiversity
DM17	Travel impact and parking standards

The Council's approach to development as set out in Policy DM01 is to minimise impacts on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design. Policy DM07 (Tall Buildings) is of particular relevance to this proposal.

Mayor of London's Housing Supplementary Planning Guidance and other strategy documents

- Housing SPG
 - Affordable Housing and Viability SPG
 - Shaping Neighbourhoods: Play and informal recreation SPG
 - London View Management Framework SPG
 - Accessible London: achieving an inclusive environment SPG
 - Shaping Neighbourhoods: Character and Context SPG
 - Play and Informal Recreation SPG
 - Sustainable Design and Construction SPG
-
- Estate Regeneration London Plan; Good Practice Guidance to Estate Regeneration
 - Housing Strategy
 - Transport Strategy
 - Climate Change Adaptation Strategy
 - Climate Change Mitigation and Energy Strategy
 - Water Strategy

London Borough of Barnet Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

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

– In respect of amenity, development should not be overbearing or unduly obtrusive and care should be taken to ensure that it does not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

– Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet. The SPD approach includes

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

Affordable Housing SPD

Planning Obligations SPD

Other relevant planning documents

- London Borough of Barnet Tall Buildings Study (2010)
- London Borough of Barnet Characterisation Study (2011)
- Guidelines for Landscape and Visual Impact Assessment 3rd Edition, April 2013: Institute of Environmental Assessment (now IEMA) and the Landscape Institute.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The context of the development in the applicant's affordable housing programme.
- Principle of the development.
- Impacts of a tall building on the wider locality:
 - (i) Townscape and Visual Assessment
 - (ii) Density
 - (iii) Impacts on microclimate
- Whether the other aspects of the design and layout of the development would be acceptable in terms of their impact on the character and appearance of the street scene
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether an appropriate mix of accommodation would be provided.
- Whether the living conditions for future occupiers would be acceptable.
- Whether the provision of amenity space for existing and new residents is satisfactory for a development of this size
- Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport.
- Whether the loss of trees on the application site is acceptable.
- Ecology and wildlife

- Building sustainability
- Whether the proposal would be acceptable in its impacts on archaeology.

5.3 Assessment of proposals

The context of the development within the applicant's affordable housing programme

This development has been proposed by Barnet Homes, the Council's Arms Length (ALMO) social housing provider. Barnet Homes through agreement with the Council is in the process of acquiring land for the purposes of developing social housing for affordable rent including specialist accommodation for disabled people, and aim to deliver 720 units by 2020. The separate development arm known as Open Door Housing has now been registered with the HCA to deliver these units.

In acquiring the sites Open Door housing will deliver properties for affordable rent. These units will be let at a rental level of 65% and as such, will fall within the current National Planning Policy Guidance definition of affordable rent. Smaller schemes such as this one will generally not be secured through the planning system, but this benefit as a legal obligation imposed on the acquisition of the land. The occupation of these units will be for residents of the London Borough of Barnet using their adopted nominations procedures.

This approach has been adopted by Members at the Planning and Environment Committee in 2016, as well as by HB Law.

The application advises that Opendoor Homes has provided information that shows that there has been a 42% increase in new homelessness applications between 2011/12 and 2016/17 and a 27% increase in the number of households in temporary accommodation, between 2012 and 2017. There is therefore a demonstrable need for additional affordable housing within the Borough.

The application has been referred to the GLA, who have assessed it in light of the London Plan and the Mayor's Affordable Housing and Viability SPG. The SPG, which was adopted in August 2017, introduced a threshold approach for viability reviews of residential development schemes. Where schemes meeting or exceeding 35% (by habitable room) affordable housing with an appropriate tenure split and without public subsidy, are not required to submit a viability assessment or be subject to a late stage review (referred to in the SPG as the 'Fast Track Route'). Land that is in public ownership must deliver at least 50% affordable housing without grant to be considered under the fast track route

Based on the requirements of the SPG and the consultation response from the GLA, which is considered further at Section 5.3 of this report, in addition to the position agreed in 2016 by the Council's Planning and Environment Committee noted above, the provision of new housing including affordable housing is therefore acceptable in principle provided that in this case a minimum of 50% of the development is permanently secured as affordable housing, calculated in accordance with the SPG and Banet Policy DM10 by the number of habitable rooms in the development.

Principle of development

The proposal will provide a net increase in 46 dwellings. The four existing dwellings comprise two leasehold flats, 57 and 60 Prospect Ring, and two rental units at numbers 58 and 59 Prospect Ring. As noted above, the proposed development will provide 100% affordable rental units, and it will not result in any loss of existing social housing. The proposal is acceptable in this respect, and is supported due to the increase in the stock of affordable housing within the Borough that would be provided. However the overall acceptability of the proposal is dependent on whether a tall building can be accepted in this location.

This requires a consideration of (i) the townscape / visual impacts and (ii) impacts on the microclimate of the locality, as follows:

Impacts of a tall building on the wider locality

Barnet's Core Strategy Policy DM05 and the explanatory text for the policy outlines the Council's approach to the siting of tall buildings, which in the Barnet context includes buildings that would be eight storeys or 26 metres or more in height. The building would be 42.5m high. Locations within which tall buildings are considered compatible with existing townscapes are set out in Core Strategy Policy CS5. This also states that applications will be assessed in accordance with Policy DM05 in the Development Management Policies DPD and London Plan Policy 7.7.

The site falls outside the areas identified within Barnet Policy CS5 as appropriate for tall buildings. The proposal therefore represents a departure from the Local Plan, and it has been advertised as such. It is noted that the site falls outside the protected views shown in Map 8 of the Core Strategy, and that existing tall buildings including 13-56 Norfolk Close as well as the two tall buildings at Prospect Ring are identified on the same map. The existing 11-storey blocks at the site and building to the north at Norfolk Close are also identified in the Tall Buildings Study (2010) as existing tall buildings.

London Plan Policy 7.7 advises that:

B Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below. This is particularly important if the site is not identified as a location for tall or large buildings in the borough's LDF.

C Tall and large buildings should:

a generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport

b only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building

c 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;

d individually or as a group, improves the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London

e incorporate the highest standards of architecture and materials, including sustainable design and construction practices

f have ground floor activities that provide a positive relationship to the surrounding streets

g contribute to improving the permeability of the site and wider area, where possible

h incorporate publicly accessible areas on the upper floors, where appropriate

i make a significant contribution to local regeneration.

D Tall buildings:

a should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference

b should not impact on local or strategic views adversely

E *The impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings*

While the site is not within the areas identified for tall buildings in Policy CS5 nor within a Town Centre, the East Finchley Town Centre is 200m to the east of the site and 240m from 57-60 Prospect Ring, the building which would be replaced in this proposal. The East Finchley TfL station is 400m from the site. The site is also relatively free of immediate constraints that might otherwise prevent a building of this scale from being located here, due to the presence of the existing eleven-storey buildings as key elements within the context of the site. The proposed building would sit between these two buildings. The location of school playing fields on the northern side of the site means that while there would be some limited overshadowing of play space for part of each day, no residential properties would be directly affected on this side. The presence of the Conservation Area to the south of the Northern Line also requires consideration in terms of visual impacts, and this is discussed further below.

(i) Townscape and Visual Assessment

In response to Policy 7.7 (B), a Townscape Analysis and Visual Impact Assessment was included in the application. This analyses the impacts of the proposal on three main townscape types in the vicinity of the site, using a standard methodology for set out in *Guidelines for Landscape and Visual Impact Assessment (GLVIA)*. The townscape types analysed are those found within a 500m radius circle around the site, and are identified as:

- Victorian terraces generally to the east of the High Road,
- Hampstead Garden Suburb and adjoining streets, and
- post-war estates and mixed character areas adjoining them.

The analysis considers each of these townscape areas in terms of

- sensitivity of views to change,
- the magnitude of change and

- sensitivity of 'receptors' - key public viewpoints within each of the three townscape types.

The townscape and visual impacts as assessed under the GLVIA framework are as follows:

Victorian terraces:

The proposed building will be visible from certain points on the edge of the area along the High Road, which is over 200m distant from the site. Sensitivity to change on this townscape type was assessed as Medium, but the distance from the site is considered to be sufficient for visual impacts to be limited within this townscape area, and no key characteristics, features or elements of the townscape will be affected. The magnitude of change is therefore assessed as Very Low, and the predicted impact on townscape character is therefore be classified in the GLVIA methodology as Negligible.

Hampstead Garden Suburb and adjoining streets:

This townscape area is the final phase of the Hampstead Garden Suburb built in the 1930s, and has the most distinctive character within the vicinity of the site. It forms part of the Hampstead Garden Suburb Conservation Area, with part of it also understood to be within the area controlled by the Hampstead Garden Suburb Trust. The part of the area in the study is bounded by East End Road to the north-east and extends to the south-west beyond the area influenced by this proposal. As one of the best examples of English Garden City town-planning in the country, this area is susceptible to any changes which would permanently alter the characteristics of the townscape. The sensitivity to change has therefore been assessed as High. However, there are limited points inside the area from which the existing towers and proposed new tower blocks are or would be visible. The most prominent of these is from Deansway looking north. The Townscape Assessment considers that in relation to the existing towers the proposal would not lead to any marked perceptible change to the key characteristics of the townscape. The magnitude of change is therefore assessed as Very Low, and the predicted impact on the townscape character is therefore Minor.

The post-war estates and adjacent mixed character areas:

This area comprises a mix of various building types built at different times, including some late Victorian residential terraces, post-war council estates, small private residential developments, schools, commercial properties bounding the High Road and other building types. In terms of Townscape Sensitivity, the area is undesignated of parts of it are fairly low quality, with few distinctive characteristics apart from the existing residential towers which set it apart from the surrounding areas. The existing towers both at Prospect Ring and nearby at Norfolk Close are inconsistent with the prevailing townscape, but because of their long standing presence in the area, they have become part of the fabric of this local townscape. This townscape type is considered capable of moderate levels of change and improvement, and its sensitivity to change has therefore been assessed as Low. The proposed building location is within this character area. There are several other points in this character area from which the existing and new towers are and will be visible, and the new building will appear in these viewpoints either as part of the group or as an extension to that group. The magnitude of change has therefore been assessed as Medium, and the predicted impact on the townscape character as assessed by this methodology is therefore Minor.

A number of CGI views of the proposed building are included within the Townscape Assessment, and while these do not illustrate every possible location which will have a view of the new building, it is considered that these give a representative sample of the visual

impacts of a new tall building on the surrounding area. A number of these views will be included in the PowerPoint presentation for the meeting, at which this application will be considered by members.

In addition, there are a number of Grade II listed buildings within the locality of the site, as follows:

- East Finchley Baptist Church Hall,
- Phoenix Cinema, at the south east end of the High Road,
- East Finchley Library,
- The Bobath Centre and annexe on East End Road, and
- East Finchley Underground Station.

These are considered sufficiently distant from the site to be unaffected by the scale of the proposal.

In conclusion, the Townscape and Visual Assessment is considered to demonstrate that the proposal would be successfully integrated into the existing urban fabric particularly as regards longer views from outside the site. The proposal would not have an adverse impact on the skyline, on any designated Local Viewing Corridors or on existing street views. The proposed buildings would also not cause any harm to nearby heritage assets - listed buildings and their settings, and / or the Hampstead Garden Suburb Conservation Area. Integration with the streetscape is discussed below in regards to character impacts within the estate. Overall, it is considered that the scale of the proposed building is acceptable within its context and that the height of the building is appropriate in this location.

(ii) Density

The site has a PTAL rating of 3 and is located in a mix urban / suburban setting Table 3.2 of the London Plan sets out indicative densities for sites with this accessibility rating in suburban locations of 150-250 hrh and 50 -95 units/ ha, while in urban locations densities of 200-450hrh and 70 – 170 units/ ha are considered to be appropriate. Existing densities across the site are approximately 317hrhm and 119 units / ha, and the proposed development would result in an increased density of approximately 521hrh and 167 units / ha. While this is approximately 15% above that recommended in the current London Plan in terms of habitable rooms, the dwelling density is within the suggested range for urban locations. Given the existing mixed medium and high-rise typology of the estate it is considered that the more urban density range is appropriate for the site.

(iii) Microclimate

As noted above in Policy 7.7 of the London Plan, proposals for tall buildings must not cause adverse microclimatic effects to the surrounding public realm. Microclimatic effects were assessed for the proposal by modelling wind conditions at ground level in and around the site for three different configurations as follows:

- Annual average condition
- Summer condition
- Windiest period

The assessment was carried out using the Lawson Comfort Criteria, which is widely accepted and used for this purpose in the UK. The Criteria set out six pedestrian activities and reflect the fact that less active pursuits require more benign wind conditions. In descending order of comfort levels, the six categories are:

- sitting
- standing
- entering/leaving a building
- leisure walking
- business walking and
- roadway/car park.

For each category, an upper threshold is defined, beyond which conditions are described as unacceptable for a stated activity. If conditions are below the threshold, then they are described as tolerable. An unacceptable result implies that remedial action should be taken to mitigate wind conditions or that the proposed pedestrian activity at that location should be redefined.

The analysis modelled wind speeds that would result from the new building at 118 sensitive points or 'receptors' at ground level, with a further 12 receptor points also analysed for the upper level balconies (these are discussed below in the section on The Amenities of Future Occupiers). The results show that all receptors achieve wind conditions suitable for their designated activity in both the annual average and the summer configurations noted above. In the windiest period, there are five of the 118 receptor points tested would be slightly under ideal comfort levels. While not suitable for 'sitting' or 'standing', these five points would remain suitable either for 'business walking' (at four receptors) or 'leisure walking' (one receptor). The notes that comfort levels for the windiest period are modelled for a limited period of two weeks during winter. In view of the high scores for comfort levels in the remaining locations and the fact that all 118 receptors are acceptable during the annual average and the summer configurations, the lower than optimum comfort levels in five locations are considered to be acceptable without further mitigation measures being provided.

Notwithstanding the above findings, while the microclimatic analysis has carried out a thorough consideration of points around the building where any impacts might normally be expected, it is noted that the analysis did not model any points outside the estate. The closest of these are within the school playing fields to the north. It is recommended that further modelling be carried out to ascertain whether any mitigation is required to ensure appropriate comfort levels in this and any other potentially impacted locations adjacent to the site, and this is included in the recommended conditions above.

In conclusion, it is considered that the microclimatic effects of the proposal will be very limited, and that the impacts of the tower building would be acceptable as required by London Plan Policy 7.7 and local Policy DM05.

Character and appearance of the street scene

The design principles in both the London Plan and Barnet DPDs place expectations on all developments to achieve a high standard of design which responds to local character, enhances the public realm and includes architecture of the highest quality that defines the area and makes a positive contribution to the streetscape and cityscape. As noted in this report in regard to the acceptability of a tall building in this location, the height of the building is considered to be acceptable in terms of appearance, in that it complement the scale of the adjacent buildings. It will also create some variation in the skyline, adding variety as well as just under an additional 14m in height. The hexagonal plan form of the proposed building would make the building appear slimmer than in a more conventional square or rectangular plan form when viewed from the front and rear. This configuration allows for the best use of a constrained site in terms of size and relationship with existing properties, while also allowing all flats to be dual aspect units.

Exterior materials would be predominantly brick cladding with glazed balcony balustrading to the front and rear. The design of the building features a detailed combination of horizontal and vertical elements that includes floor to ceiling windows, textured brick panelling and openings for balconies at the front and rear that are contained within the main building envelope. It is considered that these features would all add considerable visual interest to the elevations. The quality of the elevational treatment as required by both local and London Plan policies is crucial to the acceptability of the proposal, and the use of high quality exterior materials is integral to this. London Plan Policy 7.7 C(e) as noted above requires tall buildings to incorporate the highest standards of architecture and materials, and the condition recommended above would secure this.

At street level, provision of a prominent and attractive entrance to the proposed building and the arrangement of car parking and soft landscaping around the outer edge of the realigned Prospect Ring are also key to the acceptability of the scheme in design terms. While the longer views of the building are acceptable, some improvements and amendments are however required to the closer views of the building, which can be secured by conditions as recommended above. As noted in the description of the proposal at Section 3 of this report, in the plans as submitted all flats except the two ground floor units would be accessed from the central lobby. However, this results in there being two separate entrances for the two ground floor flats adjacent to either side of the communal entrance within the void ground to first floor space at the front of the building. This is not considered to be a good design feature, because it results in a potentially confusing delineation of public and private space within the recess or void adjacent to the building entrance. This layout therefore needs to be rearranged so that the two ground floor flats have their access from the interior of the building. This in turn will require some amendments to the detailed elevational treatment within the front of this void space. While any drawings received prior to the Committee meeting will be reported in the committee Addendum, it would also be acceptable for these be provided in line with the condition recommended above, which provide for this amendment.

In addition, at the rear of the building, it is noted that rear doors to the plant room and to the cycle store are identical. These should be differentiated, with the entrance to the cycle store enlarged or otherwise differentiated from the plant room entrance to assist with legibility for this entrance.

On the north side of the building, the location of the bin store is not considered to be ideal, due to its location near the windows of one of the ground floor flats. The refuse strategy which forms part of the Design and Access Statement set out that these facilities would be a relatively new type of underground store, where refuse and recyclables are deposited into shutters that are relatively small features that are of contemporary and interesting design. However it remains to be demonstrated that this feature will be acceptable for a development of this site, and further details of this feature have been requested. If the appearance of this facility cannot be shown to be of acceptable appearance, alternative details and include alternative siting of the bin store will be required, and if required, it appears that this facility could be shifted further back from the front of the building so that it is located alongside the plantroom rather than adjacent to windows serving one of the flats. This can be provided for by a condition, as recommended below.

Turning to the proposed design and layout of the public highway and amenity space, while the changes to the layout of Prospect Ring are to some extent landscape-led, the realigned road and enlarged 'Ring' that would result appears to be at least in part a response to a need to provide more car parking in association with the proposed new building. While this is accepted as a valid driver of the layout design, this approach has brought with it some challenges as to how the frontages and entrances to the existing and proposed buildings would be treated, and for the existing flats how the realigned road, footpath and car parking

that occupy what are currently green buffer spaces to the fronts of the buildings would relate to the habitable areas within the existing flats. The GLA response has raised concerns that the proposals will be overly dominated by car parking, and the limited range of utilitarian materials that are acceptable in the Borough for use on adopted highways also represents a further constraint on the level of design quality that can be achieved in the combined road and landscape layout as proposed here. The design response to this has been the use of soft planting including both street trees along with lower growing plants to separate some of the car parking spaces from each other, and to provide where possible limited buffer areas between them the buildings and the realigned road. It is considered that some readjustment of these landscaping spaces between car parks should be provided in the detailed landscape plan would be provided by the condition recommended above, to provide the landscaped buffers between car parking spaces and the paths into the existing buildings, where this has not already been provided in the layout (this is the case with the southern tower block and the low-rise building in the south-eastern part of the site). This can be achieved by adjusting and essentially swapping the location of some of the car spaces around the perimeter of the realigned 'Ring', so some of the that landscaped areas would be located directly alongside the footpaths into the these existing buildings.

The relatively hard edge to the realigned Prospect Ring will be balanced by the enlargement of the communal amenity space within the 'Ring', where existing trees will be retained and play equipment and new planting will be provided. It is noted that the proposed layout would also close off one end of the "ring" in the realigned Prospect Ring non-continuous, so that there would be a continuous area of grass between the redesigned amenity space and the plane trees located at the northern end of the site, and this is considered to be a good feature in that it makes the site less dominated by traffic movements than would it is currently.

On balance, it is considered that with careful selection of soft landscaping materials and play area design, along with the materials selected for the building and hard landscape materials as already noted above, the proposal will result in an attractive development that will enhance the overall estate while providing for much needed additional affordable housing.

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

The proposed building has been designed to minimise overlooking to neighbouring residents, with the orientation of the balconies avoiding the potential for overlooking between the proposed units and the existing neighbouring blocks of flats. The orientation of windows on the flank elevations also ensures that there would be no directly facing habitable rooms between the proposed development and the neighbouring buildings. Nevertheless, the minimum separation distance between habitable room windows to the building to the north would be 23.4m and to the south, 21.3m, so exceeding the minimum 21m separation between habitable room windows as set out in the Sustainable Design and Construction SPD.

A Daylight, Sunlight and Overshadowing Assessment has been submitted, which considers impacts on light to the existing surrounding development. This demonstrates that the impact of the development on daylight to neighbouring flats is acceptable and compliant with BRE guidance, as is sunlight provision to existing external spaces and the redesigned communal amenity space proposed as part of the new development. Overshadowing impacts on the playing fields of the adjacent Holy Trinity Church of England Primary School would also be compliant with BRE guidelines.

Concerns have been raised as to overlooking of the adjacent school grounds. It is noted that while minimum separation between the building and the common boundary at one point is approximately 15m, windows in the adjacent part of the development are set at an angle to the boundary and the distance increases towards the centre and front of the building. Most views towards the school will be at much greater distances. It is not considered that this would be unacceptable in terms of impacts on privacy.

TfL have requested that no balconies or openable windows be installed facing the Northern Line. It is noted that a south side-facing elevation which and the rear elevation of the building would have angled views across the Northern Line. Clarification of this request has been sought from TfL, and any further information provided will be reported in the Committee Addendum.

Overall, it is considered that the new residential building would not result in any detriment to the neighbouring occupiers or landowners.

Whether the living conditions of future occupiers would be acceptable

The internal spaces within the flats are designed to comply with standards within the London Plan, and either meet the minimum internal area requirements as set out in in Table 3.3 at Policy 3.5 of the London Plan, or exceed them.

In the study of microclimatic effects discussed above in relation to the impacts of a tall building in this location, the analysis also considered wind impacts on 12 balcony locations at ninth, tenth, eleventh and twelfth floor levels (including all four balconies on each of the two uppermost levels). Following the framework for assessing future comfort levels for occupiers that was noted in that earlier discussion, these balcony locations were assessed and found to be acceptable either for standing (8 of the 12 receptor points) or sitting (4 of the 12). A safety assessment was also carried out against wind speeds of 15 and 20 m/s.. All the receptors pass the safety check. In order to ensure that the comfort levels on these balconies are improved to an acceptable standard, it is recommended that further modelling work should be carried out to assess what levels of additional glazed screening should be provided to ensure an optimal level of screening for these locations. This is provided for in a condition as recommended above.

The Daylight, Sunlight and Overshadowing Assessment submitted with the application assesses natural light levels to the proposed development and demonstrate that acceptable daylight levels would be achieved for almost all habitable rooms within the development. All 144 habitable rooms would have a clear view of the sky and 142 would achieve acceptable daylight levels. Two habitable rooms on the ground floor would be slightly under the BRE recommended Average Daylight Value (ADV). These are both combined kitchen / living areas and achieve an ADV values of 1.8%. The recommended ADV values for kitchens and living rooms are 2% and 1.5% respectively so while failing the target for kitchens the light levels are acceptable for living rooms. The Annual Percentage of Sunlight Hours (APSH) of all south facing living rooms also meet BRE requirements. Overall this is considered to be a good level of provision.

Standard 13 of the London Housing SPD requires that any access core serving 4 or more dwellings should provide an access control system with entry phones in all dwellings linked

to a main front door with electronic lock release. This can be provided for by way of a suitably worded condition.

Whether the provision of amenity space for existing and new residents is satisfactory for a development of this size

All of the proposed units other than the two ground floor level flats would be provided with a private balcony, typically 7.4 sq.m. in area. While the application makes a case that this exceeds the minimum standards set out in the Mayor's Housing SPG (2016), there is an amenity space deficit of 365 sq.m. overall as calculated for the overall development on the basis of the Council's adopted standard of 5 sq.m. for each habitable room. Both existing residents in the estate and future residents in the proposed building would have the use of the improved landscaped communal amenity spaces to be provided as part of the development. While the level of amenity space provision does not achieve Barnet standards, a balance has in this case been sought between the need to provide quality amenity space and sufficient car parking space to accommodate the requirements of the proposal. Impacts on the provision of amenity space for existing flats on the estate is considered below.

Amenity areas for the two ground floor flats and two first floor flats above them as shown on the submitted drawings are within the open area at adjacent to the communal entrance, and would be overhung by the building. This aspect of the proposal has been discussed with the applicant and will be amended. Any drawings submitted to address this point will be reported in the Committee Addendum, and this amendment is also provided for in the condition recommended above.

London Plan Policy 3.6 and the Shaping Neighbourhoods: Play and Informal Recreation SPG require new housing developments to ensure that children have access to good quality, well designed, secure and stimulating play opportunities. The Mayor's SPG states that the minimum requirement for children's playspace should be 10sqm per child. This is measured against the expected child yield of the development. In accordance with the Mayor's playspace calculator, there is a requirement for 490sqm of dedicated children's playspace generated by the proposed development. A total of 500sqm of dedicated playspace is provided across the re-landscaped site as part of the proposed development. This is split into 320sqm under 5's doorstep play, 120sqm dedicated play for 5 – 11 year olds and 60sqm for 12+ year olds.

However, while this level of provision is satisfactory for future residents, it does not take into account the requirements of the existing residents. Assessed against the Council's amenity space standards of 5 sq.m. per habitable room, following the demolition of the four units that would be replaced in this proposal the remaining 111 existing flats have a requirement for 1475 sq.m. of amenity space. Any shortfall would need to be made up by a financial contribution for an off-site improvement, as noted in Recommendation II (7). This is still being assessed, in consultation with the Council's Greenspaces Manager, and will be advised in the Committee Addendum.

The application notes that the Mayor's SPG explains that the figure of 10sq.m may be reduced where there is play space located in the vicinity of the site. The Design and Access Statement includes an audit of open space and play spaces in the surrounding area which shows that there are a number of play areas within the required 400m walking distance for children of the 5-11 age range, and play areas within 800m walking distance suitable for children ages 12+, including the Market Place playground approximately 200m north of the Site.

Whether an appropriate mix of residential accommodation would be provided

The applicant is proposing to deliver solely one and two bedroom units with the mix heavily weighted in favour of two bed units. Given the site's location close to the town centre and the tower typology of the proposed building, it is accepted that large family sized accommodation is less suitable in this location than the smaller units proposed. It is acknowledged that Open Door Homes are providing a wider mix of dwellings across their affordable housing programme, which includes larger family sized affordable accommodation on other sites. It is considered therefore that the provision of one and two bedroom flats in this development is acceptable.

Standard 11 in the Mayor's Housing SPG requires that 90 per cent of new build housing should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulation requirement M4(3) 'wheelchair user dwellings'. In this application, five of the units would be wheelchair accessible, and the remaining units would meet the M4(2) requirement for the remaining units.

Whether the proposal would be acceptable in its impacts on archaeology

The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: East Finchley: East End and Park Gate.

A Heritage and Archaeological Desk-Based Assessment was submitted with the application, which concludes that there is a potential for archaeological remains of the medieval settlement of East End. The existing building is likely to have impacted upon archaeological remains but as the proposed new building extends beyond the existing building footprint this part of the site is more likely to contain surviving archaeology. Appraisal of the application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. Historic England has advised that a condition would provide an acceptable safeguard for any archaeology that may be present at the site, and the recommended condition provides for a two stage process of archaeological investigation comprising an initial evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

Impact on car parking at and highways safety

The proposal includes reconfiguring and realigning Prospect Ring including the on-street parking layout, which is to be re-provided. Parking provision has been assessed in accordance with Development Management Policy DM17, with up to 1 parking space per one-bedroom unit and 1.0 to 1.5 parking spaces per 2 and 3 bedroom unit being the applicable standard in this location. Based on the PTAL rating of 3 for the site 60 parking spaces would therefore be required. Existing provision consists of 69 spaces, made up of 25 on-street parking spaces that are part of the existing CPZ, 29 residential parking spaces on site and 15 garages which would be demolished.

A Transport Statement is included in the application, which sets out detail of parking surveys that were undertaken on Tuesday 23rd and Wednesday 24th May 2017. These indicated

that the maximum overnight parking demand (when residential parking demand is at its highest) was 78%, which equates to an existing parking demand for 42 parking spaces. Based on these findings the application proposes to re-provide these 42 parking spaces. The applicant has confirmed that 13 of the garages being lost are currently let but could not confirm how many of the garages were being used for parking. However the garages are considered to be too small to accommodate modern vehicles; notwithstanding that, six of the garage parking spaces that would be lost would be re-provided (as exterior parking spaces) to ensure that there is not adverse impact on public highway due to overspill parking.

A total of 74 parking spaces are proposed, of which 24 parking spaces and 2 car club spaces are provided for the proposed development and the remaining 48 parking spaces are being identified for the re-provision of the existing parking demand as follows:

- 25 existing Controlled Parking Zone spaces on street;
- 17 existing private parking spaces; and
- 6 parking spaces to account for the loss of garage parking spaces

The provision of 24 parking spaces for the proposed new development will result in a shortfall of parking provision of 36 parking spaces, and it would therefore be necessary to exclude the occupants of the new development from eligibility for parking permits within the existing Control Parking Zone (CPZ).

The secure cycle storage proposed for the development accommodates the required 96 spaces for future residents as well as 4 additional visitor cycle parking spaces, meeting and exceeding the minimum London Plan requirements.

Electrical Vehicle charging Points (EVCPs) would be provided in accordance with London Plan Parking Standards, and condition is recommended to this effect. The GLA has requested that five active and five passive EVCPs should be provided, and this is set out in the recommended conditions.

A separate application under S278 / S38 of the Highways Act 1980 will need to be made to the Highway Authority for any works affecting the highway. The Highways Officer has advised that any alteration or realignment of the existing highway or rights-of-way may require extinguishment of the existing rights, if these are affected by the proposed development. Any proposal to stop up of existing highway would be submitted under Section 247 of the Town and Country Planning Act, and any existing pedestrian access would need to be maintained, or alternative routes provided if the existing routes are stopped up either temporarily or permanently. Provision of new footways or modifications to the existing footway will need to be to full accessible standard. Commuted maintenance payments will be applied for all future maintenance for adoptable highways and highway infrastructure affected by the any works to facilitate the development.

The GLA submission acknowledges that the proposed parking ratio falls within the London Plan maximum for a site with a PTAL rating of 3, but considers that the applicant must reduce the number of car parking spaces accordance with draft London Plan Policies T2 and

T6. Draft policy T2 (Healthy streets) aims among other points to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently and streets are greener and more pleasant (draft Policy T2 B.2). Draft policy T6 (car parking) seeks to restrict car parking in line with levels of existing and future public transport accessibility and connectivity. While the aspirations of draft policy T2 are supported, it is considered that the enlarged central amenity area and with readjustment of the landscaped spaces that are proposed between car parking spaces in a detailed landscape plan to be provided by condition, an acceptable balance between car parking and other uses in this public space will be provided by the development. In regards to draft policy T6, local car parking requirements are supported by officers. The draft status of these policies is noted at Section 4 of this report, and for this reason the advice of the Council's Highways Officer in regards to the number of car parking spaces that are required for this development.

Impacts on trees

Prominent trees within the site include a group of two planes on the north side of the site, to the rear of the Post Office at Market Place, and a group of three trees in the central amenity area comprising one hornbeam and two Swedish whitebeams. These are identified in the application as B grade trees, although the Council's Tree Officer notes that the plans have a life expectancy of 40 + years and should be graded at category A (high value). They make significant contribution to the character of the estate. They are all identified for retention, although it is noted that highways works would take place within the root protection areas of four of these trees and that this could potentially compromise these trees. While an arboricultural method statement submitted with the application identifies works in this area as low-dig, this may not be possible within the realigned public highway. The proposal would result in the loss of 4 category B trees (moderate arboricultural value), 1 tree and 1 small group of large shrubs identified as category C (low arboricultural value), and one category U tree. Protected trees within the site are located beyond the development zone, and will be retained. The submitted arboricultural method statement sets out a method to prevent / reduce harm to the roots of the potentially affected trees, and if this method is strictly adhered to the health of these trees should remain.

The primary impact will be the loss of the category B trees. However, 44 new trees are proposed within the red line boundary of the estate and these would provide a long term offset for this loss. A Tree Strategy within the Design and Access Statement where new and replacement trees could be planted. The Tree Officer has advised that the species and varieties selected should be re-evaluated to improve match with the scale of the proposed building, and to improve diversity and wildlife interest. Suitable trees species could include Scots pine, cypress oak, common beech, Indian bean tree for large species while smaller growing species such as juneberry, dogwoods and mountain ash would be appropriate. Other species can also be considered. Trees to be planted in hard surfaced areas must be provided with suitable sub-surface rooting areas, which can be achieved with products such as strata-cells.

A detailed landscape plan would be required by the recommended condition.

Ecology

The submitted Ecological Assessment found no evidence of protected species on the site, but identified two invasive plant species, cotoneaster and buddleia, which should be removed. Bio-diversity on the site which is currently low and ecological enhancements are recommended in the Assessment which would improve this. These enhancements can be secured by appropriate conditions.

Building sustainability

The development of Prospect Ring is expected to achieve and exceed the national, London-wide and local targets and standards in regards to building sustainability. In line with London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) the development would achieve a reduction in CO₂ of at least 35% over the target emission rate defined in Building Regulations 2013 Part L1A through the use of high fabric efficiency, air tightness levels, efficient building services and renewable energy generation, following the London Plan 'Lean-Clean-Green' energy hierarchy.

Be Lean

The first step addresses reduction in energy use, through the adoption of sustainable design and construction measures. The proposed development will incorporate a range of energy efficiency measures including levels of insulation exceeding current Building Regulations requirements, the installation of high performance glazing, energy efficient lighting and mechanical ventilations in all habitable spaces. The implementation of these measures would potentially reduce regulated CO₂ emissions by 2.86%, when compared to a notional built to current Part L Building Regulations.

Be Clean

The development is designed in compliance with London Plan Policy 5.6 (Decentralised Energy In Development Proposals) through the provision of a communal heating system utilising a combined heat and power (CHP) unit. The CHP will provide additional CO₂ reductions to those achieved at the 'Be Lean' stage of the Energy Hierarchy, with a 28.11% reduction in CO₂ emissions as compared to a notional building built to current Part L Building Regulations.

Be Green

In response to London Plan Policy 5.7 (Renewable Energy), on-site renewable energy will be generated by photovoltaic panels installed on the roof. This will provide a further reduction to that achieved via the employment the CHP, with approximately 51 sq.m. of photovoltaic (PV) panels providing a total peak power output of approximately 8.00 kWp. This is expected to reduce regulated CO₂ emissions by further 5.57% when compared to a notional building built to current Part L Building Regulations

Overall, the development at Prospect Ring would achieve a reduction in regulated CO₂ emissions of 36.54% over current Part L Building Regulations. Referring back to London Plan Policy 7.7 C (e), tall buildings are required to incorporate in addition to the highest standards of architecture and materials, the highest standards of sustainability. For that reason measures to provide further CO₂ savings have been requested from the applicant, and proposals for further PV panels have been received. The additional savings in emissions will be updated in the Committee Addendum.

In addition to the strategies above, the proposals provide for reduced potable water use to below 105 litres/ person/day using water efficiency fittings. Both emission savings and water usage can be secured by appropriate conditions.

The potential of overheating has been tested for the current and the future climate datasets. Passive measures have been incorporated in line with the London Plan Policy 5.9 and the

Cooling Hierarchy. The results of the analysis show that all bedrooms achieve the TM 52 criteria for current and the future scenarios (2020, 2050 and 2080). Additional measures will be required to meet the criteria in all living rooms during intense and long warm events, and these are required by the recommended condition.

The Environmental Health Officer has commented that there is potential of land contamination and that air quality is likely to fall below minimum standards on occasions. Appropriate conditions were requested for any planning permission, and these are included in those recommended in this report.

5.4 Response to Public Consultation

The issues referred to in neighbour letters are addressed in the above discussion. Consultation responses are summarised here:

Environmental Health:

- The mitigation measures for the construction / demolition phase are acceptable.
- The submitted noise assessment is also acceptable.
- Asbestos containing materials have been identified within the buildings to be demolished. An asbestos survey will be required.
- Conditions are also required in respect to impacts of and mitigation for noise and vibration, and for screening and any mitigation required for the electricity substation.

Lead Local Flood Authority:

- A sustainable drainage system will be required and a condition is recommended to this effect.

Highways:

- The application is recommended for approval, subject to conditions. Refer to discussion in 5.3 for further details. These are set out in this report.

Tree Officer:

- Supports application subject to conditions.

Greenspaces:

- Comments awaited regarding section 106 sum for off-site provision of amenity and play space.

Historic England:

- The archaeological potential at the site is such that a condition is requested, as noted in 5.3 above.

Transport for London (TfL):

- Has commented on car parking, cycle storage, and construction management plan and travel plan requirements.
- Detailed comments have also been made on London Underground Infrastructure Protection has no objection in principle to the planning application, but there are a number of potential constraints on the redevelopment of a site situated adjacent to railway infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:
 - Our right of support is not compromised
 - The development will not have any detrimental effect on our structures either in the short or long term
 - The design must be such that the loading imposed on our structures is not increased or removed
 - We offer no right of support to the development or land

A condition and an informative is requested.

TfL has also commented about opening windows and balconies facing their land. This is commented on Section 5.3 of this report (further information has been sought from TfL on this point).

Greater London Authority (GLA):

- Provided detailed comments on
 - engaging with residents of the estate.
 - provision of affordable housing
 - mix of accommodation / housing choice
 - provision of children's playspace
 - urban design
 - inclusive design
 - response to climate change and
 - transport.
- While the initial letter raised the likelihood that including a late review viability assessment would be required, but that issue was withdrawn on the basis that the proposal would provide at least 50% affordable rented accommodation.

London Fire and Emergency Planning Authority:

- The Brigade is satisfied with the proposals for fire fighting access. The Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what the outcomes of those recommendations were.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site and the locality, and provided that high quality external materials and appropriate landscaping is provided, it is considered that the proposal would be acceptable. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers, and that microclimatic effects will be acceptable. It can be concluded that the proposal complies with the key policies of the development plan, and the application is therefore recommended for approval, subject to conditions.



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Location **Stag House 94 Burnt Oak Broadway Edgware HA8 0BE**

Reference: **17/8140/FUL**

Received: 22nd December 2017

Accepted: 18th January 2018

Ward: Burnt Oak

Expiry 19th April 2018

Applicant: Mrs M Bedi

Proposal: Demolition of the existing building. Erection of a four, five and six-storey building to facilitate 51 no (assisted living C2 use) self-contained units with associated communal facilities, landscaping, parking, buggy/cycle storage and refuse and recycling storage

AGENDA ITEM 9

Recommendation: Approve subject to s106

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)

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

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

Travel Plan monitoring £5,000.00

Travel Plan incentives £4,500.00

A contribution towards the cost of required changes to an existing traffic order or creation of a new order related to the development.

Monitoring of the Agreement £100.00

Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Head of Development Management or Head of Strategic Planning:

1 The development hereby permitted shall be carried out in accordance with the following approved plans: AA6473 - 2000A; AA6473 - 2002A; AA6473 - 2003A ; AA6473 - 2004A; AA6473 - 2005A; AA6473 - 2023A; AA6473 - 2024A; AA6473 - 2030; AA6473 - 2031; AA6473 - 2055A; Design and access Statement (PRP); Sustainability statement (PRP); Drainage Statement (Ellis and Moore); Utilities Assessment; Tree survey/Arboricultural Assessment (PJC); Affordable housing statement (Barnet Homes); transport statement (Lime Transport); Noise impact assessment (RPS); air quality assessment (RPS), sunlight and daylight assessment (waterslade); statement of community involvement (Barnet Homes)

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

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

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

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

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

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

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

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

6 Before the development hereby permitted is occupied the car parking spaces and the access to the parking area as shown on Drawing No. AA 6473-2002 Rev. A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

7 Before the development hereby permitted is occupied, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development. In addition facilities for the storage of wheel chairs and electric mobility scooters shall be provided as required.

Reason: To ensure and promote easier access for disabled persons to the approved building and to encourage sustainable methods 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 which in turn refers to London Plan Parking Standards.

8 Before the development hereby permitted commences details of the Electric Vehicle Charging Points as proposed in the submitted planning application but no less than 20%

active and 20% passive shall be submitted to in accordance with the London Plan Parking Standards and agreed in writing by the Local Planning Authority.

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 2015.

9 Prior to occupation full details of the refuse storage and collection arrangements under a Waste and Recycling Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The collection thereafter shall only be carried out in accordance with the approved Waste and Recycling Management 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.

10 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013), and 7.15 of The London Plan 2015.

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

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

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

12 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the heating/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 2011.

13 a) Prior to commencement of development of the relevant part a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties is carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority

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

Reason: To ensure that the amenities of the neighbouring occupiers are not prejudiced odour and smoke in the immediate surroundings in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).

14 a) Before development commences, an air quality neutral report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The development shall be at least "Air Quality Neutral" and an air quality neutral assessment for both buildings and transport shall be included in the report.

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 amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2011.

15 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the 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 any 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 October 2016). To comply with the London Plan's SPG on Sustainable Design and Construction document (2014) and Policy 7.14 of the London Plan (2011) in relation to air quality.

16 Part 1

Before development commences other than for investigative work:

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

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

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

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

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be

submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

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

17 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 (2011) policies 5.3 and 7.14

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

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

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

19 The premises shall be used for extra care residential purposes and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

accordance with policy DM01 of the Adopted Local Plan Development Management Policies DPD (2012).

20 a) No development other than demolition work shall take place until details of the location within the development and specification of the 5 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

b) The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and retained as such thereafter.

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

21 a) No development other than demolition works shall take place until a scheme indicating the provision to be made for disabled people to gain access to the development has been submitted to and approved in writing by the Local Planning Authority.

b) The scheme approved under this condition shall be implemented in its entirety before the first occupation of the development or commencement of the use and retained as such thereafter.

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

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

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

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

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

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

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

25 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with Policy DM01 of the Adopted Local Plan Development Management Policies DPD (2012)

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

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

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

27 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may

replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

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

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

RECOMMENDATION III:

1 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 1st June 2018, unless otherwise agreed in writing, the Service Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of monitoring the provision for affordable housing or undertaking the provision of a Travel Plan with incentives for staff and as such, the proposed development fails to provide for affordable housing or to provide for sustainable transport measures.. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 1 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The submitted Construction Method Statement shall include as a minimum details of:
 - o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o 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.
 - o 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.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o For major developments only: provide a copy of an asbestos survey;
 - o 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 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 4 In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the Environment, Planning & Regeneration Directorate. This may involve relocation of any existing

street furniture and would need to be done by the Highway Authority at the applicant's expense. Estimate for this and any associated work on public highway may be obtained from the Environment Development and Regulatory Services, Barnet House, 1255 High Road, London N20 0EJ.

- 5 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. 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.
- 6 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
- 7 : 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
- 8 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance towards any damage to the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic related to the proposed development. 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.
- 9 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of

damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £__ payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £__ payment under Barnet CIL.

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

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

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

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

may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

11 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.

- 12 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.

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

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

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

Officer's Assessment

Officer's Assessment

1. Site Description

The site is located at Stag House on Burnt Oak Broadway in Edgware. The existing site is approximately 68 metres in depth, 43.1 metres in width at the widest point and the existing building is three storeys in height.

The site extends to 0.23 hectares and sits at the convergence of three London Boroughs LB Harrow, LB Brent and LB Barnet, in which the site is located. The application site is currently a mix of Class D1 and B1 operated by the Rex ministries outreach centre. The existing building is situated between a Tesco Metro which is now closed and Barnet Homes Owned Housing Scheme on the opposite side to the north. On the opposite side of the road (within LBB Brent) on a currently vacant plot, a seven storey Catalyst Housing Association scheme, which has been recently given planning permission by LB Brent, is under construction. The site falls within the designated town centre of Burnt Oak.

Trees that previously surrounded the rear of the site have recently been removed.

The application site of Stag House is partially located within the Watling Estate Conservation Area. The layout of the conservation area is typical Garden City planning. Informal greens, grass verges, roundabouts, central traffic islands and street corners all work to create a green and open feel to the area. Stag House falls between this conservation area and Burnt Oak/Colindale Growth Area. Burnt Oak and Colindale have been identified as being a suitable location for the construction of new homes to meet the demands for population growth and the shortage of housing.

The area can be characterised as a diverse, urban landscape with built form varying considerably in bulk, scale, massing and appearance. The character of the area varies from dense commercial and mixed use developments along Burnt Oak Broadway (A5) to the more dispersed and lower scale residential developments along adjoining side roads. The surrounding residential area is largely suburban, characterised by semi-detached and detached houses on residential streets. Burnt Oak Broadway is part of a narrow ribbon of commercial and retail developments that continue all the way to the south of Brent Cross, interspersed by taller residential developments which often have commercial uses on the ground floor.

The site is close to the M1 and the North Circular. Burnt Oak underground station is served by the Northern Line, connecting the site to central London and directly on to Kings Cross, St. Pancras, Euston and Waterloo Station.

2. Site History

Reference: H/00653/13

Address: Stag House, 94 Burnt Oak Broadway, Edgware, HA8 0BE

Decision: Refused

Decision Date: 11 April 2013

Description: Variation of condition 5 (Use Restrictions), Condition 6 (Hours of use), Condition 8 (Area of Worship) and Condition 10 (No. of people) pursuant to planning permission

H/01731/09 dated 12/11/09. Amendments include use of the premises for functions and public hire, extending hours of use, allowing for a larger area to be used for worship purposes and associated changes in restrictions to No. of people using the premises.

Reference: H/00129/13

Address: Stag House, 94 Burnt Oak Broadway, Edgware, HA8 0BE

Decision: Application Invalid On Receipt

Decision Date: No Decision Made.

Description: Removal of Conditions No.5 (premises should not be used for banqueting purposes, weddings or public hire); No.6 (hours of opening); No.8 (area of worship and No.10 (No. of persons present for worship use) pursuant to planning permission Ref: H/01731/09 dated: 12/11/2009.

Reference: H/01322/12

Address: Stag House, 94 Burnt Oak Broadway, Edgware, HA8 0BE

Decision: Application Invalid On Receipt

Decision Date: No Decision Made.

Description: Variation of conditions 5 (Public Banqueting and Public Hire); 6 (Opening Hours); 7 (Use); 8 (Worship Room); 9 (Worship Times); 10 (Numbers of People); 11 (Amplified Sound) pursuant to planning permission H/01731/09 dated 12/11/09 for 'Change of use of ground floor only from Class A2/B1 (Former Housing Advice Centre) to D1/B1 (Community Outreach Centre with associated office).'

Reference: H/01731/09

Address: Stag House, 94 Burnt Oak Broadway, Edgware, HA8 0BE

Decision: Approved subject to conditions

Decision Date: 12 November 2009

Description: Change of use of ground floor only from Class A2/B1 (Former Housing Advice Centre) to D1/B1 (Community Outreach Centre with associated office).

3. Proposal

The planning application proposes the demolition of existing buildings and for the construction of an extra care residential development (Use Class C2; Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres). The application seeks to provide 51 no. 1 and 2 bedroom flats, served by new vehicular access, taken from an access road of Burnt Oak Broadway, with associated parking and landscaping.

The ground floor of the six storey block will facilitate communal and ancillary spaces providing a lounge, café, kitchen and refuse. This is a key functional principle of the development which will operate as a form of small community hub with an active shopfront. The second and fourth floor will provide laundry facilities whilst the third floor will provide an overspill buggy store. 53 assisted living self-contained units will consist of 1 bedroom apartments at 54 and 63 square metres and 2 bedroom apartments at 75 square metres. The total depth of the proposed property would be 55.6 metres, with the six storey building at approximately 20.6 metres deep and 19 metres high, five storey building at approximately 19.2 metres deep and 16.2 metres high and fourth storey at approximately 15.8 metres deep and 12.4 metres high. The proposed three sections of the property will be progressively set back from the six storey front facing block. The width of the proposed property would be approximately 34.68 metres at the widest point.

The proposal has an L-shaped footprint with a distinct frontage building on Burnt Oak Broadway with the building behind orientated at 90 degrees to the frontage building that steps down to three storeys as it projects closer to the rear of the site and the boundary with Gaskarth Road.

The design would attempt to incorporate similar design as period properties within the vicinity of the site. The application proposes brick and stone details that create plinths to emphasize the hierarchy of different floors and functions. The proposed wall materials would be double or triple brick soldier course dark grey brick. The proposed pop-out balconies will be displayed in a hit and miss detail design. The materials proposed for the balconies would be bronze metal slabs with glazing railing panels and comparable bronze metal balcony canopies. The proposed doors and windows materials would be aluminium faced windows with dark grey colour. The property would construct a flat roof with art sedum where overlooked on lower level floors.

The application proposes a complex landscape design for the wellbeing of residents and attractive views to the surrounding areas. The main entrance to the building will have a paved surface and adjacent surrounding trees. A new communal terrace would extend to the lounge with outdoor dining facing south-east. The communal garden is divided into a sequence of themed areas including a sensory garden, varied flower gardens and an exercise path wrapping through low herbaceous planting arriving at a growing garden with steps and landing at the lower eastern end. Paved seating areas will border the main wrap around path. The external light would comprise a low wattage scheme. The site would include 9 onsite parking spaces.

4. Public Consultation

Consultation letters were sent to 277 neighbouring properties.

16 responses have been received, comprising 16 letters of objection.

The objections received can be summarised as follows:

Parking and Access;

- Concerns raised regarding the existing lack of parking facilities in the area, corresponsive to concerns relating to the number of parking spaces proposed for the new development.

Scale of Development;

- A sufficient level of concerns raised in relation to the height of the proposed development.

- Neighbours described the proposed height as unsightly, dominant and not in keeping with the building levels in the surrounding area.

- Due to the proposed height of the property, issues have been raised regarding loss of privacy upon surrounding neighbours.

- Neighbours living directly to the side and rear of the proposed development have questioned the effects the development may have on the provision of daylight/sunlight.

- Concerns regarding the impact the development may have on the local character of the area.

Pressure on Local Services;

- Concerns raised regarding the increase in population may have upon the local services, such as doctors, hospitals, banks, shops etc.

- Loss of space, which may be used for other facilities rather than flats.

Distrust in Consultation

- Issues regarding the amount of information neighbours have received about the project and believe it was insufficient.
- Plea for more time to reconsider the proposed development.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 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. Policies 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.10, 3.12, 5.2, 5.3, 5.13, 6.1, 6.9, 6.11, 7.4, 7.6 are considered to be of particular relevance.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS6, CS9, CS10, CS11, CS12, CS14, CS15

Policy CS3 states that On the basis of our Three Strands Approach we expect that in the range of 28,000 new homes will be provided within the lifetime of this Core Strategy 2011/12 to 2025/26.

Policy CS4 states that We will aim to create successful communities in Barnet by:

o seeking to ensure a mix of housing products in the affordable and market sectors to provide choice for all households and enable Barnet residents to progress on a housing journey that can meet the aspirations of home ownership.

- Seeking to ensure that all new homes are built to Lifetime Homes Standards and that through extending the inclusive design principles embedded in Lifetime Homes we can create Lifetime Neighbourhoods that are welcoming, accessible, and inviting for everyone, regardless of age, or health, or disability.

- Seeking a range of dwelling sizes and types of housing including family and lifetime homes that meets our identified housing priorities and does not undermine suburban character or local distinctiveness.

Policy CS5 on Protecting and enhancing Barnet's character to create high quality places sets out how we will secure high quality design.

- Seeking a variety of housing related support options that maximise the independence of vulnerable residents including young people, people with disabilities, older people, homeless people and other vulnerable adults.

- Delivering a minimum affordable housing target of 5,500 new affordable homes by 2025/26 and seeking a boroughwide target of 40% affordable homes on sites capable of accommodating ten or more dwellings.

- Seeking an appropriate mix of affordable housing of 60% social rented and 40% intermediate for Barnet that will support our objectives of widening home ownership and providing family homes.

- On sites which are suitable for the provision of an element of affordable housing, we may exceptionally accept the provision of off-site housing, or a commuted payment instead of such provision.

Policy CS5 states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design.

Policy CS6 states that in order to promote competitive town centre environments and provide consumer choice, we will realise development opportunities for the town centres of Edgware, North Finchley, Finchley Church End, and Chipping Barnet. We will pursue the individual planning objectives for each centre as set out in their Town Centre Frameworks and ensure the delivery of environmental, design, transport, car parking and community safety measures.

Policy CS9 states that the Council will promote the delivery of appropriate transport infrastructure in order to support growth, relieve pressure on Barnet's transport network and reduce the impact of travel whilst maintaining freedom and ability to move at will.

Policy CS10 states that the council will work with our partners to ensure that community facilities including schools, libraries, leisure centres and pools, places of worship, arts and cultural facilities, community meeting places and facilities for younger and older people, are provided for Barnet's communities.

Policy CS11 states how the Council will improve health and well-being in Barnet.

Policy CS12 states that the Council will aim to make Barnet a safer place. It is important that we ensure through the management of growth that Barnet is a place where people from different communities get on together.

Policy CS14 sets out how the Council will encourage sustainable waste management. Promotes waste prevention, re-use, recycling, composting and resource efficiency over landfill.

Policy CS15 states that the Council will work with the Local Strategic Partnership (One Barnet Partnership Board) and other partners to deliver the vision, objectives and policies of the Core Strategy.

Development Management Objectives

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM05, DM06, DM08, DM10, DM11, DM14, DM16, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM03 states that development proposals should meet the highest standards of accessible and inclusive design. Ensuring accessibility can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances.

Policy DM04 states that all major development will be required to demonstrate through an Energy Statement compliance with the Mayor's targets for reductions in carbon dioxide emissions within the framework of the Mayor's energy hierarchy. Proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM05 states that tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable.

Policy DM06 relates to conservation and archaeology. It states that archaeological remains will be protected in particular in the 19 identified Local Areas of Special Archaeological Significance and elsewhere in Barnet.

Policy DM08 states that development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough.

DM09 relates to specialist housing - including housing choice for older people.

Policy DM10 states that having regard to the borough-wide target that 40% of housing provision should be affordable, the maximum reasonable amount of affordable housing will

be required on site, subject to viability, from all new sites providing 10 or more units gross or covering an area of 0.4 hectares or more.

Policy DM11 states that the council will expect a suitable mix of appropriate uses as part of development within the town centres to support their continued vitality and viability.

Policy DM14 sets out policy regarding employment generating uses such as offices.

Policy DM16 states that when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. It also sets out parking standards.

Burnt Oak, Colindale and the Hyde (BOCH) Placemaking Plan

The Plan sets out a vision for the Burnt Oak and Colindale Growth Area including Burnt Oak Town Centre to the north and The Hyde Town Centre to the south. The place making plan seeks to guide and catalyse change within the area through a suite of coordinated public realm interventions and urban design strategies. The plan builds on our vision to boost the local economy and improve the area for new and existing residents, businesses and visitors.

Delivering Lifetime Homes, Lifetime Neighbourhoods - A National Strategy for Housing in an Ageing Society

A strategy sets out an ambitious set of actions for government to improve housing for older people now and to plan better for our future selves. Published in February 2008, the document sets out the actions and recommendations for development relating to the ageing population.

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.

Residential Design Guidance SPD (Adopted 2013)

Planning Obligations SPD

Skills, Enterprise, Employment Training SPD

Affordable Housing SPD

5.2 Main issues for consideration

The main issues for consideration in this case are:

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable
- Whether the proposals would make satisfactory provision towards affordable housing
- Whether the proposals would be acceptable in respect of air quality and noise issues
- Whether the proposals would harm highway and pedestrian safety
- 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 and future residents.
- Whether the proposals would have an acceptable impact on local security
- Environmental and Sustainability Issues
- Whether the proposals would make adequate provision for accessibility
- Whether the proposals would make adequate provision for biodiversity
- Whether the proposals would have an acceptable impact on local drainage

5.3 Assessment of proposals

Principle of care facility

Policy CS11 of the Core Strategy in part aims to ensure that vulnerable residents benefit from housing choice and that additional residential care home provision is only supported when evidence of local need can be demonstrated and that the proposal addresses the priorities of NHS Barnet, or its successor bodies, and the council's Adult Social Services.

In addressing policy CS11 the submission is supported with details of the break down of the level of care the development will provide. It is noted that 50% of the units will be for residents with high care needs. This is defined as residents who need 15 individual care hours per week, advanced dementia and complex and multiple needs, assistance moving and/or eating, assistance lifting and bathing, more intense nursing care, regular care from hospital doctors and other care professionals, need for specialist care; 25% of units will be for residents requiring 10 hours of care per week, early stages of dementia, assistance with personal hygiene, increasing restricted mobility; 25% of the units will provide low care needs comprising of five or less hours of personal care per week, no individual care needs, some will be able to use public transport.

Based on the details provided in regards to the hours and level of care being provided and that 50% of the units will be providing high level of care it is considered that the proposal falls within the C2 use class category of providing extra care facilities.

Policy DM09 of the development management plan policies states that housing choice for older people should: help to meet an identified need; demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area; and be within walking distance of local shops and easily accessible by public transport; and provide adequate communal facilities including accommodation for essential staff on site.

The pre-ambule to policy DM09 indicates that creating an oversupply of specific types of accommodation will be resisted and any application for accommodation which contributes to an oversupply will need to provide robust evidence in support of their proposals. The council will monitor demand and supply on an annual basis and each case will be assessed on its own merits.

The planning statement submitted with the application set out the identified need within the borough this proposal would help meet.

To support the delivery of the Council's housing targets, LB Barnet has produced a Housing Strategy (2015-2025) which reveals that Barnet has the largest population of any London borough, with an estimated 393,000 residents. This is expected to grow by 76,000 over the

next 25 years - an increase of 19% per cent. Within that, it is predicted that the number of older residents in Barnet is expected to increase significantly over the next 30 years.

A breakdown of this demographic change is set out below:

- o The over 60 population is 64,690 now and is projected to be 109,849 by 2041- an increase of 41%.
- o The over 90s population is set to increase fourfold from under 3,000 in 2011 to almost 12,000 in 2041.
- o There will be more over 90 year olds than 85-89 year olds from 2035

In response to the above findings, the Council will need to ensure that there is a suitable variety of housing options to meet the needs of older people, including specialist supported housing. In the Housing Strategy, LB Barnet has committed to exploring opportunities for increasing the range of choices for older people who wish to downsize. The Council has identified that there is already a shortfall in supply of supported housing for older people as an alternative to residential care homes, with the former providing a more flexible and affordable approach that can help older people live more independently for longer.

As identified in the Housing Strategy, approximately 80 people each year in Barnet would benefit from a better outcome if they could be placed in supported housing. The Council believes that older people would benefit from more Extra Care housing units and will look to encourage opportunities for developing such schemes where appropriate.

Any new extra care housing and care homes for older people should be within reasonable walking distance, defined as 500m, of a local parade of shops/local centre or town centre. The site falls within the town centre boundary of Burnt Oak as indicated within map 15 of the development management plan policies, the site falls just outside the primary retail frontage of Burnt Oak which starts at the neighbouring building no.98 Burnt Oak Broadway. The site has a PTAL score of 5 which is a good level of public transport accessibility. Based on its location and accessibility the proposal is considered to be in an appropriate location that complies with the requirements of being a sustainable location in accordance with policy DM09.

Policy DM09 also seeks to ensure that housing for older people also provides adequate communal facilities including accommodation for essential staff on site. The proposed ground floor includes the provision of care team rest, changing and meeting rooms. The ground floor also includes a large café which will be open to the public as well as residents. A lounge and activity room is also provided. The total floorspace for communal/staff facilities at the ground floor level equates to 475sqm this is considered to be adequate.

Loss of community facility

Policy DM13 indicates that the loss of community or educational uses will only be acceptable in exceptional circumstances where:

New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or

There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

The last lawful use of the site was an outreach centre and associated office (D1/B1) occupied by Rex Chosen Ministries. The proposal seeks to compensate for the loss of the outreach centre the ground floor of the proposal incorporates a café use that will be open to

members of the public, in addition there will be lounge/activity room facilities alongside office space associated with the use and care team facilities.

Character and appearance

The proposed development involves a part six storey, part five storey and part four storey building to accommodate 51 units and communal space at ground floor including cafe and lounge/activity room. The proposed development would feature a deep L-shaped footprint with the development forming two distinct building frontages with a six storey building on Burnt Oak Broadway and a four to five storey building facing towards the existing access road between the application site and the former Tesco building. The remainder of the site will provide parking and landscaping.

The properties to the rear of the site comprise two storey suburban terrace dwellings located in the Watling Estate Conservation Area. Either side of the application property are three storey buildings with the application separated from both buildings by access roads. To the front of the site the buildings fall within the London Borough of Brent and comprise of three storey buildings with a corner building on which appears as four storeys.

The proposal will extend up to six storeys in height on the frontage with Burnt Oak Broadway, although this is higher than neighbouring buildings, it is considered that looking at the wider character of Burnt Oak Broadway and the setting of the proposal it is not considered that this height on the frontage would be harmful to the character of the area. It is noted that the building steps down in height as the proposal moves rearwards into the site to ensure that the rear wing of the building sits comfortably with the context of the residential two storey terraces houses of Gaskarth Road. The design of the building is such that the proposal successfully integrates between the larger and higher buildings fronting Burnt Oak Broadway and the more modest residential properties of Gaskarth Road.

It should be noted that there are a number of taller buildings that exist, under construction or have been consented within the wider context of this part of Burnt Oak Broadway which forms the wider context in which this site sits. Although it is noted that the two immediate sites do not extend up to 6 storeys the wider context includes up to 7 storeys in height and as such the proposal is not considered to be at odds with the established character.

Properties on the A5 are generally set back from the edge of the highway with the public pavement outside the site having a substantial width. The proposal will not project beyond the established building line of the neighbouring Tesco and will for approximately half the width of the frontage building be set further back than the Tesco building to incorporate a greater setback than would normally be the case as the space around the footprint would offset the height and massing and to avoid the impression of over development within any given site distance along the front elevation. The proposal is considered to have an appropriate building line given the context of this part of Burnt Oak Broadway.

The proposal has an L-shaped footprint with the rear building being stepped off the pavement edge to help give the perception of a reduced mass and scale.

The proposed development would provide an adequate level of landscaping around the site including a landscaping strip which will separate the development site with Gaskarth Road. To the south of the site is a large area of garden space which is adequately private from neighbouring buildings. The proposal is not considered to result in the overdevelopment of the site with the buildings having an L-shaped footprint which allows for a generous amount of garden and landscaping space as well as parking. The building is considered to fit

comfortably within the site and in terms of site coverage would not be at odds with the surrounding plots.

Amenity of neighbouring occupiers

The nearest residential occupiers are located at Gaskarth Road, Millfield Road and Colesworth House - Burnt Oak Broadway.

The proposal will maintain a distance of 10m between the building line and the boundary with Gaskarth Road and approximately 26m to the nearest rear building line of the neighbouring buildings. Taking into account the distance maintained, width and siting of the building which is such that it does not cover the full width of any one garden width of the neighbouring properties on Gaskarth Road and the height of the building at the nearest point of this boundary the proposal is not considered to be harmful to the neighbouring occupiers in respect of overlooking or loss of light. Given that there are no habitable room windows on the rear elevation and that at the rear of the site, the footprint is sufficiently narrow, it is considered that any impact would be limited. In undertaking a balancing exercise, it is considered that the impact on a small number of dwellings is outweighed by the benefits that the site delivers in providing extra care housing and improving the townscape in this locality as well as removing non conforming bad neighbour uses.

There is sufficient distance from 91 Millfield Road and the application site as such there is no amenity concern as a result of the proposal.

The development is sited at a distance of approximately 10m from the neighbouring side building line of Colesworth House. This distance is comparable to the existing situation between the existing buildings and although it is acknowledged that the proposal will be of a greater height than the existing building it is not considered this will lead to any overbearing impact or overshadowing to existing residential occupiers.

There are balconies to the southern elevation of the rear portion, however, it is considered that these would provide oblique views and have acceptable separation from the rear of the site.

Amenity of future occupiers

The application proposes the creation of 51 units comprising of 41 one bed units; 5 one bed units which are wheelchair adaptable and 5 two bed units. Units falling within a C2 use class category are not subject to the same amenity standards as C3 units and given the communal facilities would not be required to meet London Plan space standards, irrespective each of the units will achieve the London Plan space standards. The proposal includes communal facilities at ground floor including lounge and activity area and café which will provide additional living space for future residents and enhances the amenity provision to be provided to future residential occupiers. There is considered to be sufficient amenity space provision to the rear of the site which provides communal garden space. In addition, each of the units benefit from private balcony areas.

It is acknowledged that the units are single aspect, however, when taking into account that there are large areas of communal living space at ground floor level which will be accessible to the residents it is not considered that the single aspect nature of the units will be harmful.

Environmental Health considerations

The main considerations in these cases are the impacts on the development being noise from traffic, poor air quality and contaminated land. The sites location adjacent to the A5 which is a heavily trafficked route would result in front facing units being subject to poor air quality as well as traffic noise which is particularly critical as the older age population would be vulnerable to respiratory illnesses. Elsewhere, the proposed development would generate noise from any cooking processes at ground floor as well as mechanical ventilation and extraction.

The impacts arising from the proposed development would be managed by conditions limiting the impact and exposure from noise generated both internally and externally. In order to cool and ventilate the building, mechanical ventilation will be required with associated plant.

In respect of air quality, the consultation response from the Environmental Health officer has suggested the imposition of a condition which would require that the proposed development is air quality 'neutral'.

The proposal is considered to be acceptable on environmental health grounds subject to conditions to secure additional information to secure details looking at noise, air quality and contamination risk.

Highways

Stag House is located on A5 Burnt Oak Broadway HA8 0BE.

Currently the site accommodates a church, four residential dwellings above the church and a used car-sales area operating without consent. It is proposed to demolish the existing building on site and construct a purpose-built development accommodating 51 affordable extra-care flats.

Development Proposal:

The proposal is for the demolition of the existing building and re-development of the site for the provision of affordable extra-care living as follows:

- o 41 no. 1-bedroom units;
- o Five no. wheelchair accessible 1-bedroom units;
- o Five no. 2-bedroom units;
- o A café, lounge and an activity zone;
- o Storage for up to 15 mobility scooters and long- and short-term cycle parking; and,
- o Nine car parking spaces are to be provided (of which five parking spaces will be designated as accessible parking spaces and one as a delivery/drop-off bay).

It is likely that there will be approximately 25 to 30 staff associated with the development, working a variety of shifts across the day, with up to two staff present at night.

Assessment of Parking Provision:

Considering that there is no parking standards specified for the C2 use in either the DM17 Policy or London Plan, taking into account the following:

- o The proposal is for residential accommodation facilitate assisted living;
- o The site is located within a walking distance town centre location and local amenities;
- o The site is located in a Public Transport Accessibility Level (PTAL) of 5 which is considered as very good accessibility;

Also 2 of the parking spaces will be installed with active Electrical Vehicle Charging Points (EVCPs) and 2 spaces will be provided with passive EVCPs in readiness to cater for any future demand for electrical charging.

Therefore on balance the proposed 9 parking spaces proposed as part of the development proposal in this location is considered acceptable on highway grounds.

Cycle Parking:

Cycle parking needs to be provided in accordance with the London Plan Cycle Parking Standards to facilitate the staff. However considering that the proposed development is to cater for extra care, it is recommended that adequate storage facilities will need to be provided for wheel chairs and electric mobility scooters.

Vehicular Access:

The vehicular access to the site is from a private access road therefore confirmation is required that the applicant has the right of way over the access proposed for the development.

Proposed Trip Generation:

The consultants appointed by the applicant has assessed the trip generation for the proposed development and stated that the peak period for the development is likely to be during mid-morning and midday with up to ten vehicle movements per hour. During the network peak periods, it is anticipated that the proposed development could generate up to five vehicle movements (two-way) in the AM peak and up to seven vehicle movements (two-way) in the PM peak.

The consultants have stated that in comparison with the existing use of the site, which includes a church, four residential dwellings above the church and a car-sales area, would have generated significantly more vehicles movements (two-way) throughout the day and, therefore, there is unlikely to be any additional impact on the highway network.

Personal injury Accidents:

The consultants have stated a total of 81 personal injury accidents, resulting in 92 casualties, occurred within the study area during the period 2012 to 2016.

Of these accidents, 17 resulted in serious injuries being sustained, and the remaining accidents resulted in slight injuries being sustained comprising 53 accidents involving vulnerable road users as follows:

- o Seven accidents involving child casualties;
- o 30 accidents involving pedestrians;
- o Two accidents involving cyclists; and,
- o 14 accidents involving motorcyclists.

The majority of the accidents occurred along A5 and a significant cluster of accidents occurred at the Burnt Oak Broadway.

However, taking into consideration that the proposed development is likely to result in a limited number of vehicular trips the impact of the proposed development on public highway and road safety is likely to be minimal.

Works on Public Highway:

Any works if required on public highway to facilitate the proposed development shall be agreed with the Highway Authority and undertaken under S278 of the Highways Act.

Servicing, refuse and emergency vehicle access:

As part of the re-development of the site, the applicant has proposed to provide a bin store and plant room along the southern edge of the site, adjacent to the private road serving Colesworth House; Crokesley House; Curtlington House; Clare House; and, Kedyngton House. It is proposed that refuse collection will either take place from the private service road or from Burnt Oak Broadway.

The applicant has stated that the majority of servicing and deliveries will be undertaken from the car park to the rear of the building or on-street, either from Burnt Oak Broadway or from the private road to the south. It is possible to accommodate a 7.5T panel van (long wheel-base transit van). For deliveries by larger vehicles, there are single/double yellow lines parking restrictions along the eastern side of Burnt Oak Broadway which allow loading for up to 40 mins outside of the restricted periods 7am-10am and 4pm-7pm Monday to Saturday. The same restrictions apply in the bus lane on the western side of Burnt Oak Broadway.

With regards to the ambulance access there are a number of options available, including the private access road to the south and the car park. An ambulance could wait in the parking area without affecting the flow of passing traffic along the service road.

Travel Plan:

The proposed development will be required to submit a Travel Plan Statement. A contribution of £5,000 will need to be secured towards the monitoring of the Travel Plan.

Travel Plan Incentives in accordance with the planning obligations requirements of £150 per staff will also be applicable for the proposed 30 staff which equates to £4,500.

S106 Contribution:

£5,000 towards the monitoring of the Travel plan;
£4,500 towards the Travel plan Incentives.

Therefore as stands the application is recommended for approval on highway grounds subject to the above contributions and the following conditions and informatives.

The context of the development within the applicant's affordable housing programme

This development has been proposed by Barnet Homes, the Council's Arms Length (ALMO) social housing provider. Barnet Homes through agreement with the Council is in the process of acquiring land for the purposes of developing social housing for affordable rent including specialist accommodation for older people, and aim to deliver 720 units by 2020. The

separate development arm known as Open Door Housing has now been registered with the HCA to deliver these units.

In acquiring the sites Open Door housing will deliver properties for affordable rent. These units will be let at a rental level of 65% and as such, will fall within the current National Planning Policy Guidance definition of affordable rent. The occupation of these units will be for residents of the London Borough of Barnet using their adopted nominations procedures.

The provision of new housing including affordable housing is therefore acceptable in principle.

Landscaping

Following consultation with the tree consultant revised plans have been submitted to show trees T4 and T5 retained at the entrance to the rear of the development. This modification is a significant improvement and will have long lasting benefits for the local community. The proposed arboricultural method statement and tree protection sets out sufficiently how these two trees will be retained and existing surfacing up graded for the development.

A row of trees which were situated on the boundary between the rear of the site and Gaskarth Road have subsequently been removed.

The applicant has highlighted the area between Gaskarth Road and the development for additional tree planting and landscape enhancements. The exact detail of the proposal can be secured through a planning condition.

Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 35% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SP G's requirements and a condition is attached to ensure compliance with the Policy

In terms of water consumption, a condition is attached to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

5.4 Response to Public Consultation

The proposal has been reviewed by the highways team and given the profile of the residents that will occupy the development it is considered that the parking provision is acceptable. The application will need to secure a Travel Plan to promote sustainable transport to the site this will be secured by a legal agreement.

Comments in regards to the overall height have been acknowledged, however, it is noted that a number of taller buildings characterise this part of Burnt Oak Broadway. It is also noted the overall height of the building reduces to 3 storeys at the point closest to the buildings on Gaskarth Road to make sure the proposal integrates within this more residential and suburban part of Burnt Oak.

The proposal is sited a sufficient distance from neighbouring occupiers to ensure there is no loss of light to surrounding residential occupiers.

It is noted that the proposal will provide extra care facilities for older people which in itself is a needed service.

The application has been subject to public consultation in accordance with Barnet's procedure. The application details have been publically available on Barnet's website and at Barnet House for public viewing.

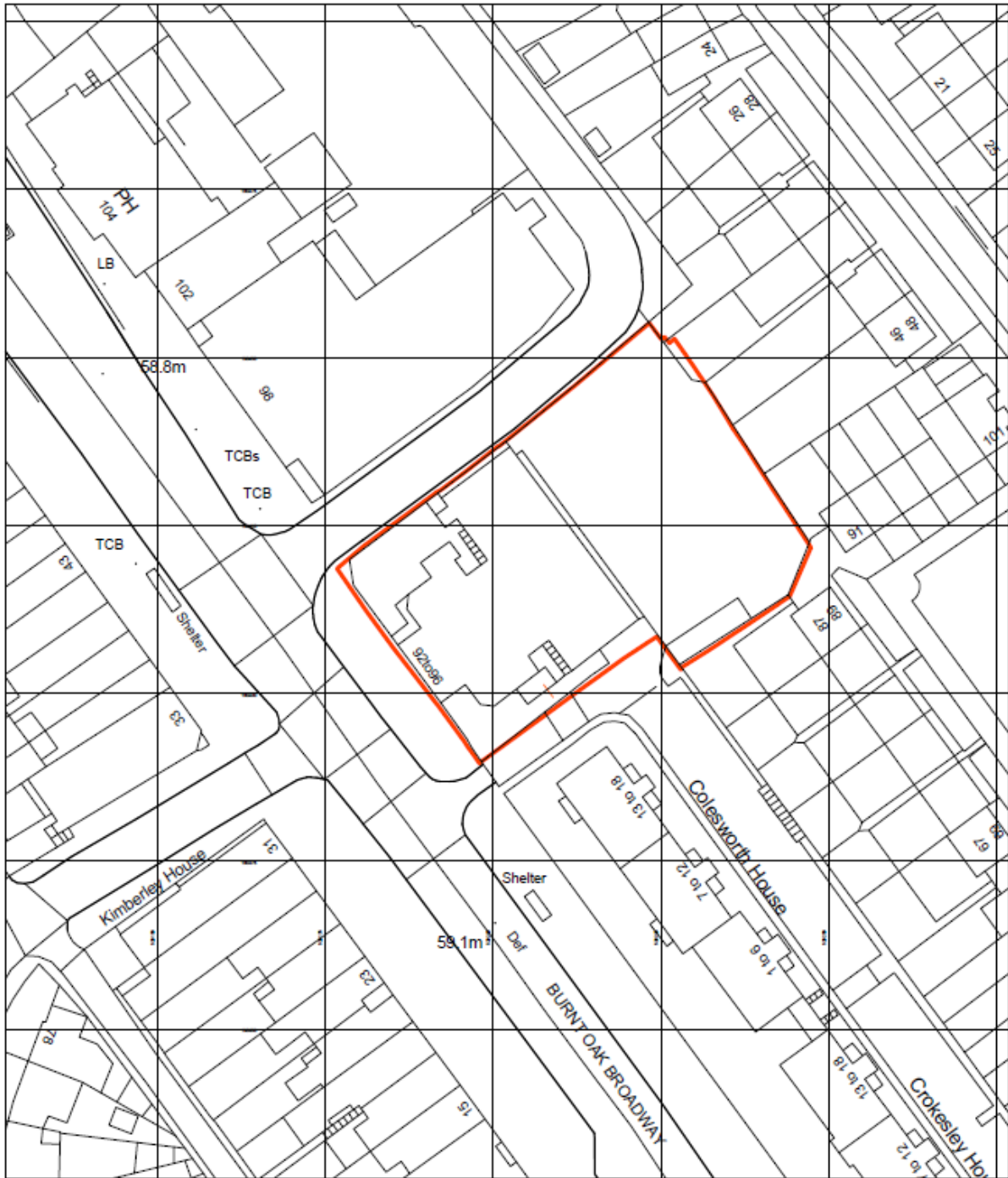
In regards to the timeframe of consultation the Statutory consultation period is 21 days and Barnet give 28 days. It is considered that the consultation period for providing comment has been sufficient.

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 subject to a S106 agreement.



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

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

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

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 5 a) All site works and development (including any temporary enabling works, site clearance and demolition) shall take place in accordance with the approved tree protection plans reference P2631.2 003 and P2631.2 004 submitted in accordance with Section 5.5 and the 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) submitted to the Local Planning Authority and listed in condition 1 of this approval.

b) All site works (including any temporary enabling works, site clearance and demolition) and development shall take place in accordance with the temporary tree protection shown on the tree protection plans reference P2631.2 003 and P2631.2

004 approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

Tree Protection Plan

No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as shown on the tree protection plans reference P2631.2 003 and P2631.2 004 approved under Condition 1 of this permission has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this permission.

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

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

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

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

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

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

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

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

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order shall be carried out within the area of the Garages at Land Bound By Valley View, Leaside, Northbrook Road And Mayhill Road EN5, hereby approved.

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

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

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

- 11 The roof of the single storey flat roof elements on the dwellinghouses hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

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

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

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

- 13 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent, all of the proposed dwellings shall have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and shall have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) prior to the first occupation of either of the new dwellings (Use Class C3) permitted under this consent. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

- 15 Before the development hereby permitted is occupied the car parking spaces as shown on Drawings No. D12.011 Rev A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

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

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

- 17 a) No overground development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

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

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

September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

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

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

- 19 a) No overground development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

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

- 20 a) No over ground site works or works on this development including demolition or construction work shall commence until details of the temporary means of enclosure, including boundary treatments to neighbouring properties, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before site works including demolition and construction work commence, and retained as such throughout the demolition and construction period of the development.

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

Informative(s):

- 1 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.
"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."
- 3 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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.

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

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 5 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 6 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 7 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.
- 8 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

Officer's Assessment

1. Site Description

The application comprises two sites which jointly measure 0.27ha. Site A relates to garages which can be accessed via the road between no. 3 and no. 5 Valley View and site B relates to garages which can be accessed via the road between no. 15 and no. 17 Valley View. Site A consists of 4 rows of 6 garages (24 in total) and site B consists of 2 rows of 6 and 1 row of 4 garages (16 in total). The garages are in various states of disrepair. The site is bounded on all sides by existing residential development. The immediate street block bounded by Valley View and Northbrook Road is principally characterised by two storey semi-detached properties and short terraces of three dwellings. There are also small blocks of garages interspersed near to the junctions of Mayhill Road but situated on Northbrook Road. Properties are considered to have moderate size gardens with some tree planting.

Pedestrian access to the sites can also be gained from Northbrook Road. The site is covered in hard surfacing and garages, with the exception of a small area of grass verge by the access road.

The surrounding properties are characterised by pitched roofs and gable elements. Materials used on the surrounding buildings are predominantly brick, dark tiled roofs, with some having render elements.

The site is not within a conservation area and there are no statutory listed or locally listed buildings within or adjoining the site. There are no Tree Preservation Orders pertaining to any trees which may constrain the development. There are no other site specific policy designations or allocations for this site.

Applicants' details confirm that according to the Environment Agency's Flood Zone Maps the Sites are located in Flood Zone 1 and as such, there is no significant risk of flooding.

The site is located in a PTAL 1b location (where 1a is low and 6b is high). The site is accessed off Mayhill Road. High Barnet Underground station is located approximately 15--20 minutes' walk from High Barnet at 1.5km distance way from this train station. There are also a number of bus stops in close proximity to the site along Chesterfield Road and Mays Lane.

Most properties to the north side of Valley View have off street car parking by way of an area of hard standing within the front garden of the property. The properties however which front the proposal sites have deep front grassed garden areas with no hardstanding. On street car parking is also available.

2. Site History

No history of relevance for the garage sites

3. Proposal

The application seeks planning permission for the demolition of all 40 garages and the construction of 4 no. detached single storey self-contained wheelchair adaptable residential dwellings (bungalows) with car parking, cycle storage, refuse storage and

amenity space. The proposed dwellings would utilise the existing access off of Valley View.

Site A comprises an access road which leads onto Valley View to the north, an area of hardstanding and 24 no. garages. Site B is of a similar configuration to Site A, with an access road leading to Valley View, an area of hardstanding and 16 no. garages. Both Sites include a pedestrian access leading south onto Northbrook Road.

The area surrounding the sites is predominantly residential in character, comprising largely 2-storey semi-detached and terrace houses with front and rear gardens. There is a nearby primary school (Underhill School) and playing fields to the north, a large area of allotments to the east, and open fields with public access to the south. The wider surrounding area in all directions is predominantly residential in character, and is comprised of 2-storey terraced and semi-detached houses.

The development would be for the benefit of Opendoor Homes, an affiliate of Barnet Homes.

Both proposed bungalows on site A located to the south of no. 15 Valley View and no. 17 Valley View are 2-bedroom/3 person dwellings with an open kitchen and living room space. They are designed to meet the access standards set out in Part M4(2) of the 2013 Building Regulations.

Both proposed bungalows on site B located to the south of no. 3 Valley View and no. 5 Valley View are 2-bedroom/3 person dwellings with an open kitchen and living room space. They are also designed to meet the access standards set out in Part M4(2) of the 2013 Building Regulations, with a disabled parking space provided to the front of each proposed unit, within 50m walking distance of the dwelling entrance according to the guidance. The existing vehicular access from Valley View and pedestrian access routes from Northbrook Road would be retained.

Each of the four dwellings would measure 74 sqm in total floorspace. These would both meet the minimum internal space standards set out in the London Plan (MALP 2016).

All dwellings would benefit from generously sized open-plan kitchen/living/dining areas, which would meet the minimum widths and floor areas for living/kitchen/dining areas, as set out in Table 2.2 of Barnet's adopted Sustainable Design and Construction SPD (2016). Minimum bedroom areas and widths, as set out in Table 2.2, would be met.

Each bungalow is provided with a private outdoor amenity space. On site A, the western unit is provided with 175sqm and the eastern unit is provided with 177sqm. On site B the western unit is provided with 102sqm and the eastern unit is provided with 126sqm, exceeding the minimum London Plan and Barnet standards for outdoor amenity space.

The perimeter of the sites would be bordered by a 1.8m high timber fence to prevent overlooking on to neighbouring amenities. Furthermore, the proposed dwellings are situated at least 21m away from neighbouring habitable windows to further protect the neighbouring amenities.

The bungalows would be of contemporary design would have pitched tiled roofs, gable ends and be constructed in brick, reflecting the design and character of the surrounding properties.

It is considered that all four dwellings would benefit from adequate daylight, sunlight and outlook. Both bungalows are multi-aspect with at least one façade orientated south-west or east-west, and will feature generous glazing.

Each dwelling would be provided with 1x car parking space as well as associated private refuse storage and bicycle storage within the rear gardens (with space for 2 bikes per shed).

4. Public Consultation

Consultation letters were sent to 141 neighbouring properties.

A site notice was erected on 08.02.2018.

3 responses have been received, comprising 3 letters of objections and comments.

The objections received can be summarised as follows:

- Noise and disturbance, lights from the cars will be shining into neighbouring properties
- Traffic issues including pollution
- Serious impact on our standard of living
- Drainage and ground stability issues
- Watercourse may be beneath the land.
- Layout and siting inappropriate to the character of the local environment.
- Loss of privacy
- Letter of 10th October 2017 never acknowledged
- Loss of shrubs, trees and planted areas, and our fences that abut the wall, as well as structures such as neighbour's greenhouse, may be damaged when the garages are demolished
- No objection to the removal of the garages and the construction of a bungalow. However, concerns raised to any likely issues from the removal of the garages due to level differences
- Fences should be installed prior to construction of the bungalows, to promote privacy and reduce noise and disturbance

Internal and External Consultation responses:-

Traffic and Development Team:

Awaiting response at time of writing report but will be reported through the addendum where necessary. An assessment of the highways impact of the proposed development is set out below and in the absence of these comments, the scheme is considered acceptable.

Environmental Health Department:

Awaiting response at time of writing report but will be reported through the addendum where necessary. An assessment of the amenity impact of the proposed development is set out below and in the absence of these comments, the scheme is considered acceptable.

Barnet Trees Officer

- No objections subject to the addition of Hard and Soft Landscaping details to be secured via an appropriate condition.

- The submitted arboricultural method statement and tree protection plans must be fully implemented and strictly adhered to throughout all phases of development.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 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.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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

Residential Design Guidance SPD (adopted 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the living conditions of future residents.
- Whether harm would be caused to the health and quality of trees
- Whether the development would impact traffic and highways to an unacceptable level

5.3 Assessment of proposals

Principle of development and redevelopment of the site

For areas such as the application site policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing. The proposed redevelopment of the site for housing would be acceptable and in the absence of any land use specific designation would be appropriate subject to the other relevant policies of the Development Plan and the NPPF.

The proposed development would result in the demolition of a total 40 existing garages on site A and site B and their replacement with four dwellinghouses. These properties would be developed by Opendoors, an affiliate of Barnet Homes. All of the dwellings would be specifically constructed for wheelchair housing.

An assessment has been made of the existing car parking by the applicant. In a letter by Barnet Homes, dated 16 August 2017, it has been advised that of the 24 garages existing on site A, 17 are currently occupied. Three occupants live within 200m and therefore these three spaces will be re-provided. Of the 16 garages existing on site B, 12 are currently occupied. Three occupants live within 200m and therefore these three spaces will be re-provided. The garages are considered to be in a poor state of repair or not fit for purpose. Barnet Homes have advised that these garages are more likely to be used for storage purposes and not parking, although the use of the garages cannot be confirmed.

The applicant has advised that garages are let to individuals on rolling contracts and are not allocated to particular properties. Car parking appears to be accommodated for within the front garden hardstanding of surrounding properties and also on street. As such, there is no objection to the redevelopment of this parking area.

In such circumstances, Planning Officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

As such the principle of redevelopment of the site is deemed acceptable.

Affordable housing

The National Planning Policy Framework and the National Planning Policy Guidance states that where small scale development of less than 11 units come forward for determination, they should not need to make a contribution towards either affordable housing or other tariff style obligations.

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

Policy 3.10 of the Mayor's London Plan (2016) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

During the pre-application phase and within the application documentation, Barnet Homes have advised that the proposed residential accommodation coming forward for all the sites for both the DCLG defined categories of major and minor applications would be delivered as affordable housing. These units would be brought forward as affordable rent with a rent level indicated as being 65% of the market rent. Based on this commitment, the provision of affordable housing constituted a significant material consideration which was dominant

in the planning balance evaluation if there were any dis-benefits associated with particular schemes.

The applications which have been submitted by Barnet Homes and Opendoors are at present a mixture of small schemes of less than 11 units (so far forming the greater majority) and a small number of major schemes delivering 11 or more units. Nevertheless, all the applications which have been put forward to the Planning and Environment Committees contained a planning condition for the applicant to enter into a legal agreement to secure affordable housing on an affordable rent basis at 65% of market rent. The planning consultants representing Barnet Homes/Opendoors are firmly of the view that the amendment to the NPPG following the West Berkshire District Council and Reading Borough Council v Secretary of State for DCLG means that the Council should not be seeking to secure affordable housing by condition or by legal agreement for the smaller schemes. In addition, the applicant is of the view that the imposition of a requirement to enter into a legal agreement to secure affordable housing would have an impact on the ability of the developer to secure the levels of further funding to provide more homes in the future.

Barnet Homes is a wholly owned subsidiary of Barnet Council, responsible for the management and maintenance of the Council's 15,000 rental properties. Barnet Homes has set up a new Registered Housing Provider known as Open Door Homes as a further subsidiary, committed to providing affordable housing. Utilising a loan from Barnet Council, the first programme of homes will be let at affordable rents. This position will be protected by the terms of the loan agreement and by the transfer of the sites from Barnet Council. Barnet Homes are therefore contractually obliged to provide affordable (rent) housing.

With respect to the larger sites where both Local Plan Policy DM10 supported by the London Plan and the NPPF states that there is a Borough wide target to bring forward 40% of new dwellings in a tenure that meets the definition of affordable housing in the NPPF. Barnet Homes is willing to enter into a legal agreement to secure these units. Barnet Homes and subsequently Opendoor have indicated their willingness to enter into a legal agreement in order to deliver a policy compliant affordable housing level. However, as stated, an onerous legal agreement would reduce the ability of Opendoor to raise future funds to continue the development cycle. Barnet Homes have a programme to deliver 326 affordable homes in order to alleviate homelessness in the borough. However, some sites may not be able to deliver the 100% provision on all sites and the monies raised will enable Barnet Homes to deliver more than the identified 326 units.

Barnet Homes recognises the concern that affordable housing secured outside of a legal agreement under Section 106 of the Planning Act, would be susceptible to disposal through Right to Buy, however the monies raised will be recycled for further investment and further build.

The overarching aim of Opendoor Homes is to build 750 units by 2020. Some dwellings will be delivered on the open market which will not be possible if the land value is based on having to provide affordable housing above policy. However, despite the absence of a legal agreement, Opendoor have every intention to provide affordable housing at affordable rent levels based on a local nominations agreement.

Ultimately, the provision of no affordable housing units on the smaller sites and the provision of at least 40% of units in affordable tenure on the larger sites would be policy compliant in respect of all the relevant tiers of policy. Nevertheless, an interpretation of the NPPF and NPPG would suggest that contributions or provision should not be sought, as

opposed to must not be sought. As such, the Council could be entitled to secure affordable housing through a legal agreement on the smaller schemes. Furthermore a Council may be able to seek affordable housing at a proportion greater than 40% just as a developer may choose to deliver housing in affordable housing on a small scheme or at a ratio of greater than 40% on larger schemes.

Undoubtedly, the position promoted by Barnet Homes since their engagement with planning officers in December 2015 has been based entirely on a 100% affordable housing provision. Supporting planning documents including the planning statement and the application form has been clear in stating that it is the intention to provide this. The applications came before Committee carrying a condition seeking a legal agreement.

Nevertheless, there is a clear intention to provide affordable housing through other means and securing this for at least the first occupants under a Barnet Nominations procedure. The schemes, both small and large are policy compliant. Barnet Homes will be providing affordable rented housing on these sites although Members are being asked to consider these schemes purely on the basis of them being new dwellings only. Barnet Homes will be able to secure and raise funding on more advantageous site values allowing them to invest and earn greater sums of money. This would enable Barnet Homes to deliver effectively the stated aim of 326 units in this next phase and 750 in total by 2020. In a holistic view, this is a tangible planning benefit and it is considered that there would be an inherent risk to the programme that could be compromised.

On balance, the amended approach is considered to be acceptable and it is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

In summary, the unit would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

Design, appearance and character matters

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

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

The locality and wider area consists of low density residential development within an open and spacious character comprising two storey semi-detached properties and short terraces.

The application proposes four single storey, detached bungalows which would be subordinate within their context and respect the spacing in this area. The proposed dwellings would have pitched roofs, with gable ends to the front and rear of the roofs. In terms of height, size, scale and massing it is considered that these proposed dwellings would not detrimentally harm the local character.

Given the removal of a number of garages and existing hardstanding, and their replacement with the single-storey dwellings and associated soft landscaping, it is considered that the proposed development would improve the character and appearance of the application site.

In terms of their design and appearance, the proposed buildings would not detract from the character of the area and would to some extent reflect that of the surrounding properties. Design features of the proposed dwellings include pitched tiled roofs; gable ends; glazing; and brown brick elevations with brick detailing of horizontal elements. Such features are considered to respond positively to its context and are found to have an acceptable relationship with the neighbouring buildings and spaces.

Conditions have been recommended to ensure that the materials used for the new building are of an appropriate quality. Conditions are also recommended to ensure that a suitable design and quality of materials are used for the areas of hard and soft landscaping around the new building and means of enclosing the site.

Subject to the conditions recommended, the proposal is found to be acceptable and compliant with development plan policies as they relate to design, character, appearance and landscaping matters.

Quality of accommodation for future occupants

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new residential accommodation in addition to the Mayors adopted SPG's (entitled Housing).

Dwelling size:-

The units proposed would all have gross internal areas which exceed the requirements of the London Plan for a dwelling of that type.

Dwelling layout and outlook:-

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties.

The proposed bungalows are multi-aspect with at least one façade orientated south-west or east-west, and will feature sufficient amount glazing. It is considered that each of the dwellings proposed in this instance have an acceptable degree of outlook.

External amenity space provision:-

All four dwellings proposed would have access to their own private external amenity space. Both amenity spaces would exceed the requirements of the Council's guidance on the provision of private amenity areas for the relevant type of dwelling.

Privacy and overlooking:-

It is noted that Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that in new residential development there should be a minimum distance of 21 m between properties facing windows to habitable rooms to avoid overlooking and 10.5 m to a neighbouring garden.

These distances would be met and the proposed dwellings would be of single storey and all proposed habitable windows would be at ground level, bounded by fencing. It is considered the design and layout of the windows, doors and amenity areas in the dwellings proposed is such that, subject to the provision of suitable boundary treatments and soft landscaping secured through conditions, the new residential units would be provided with an acceptable level of privacy and not suffer unacceptable overlooking.

Daylight and sunlight:-

The submission documents include an assessment of the levels of daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. This was carried out by HTA Design LLP.

The evaluation found that all of the habitable rooms proposed would be provided with good levels of daylight and sunlight throughout the year. The proposal is found to be acceptable in this regard.

Accessibility: -

The applicant has advised that the dwellings would accord with the requirements of M4(3) of 2013 Building Regulations, and building regulation M4(2).

Conclusions on the amenities of future occupiers:-

For the reasons set out above the development, as controlled by the conditions recommended, is found to be compliant with development plan policy.

Impact on amenity of neighbouring occupiers

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

As single storey dwellings which would be bounded by the rear gardens of neighbouring properties, it is considered that the proposed development would not give rise to a harmful impact on the residential and visual amenities of adjoining occupiers.

The perimeter of the sites would be bordered by a 1.8m high timber fence to prevent overlooking on to neighbouring amenities. Furthermore, the proposed dwellings are situated at least 21m away from neighbouring habitable windows to further protect the neighbouring amenities.

By virtue of the proposed dwelling's design, height, massing and an inset from adjoining boundaries, it is not considered that the dwellings would impact the amenity of neighbouring properties to an unacceptable level.

The submission documents include an assessment of the proposals impact on daylight and sunlight of the neighbouring residential properties, produced by HTA Design LLP. The report concludes that the criteria relating to both daylight and sunlight would be met and that there would be no significant adverse impact on the daylight or sunlight received at neighbouring residential properties. Officers accept the findings of this assessment and conclude that the application is acceptable in terms of its impact on the daylight and sunlight received at neighbouring properties.

Officers consider that the occupation and natural surveillance that would come from these proposed dwellings and their private gardens would provide a greater sense of security for occupiers at the neighbouring properties, compared to the existing garages.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

Highways and Parking

Policy CS9 of the Barnet Core Strategy 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.

The development sites are existing garage courts accommodating a total of 40 garages. Pedestrian and vehicular access to the site is gained from Valley View by way of an existing access road. The Public Transport Accessibility Level (PTAL) for the site is 1b (where 1a is low and 6b is high).

4 parking spaces are being proposed in total (1 parking space per dwelling).

A Transport Statement has been submitted to accompany this application, produced by Vectos Transport Planning Specialists. Barnet Homes have confirmed in the Transport Statement that the existing garages are considered sub-standard as they are not suitable for parking standard vehicles nor do they allow comfortable access to/from the vehicles. Barnet Homes have also advised that, of the 4 garages leased, it is likely these are used for storage purposes, and not parking. Barnet Homes have advised that they would provide replacement garage parking for the displaced 6 lease holders if they wish to continue to lease a garage further afield.

The Transport Statement includes a parking beat survey. The survey has demonstrated that there are sufficient parking spaces available on street in the vicinity of the development to accommodate potential overspill parking that may result from the loss of the existing garage parking.

Taking into consideration the PTAL rating of 1b for the site, it is considered that the parking provision proposed for the dwellings is in accordance with the Barnet Local Plan, Development Management policy DM17.

Access will be from Valley View via the existing access road. Conditions are recommended to ensure that refuse collection points are within an adequate distance of the public highway.

Cycle parking in accordance with the requirements of the London Plan will be provided as part of the proposals.

In conclusion, subject to the conditions recommended, the proposal is considered to be acceptable and compliant with policy in respect of parking, highways and transport matters.

Refuse and recycling

Refuse and recycling storage has been provided for each proposed dwelling. Notwithstanding the details on the plans submitted, a condition has been recommended to secure satisfactory refuse and recycling facilities are provided at the proposed development.

Trees and Landscaping

An Arboricultural Impact Assessment accompanies the application, produced by agb Environmental Ltd. There are no trees currently on site. There are trees outside the site in neighbouring properties rear gardens. No trees on neighbouring sites are subject to a Tree Preservation Order. It is recommended that trees T8, willow, and T9, laburnum, are removed due to poor condition and potential future failure. Following comments from Barnets Tree officer, this is acceptable if replacement trees are provided.

Policy DM01 identifies that proposals will be required to include hard and soft landscaping and states that trees should be safeguarded.

The report specifies the protection measures to be implemented in order to ensure that there is no negative impact on any trees during the construction of the proposed development. These are considered acceptable by Officers.

Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate design and quality and makes a positive contribution to the area. Subject to these conditions, trees and landscaping matters are deemed acceptable.

Sustainability

In regards to water usage, a condition has been attached to ensure the proposed dwellings are constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulation.

The agent has confirmed in writing that the proposed development will achieve over 40% carbon dioxide emission reduction when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. A condition has been attached accordingly.

All properties are designed to achieve M4(3) standard.

Contaminated Land

The application has been accompanied by a Preliminary Risk Assessment (Report Reference: P2631.1.0 dated 26 October 2016).

Having evaluated the information submitted, it is considered that any potential concerns regarding contaminated land issues can be adequately addressed through the conditions recommended in this respect.

As such, subject to the conditions recommended, the proposal is acceptable and compliant with development plan policy.

Safety and Security

The design and layout of the development proposed is considered to be such that it would provide a safe and secure environment for users of the proposed buildings and surrounding properties.

Barnet and Mayoral Community Infrastructure Levy

The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) and is liable for charge under the Mayoral CIL.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sqm 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 sqm on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

5.4 Response to Public Consultation

-Noise and disturbance, lights from the cars will be shining into neighbouring properties
Whilst lights from cars are not a planning consideration, a condition has been added into the approval to ensure that works carried out will be completed during reasonable times.

-Traffic issues including pollution

It is considered that there would be no extensive use of vehicles from the proposed four dwellings as to warrant a reason for refusal.

-Serious impact on our standard of living

Dealt with above in relation to acceptable impact on neighbouring amenities.

-Drainage and ground stability issues

Dealt with above.

-Watercourse may be beneath the land.

Dealt with above.

-Layout and siting inappropriate to the character of the local environment.

Dealt with above.

-Loss of privacy

Dealt with above.

-Letter of 10th October 2017 never acknowledged

Letter did not appear to have been addressed or sent to the Planning Department.

-Loss of shrubs, trees and planted areas, and our fences that abut the wall, as well as structures such as neighbour's greenhouse, may be damaged when the garages are demolished

Dealt with above.

-No objection to the removal of the garages and the construction of a bungalow. However, concerns raised to any likely issues from the removal of the garages due to level differences.

Condition added into approval to ensure that the levels are appropriate.

-Fences should be installed prior to construction of the bungalows, to promote privacy and reduce noise and disturbance

Dealt with above.

6. Equality and Diversity Issues

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

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

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

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

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

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

Officers have in considering this application and preparing this report had careful regard to the requirements of this Section and have concluded that the proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme.

The proposed development would benefit future occupiers/users with disabilities, who are protected under this act, and therefore would support the Council in meeting its statutory equality responsibilities and is a clear merit of the proposed scheme.

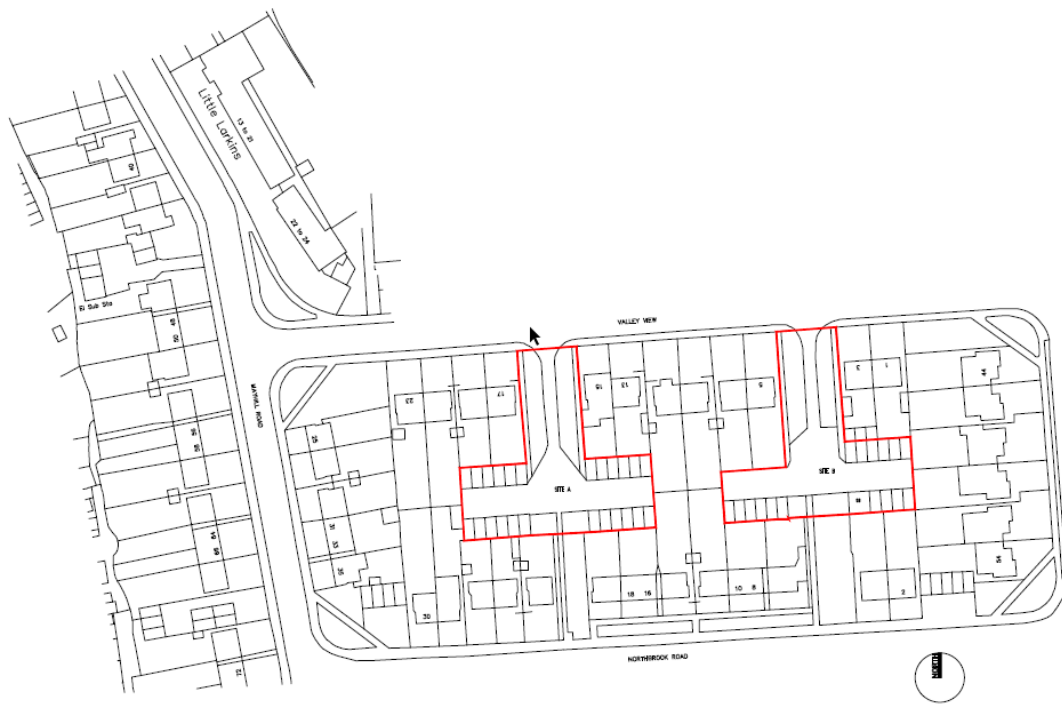
7. Conclusion

The application proposes the redevelopment of an existing group of garages which are currently in a visible state of disrepair and disuse, into four high quality dwellings, which exceed minimum internal and external space standards. All proposed dwelling will be specifically constructed for wheelchair users.

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

Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of development. Accordingly, APPROVAL subject to conditions is recommended.



Specialist Science Block (L170327-131 F);
Classroom Library and Science Block (L170327-171 D);
Site Elevations (L170327-309 A);
Library and Science Elevations (L170327-371 B);
Design and Access Statement;
Planning Statement;
Arboricultural Impact Assessment (Geosphere Environmental Ltd);
Landscape General Arrangement (414-ALA-00-XX-DR-L-0002 P05);
Tree Constraints Plan (2843,AR/002/Rev0);
Tree Removal Plan (2843,AR/003/Rev0);
Tree Protection Plan (2843,AR/004/Rev0)
Letter by GLL dated 16 March 2018;
Letter by the Deputy Headteacher of St Michaels Catholic Grammar School

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

- 3 The external surfaces of the buildings shall be implemented in full accordance with the details specified under Condition 2 before the development is occupied or brought into use and retained as such until its removal from the site.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan 2012 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 4 The development hereby permitted shall only be occupied or in use by pupils, staff and visiting members of the public between the hours of 7.30am and 6.00pm on a Monday, Tuesday, Wednesday, Thursday or Friday and at no times on a Saturday, Sunday or Bank Holiday.

Reason: To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet's Local Plan 2012.

- 5 Before any lighting is installed onto any part of the hereby approved buildings, details shall be submitted to and approved in writing by the Local Planning Authority. Lighting fixtures shall be implemented as approved and retained as such thereafter.

Reason: To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet's Local Plan 2012.

- 6 Within three months of the removal of the temporary buildings hereby permitted from the site, the Multi-Use Games Area (MUGA) shall be returned to, at least, the same condition as it was immediately before the installation of the temporary units.

Reason: To ensure the quality of the Multi-Use Games Area is satisfactory for sport and is available for use once the temporary units are removed from site, in

accordance with Policy CS7 and DM15 of Barnet's Local Plan, London Plan Policy 3.19 and 7.18 and the principles of the NPPF (2012).

- 7 The level of noise emitted from any plants, ventilation, flues or refrigeration required 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.

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

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

b) The measures approved under this condition shall be implemented 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 (2016) and Policy 7.15 of the London Plan 2015.

- 9 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 Condition 2 of this decision has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under Condition 2 of this decision.

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.

- 10 No construction work resulting from the planning permission, including the installation of the temporary buildings hereby approved, shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

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

- 11 No development shall take place on site until details of the transportation arrangements of pupils between St Michaels Catholic Grammar School and Burnt Oak Leisure Centre, shall be submitted to and 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 and in the interests of highway and pedestrian safety in accordance with policies CS9, DM01, DM17 of the Barnet Local Plan, and to ensure continued access to sports facilities for the period of time that the school's MUGA is unusable, in accordance with Policy CS7 and DM15 of Barnet's Local Plan, London Plan Policy 3.19 and 7.18 and the principles of the NPPF (2012).

Informative(s):

- 1 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

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

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

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community

Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - 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.

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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.

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- 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.

- 4 Transportation arrangements between St Michaels Catholic Grammar School and Burnt Oak Leisure Centre should include, but not be limited to, the following information:

- Day and times of travel;
- The number and frequency of coaches used to transport pupils;
- The size and capacity of these coaches;
- Access arrangements (i.e. entry, exit and parking) at both locations;
- The route proposed to be taken to and from both locations

Details should factor into consideration of where coaches will wait/dwell.

Officer's Assessment

1. Site Description

The application site comprises 0.79 hectares.

It is currently occupied by St Michael's Catholic Grammar School, which is a Voluntary Aided three-form entry secondary grammar school for girls (and boys at 6th form), located in West Finchley.

The school was established in 1908 and became a Voluntary Aided Grammar School in September 1958. The applicant advises there are currently 780 pupils on roll at the school.

The site is not located within a designated conservation area and there are no statutory listed buildings on site.

St Michael's Convent High School, which is within the Schools ownership on adjacent land, is a locally listed building.

There are Tree Preservation Orders on land adjacent to the application site and on land within the Schools ownership.

The site is in Flood Zone 1.

The site slopes towards the western boundary with a range of 4 metres.

The site is dominated by a number of school buildings and hardstanding. Small areas of managed amenity grassland and several shrub beds are located to the southern end of the site, fronting on to Nether Street. A number of trees are located around the peripheries of the site, predominantly along the southern boundary.

All boundaries are formed by fencing or hedge rows, with residential properties beyond.

The school has frontage on Nether Street to the south, with residential properties located on the opposite side of the road.

Residential properties form the sites northern, eastern and western boundaries. To the north there are properties on Grange Avenue; to the west there are properties on Nether Street and Netherfield Road, and to the east Chand House (27A Grange Avenue) and beyond this properties serving Coleridge Road.

School buildings lie at either end of the site, with outdoor play space to the North taking the form of a Multi Use Games Area ('MUGA'). Car parking is located sporadically to the South and amongst the school buildings.

The school has three pedestrian access points along Nether Street, with a further entrance to Coleridge Road. There are three points of vehicular access on Nether Street and a further one on Coleridge Road. All entrances fronting Nether Street are gated.

2. Site History

Reference: 17/8113/FUL

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Under consideration
Decision date: Under consideration
Description: Demolition of existing EFAC and EFAB buildings and new four storey building with reinstatement of bridge link. New green house and rationalisation of car parking provision, new plant room, associated hard and soft landscaping and infrastructure works. Internal works to existing building

Reference: F/01375/11
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 23 May 2011
Description: North and south single storey extensions to existing ground floor Music Room.

Reference: C02195Y/04
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Refused
Decision Date: 21 June 2004
Description: Construction of new pitched roof with dormer windows to provide a total of 10no. self-contained flats.

Reference: C02195BE/07
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved
Decision Date: 10 August 2007
Description: Submission of details of Condition 2 (Materials) pursuant to planning permission reference C02195BB/06 dated 25-05-2006.

Reference: C02195AV/03
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 4 July 2003
Description: Creation of hardstanding to provide an additional 8no. car parking spaces.

Reference: C02195AU/03
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 3 July 2003
Description: Erection of new 1.8m high railings on Nether Street frontage to replace existing fencing.

Reference: C02195BG/07
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 11 April 2008
Description: Amendments to planning application C02195BB/06 to include addition of covered walkway to path and access ramp and alterations to entrance foyer to include glazed entrance doors, windows to sides and 3 rooflights.

Reference: C02195BF/07
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved
Decision Date: 20 August 2007

Description: Submission of details of Condition 3 (Trees - Protective fencing) pursuant to planning permission reference C02195BB/06 dated 25-05-2006.

Reference: C02195BA/06

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved following legal agreement

Decision Date: 10 April 2006

Description: Construction of new pitched roof with dormer windows and conversion of convent building to provide a total of 10 self-contained flats with associated off-street parking.

Reference: C02195AX/04

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 18 March 2004

Description: single storey front extension to main building.

Reference: C02195AR/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 11 June 2003

Description: Erection of 2 no. two storey temporary classroom blocks fronting onto Nether Street.

Reference: C02195AW/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 20 June 2003

Description: Submission of details of materials for external surface of roof and dormer windows pursuant to Condition 2 of planning permission reference C02195AQ/01 granted 25.01.02.

Reference: C02195AS/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 16 June 2003

Description: Submission of details of proposed dormers pursuant to Condition 3 of planning permission ref. C02195AQ/01 for enlargement of lower school building involving new second floor level in place of existing.

Reference: C02195AQ/01

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 25 January 2002

Description: Enlargement of lower school building involving new second floor level in place of existing.

3. Proposal

The application seeks permission for the erection of 2 no. single storey and 1 no. two storey temporary modular teaching buildings, to be sited on the existing outside MUGA (Multi-Use Games Area), which is located to the north of the school site, for a period of up to two years.

This is in association with the redevelopment of the existing school (which is being assessed by the Local Planning Authority under application reference 17/8113/FUL).

The temporary modular (demountable) buildings will be between one and two storeys in height and will incorporate decking and stairs/ramps to facilitate access, whilst access to the first floor level of the two storey blocks will be internal.

The existing hard play area (MUGA) on which the temporary units will be placed will not be in use during this time. When the temporary teaching units are removed, the play area will be resurfaced.

The 2 no. single storey modular buildings (B1 and B2) will be sited on the northern half of the MUGA, adjacent to the rear of the properties facing Grange Avenue.

The 1 no. two storey modular building (B3) will be sited on the southern half of the MUGA, adjacent to the other school buildings.

Building 1 (B1) will be a single storey and accommodate art classrooms and stores.

B1 will be 24.1 metres in width, 10.06 metres in depth and 3.4 metres in height with a flat roof.

B1 will be sited, at its closest point, 2.4 metres from the boundary adjacent to the rear of the properties facing Grange Avenue, to the north. It will be sited, at its closest point 5.3 metres from the boundary adjacent to Chand House (27A Grange Avenue) to the east. Chand House is a retirement housing development of up to 30 flats.

B2 will also be a single storey and accommodate specialist science rooms, prep areas and a cloakroom/lobby. B2 will be 24.1 metres in width, 10.06 metres in depth and 3.4 metres with a flat roof.

B2 will be sited, at its closest point, 2.4 metres from the boundary adjacent to the rear of the properties facing Grange Avenue (to the north). To the west of B2 is an area of open space, within the school site.

B1 and B2 will be separated from each other by a distance of 5.5 metres.

Building 3 (B3) will be two storeys in height, and accommodate office space, a library, WCs, a staff room and classrooms.

B3 will be 56 metres in width, 12.2 metres in depth and 6.9 metres in height with a flat roof.

B3 will be sited, at its closest point, 5.47 metres from the boundary adjacent to Chand House (27A Grange Avenue) to the east. B3 will be sited, at its closest point, 8.5 metres from the Main School Building to the south, and 3.2 metres from the existing Sports Hall to the west.

B3 will be sited 17.5 metres from the boundary adjacent to the properties facing Grange Avenue and will be sited in excess of 24.5 metres from the rear walls of these properties.

B3 will be separated from B1 and B2 by a distance of 5 metres.

4. Public Consultation

A site notice was erected on 01 March 2018.
A press notice was published on 01 March 2018.

Consultation letters were sent to 1275 neighbouring properties.
2 responses have been received, comprising 1 letter of objection and 1 letter of comment.

The representations received can be summarised as follows:

- Regarding the management of the traffic on-site during construction work, in addition to ensuring that traffic uses only Nether Street and Ballards Lane when entering or leaving the site, it should also be made a condition of approval that all personnel working on the site should park any private vehicles on site, and should not be given resident parking permits or visitor vouchers.
- Concerns regarding disruption construction will cause, particularly to traffic and parking in the area and surrounding streets. Will only worsen congestion.

Internal and External Consultation responses:-

Ward Councillors - No representations received
West Finchley Residents Association - No representations received
The Council's Traffic and Development department - No objection
The Council's Trees department (Planning) - No objection subject to conditions
The Council's Environmental Health department - No objection subject conditions
The Council's Heritage department - No representations received
The Council's Street lighting department - No comment
The Council's Waste and recycling department - No representations received
The Council's Schools, Skills and Learning department - No representations received
Sports England - Initial objection. Later removed their objection
Lead Local Flood Authority - No objection
Fire and emergency services - No representations received
Natural England - No comment
Thames Water - No objection
Met Police - No representations received

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

Paragraph 72 of the NPPF states that:

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

- * give great weight to the need to create, expand or alter schools; and
- * work with schools promoters to identify and resolve key planning issues before applications are submitted."

Paragraph 74 of the NPPF states that:

"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

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

The Mayor's London Plan 2016

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

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

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

The relevant planning policies of the current London Plan are: Policies 3.18; 3.19; 5.2; 5.3; 6.13; 7.4; 7.6; 7.8; 7.18

Barnet's Local Plan (2012)

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

Relevant Core Strategy Policies:

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

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

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

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

Relevant Development Management Policies:

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM13 (Community and education uses)

DM17 (Travel impact and parking standards)

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the development is acceptable in principle
- Whether harm would be caused to the character and appearance of the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to parking and the local highways network;
- Whether harm would be caused to trees of special amenity value
- Any other relevant matters

5.3 Assessment of proposals

Principle of development

The temporary teaching buildings will be sited on the school's existing MUGA (Multi Use Games Area) for a period of up to two years.

The temporary units will ensure the school's ability to maintain functionality during the construction works for the new school building (which is being assessed under application reference 17/8113/FUL).

The application is supported by the Education & Skills Funding Agency (ESFA), an executive agency sponsored by the Department of Education. The replacement building is part of the ESFA's Priority School Building Programme 2 (PSBP2), which helps rebuild and refurbish school buildings across the country most in need of urgent repair.

Core Strategy Policy CS10 identifies that the Council will work with its partners to ensure that community facilities including schools are provided for Barnet's communities. Paragraph 15.7.6 of the Core Strategy (2012) states that the Council will continue to identify opportunities to improve the condition of secondary schools in Barnet.

Educational uses have been highlighted by the Secretary of State for Communities and Local Government as a priority. National policy states that "Local planning authorities should: give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted" (NPPF: para 72).

London Plan Policy 3.18 Education Facilities states that "development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes."

The submission advises that the MUGA was considered the most suitable location for the temporary teaching buildings due to the School's concerns that spreading temporary units across the site would result in them being too far removed from the rest of the school and would raise supervision issues.

Paragraph 74 of NPPF states:

"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

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

The Sport England document 'Playing Field Policy and Guidance' (March 2018) provides further guidance on development relating to playing fields.

London Plan Policy 3.19 Sport facilities states: Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted. Temporary facilities may provide the means of mitigating any loss as part of proposals for permanent re-provision.

London Plan Policy 7.18 Protecting open space and addressing deficiency states that the loss of local protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.

Policy CS7 (Enhancing and protecting Barnet's open spaces) of the Barnet Core Strategy (2012) identifies that the council will:

- * Meet increased demand for access to open space and opportunities for physical activity by tackling deficiencies and under provision.
- * Secure additional on-site open space or other open space improvements in the identified growth areas.
- * Improve access to open spaces particularly in areas of public open space deficiency.
- * Secure improvements to open spaces including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space.

Policy DM15 of the Barnet Development Management Policies Document (2012) states that open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:

- (i) The development proposal is a small scale ancillary use which supports the use of the open space; or
- (ii) Equivalent or better quality open space provision can be made.

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

If approved, the proposal would result in the MUGA being built on. The MUGA would be unusable for a period of up to two years. It would therefore result in a net loss of open space and playing field.

Sports England, the non-departmental public body under the Department of Digital, Culture, Media and Sports, initially raised objection to the scheme until an agreement between the school and Burnt Oak Leisure Centre was submitted that sets out the facilities within Burnt Oak Leisure Centre that would be secured for use by school for the period that the schools' MUGA is unusable. They objected stating that they would review their position once documentation referred to above was produced by the applicant.

Subsequently a letter by Jo Sheehy, Deputy Headteacher of St Michaels Catholic Grammar School, was produced stating:

"Dear Sports England,

We have been successful in our application for PSBP2 funding to replace one block of our school on the grounds of poor condition.

As a result we have been planning a new building with should be ready in January 2020. In the meantime, however, we will be using our outside PE space (MUGA) to house the temporary classrooms and offices.

Due to proposed curriculum changes meaning less PE classes we can accommodate most PE activities in our large (fairly new) Sports Hall and gym. However, for some outdoor activities (athletics and netball) we have come to agreement with Burnt Oak Leisure Centre that we can travel up to twice a week with between 30-48 girls to use their outside spaces from Easter 2018 until January 2020. They have indicated that we do not need to sign a contract for this use as the outdoor areas are very underused and rarely (if ever) booked.

I have asked the manager at Burnt Oak to add her own confirmation of this information and attach it here.

Kind regards"

This letter was also accompanied by a letter by Gillan Kelly, Partnership Manager at GLL dated 16 March 2018. GLL (known as 'Better') are a non-profit charitable Social Enterprise organisation which runs sports and leisure facilities, including the Burnt Oak Leisure Centre, on behalf of local authorities.

The letter states:

"Dear Mrs Sheehy,

Following our discussion with regards to the use of the MUGA facilities at Burnt Oak Leisure Centre, I would like to confirm our agreement with St Michael's Catholic Grammar School.

GLLA will provide use of the outside courts (MUGA's) for a maximum of two lots of 1 and ½ hours a week, with a maximum of 48. In addition I can confirm that GLL will provide parking for the school's coach to park during the agreed session times to enable transportation of the student."

Upon receipt of this information, Sports England stated in an email dated 19 March 2018:

"Although the letters do not represent a signed formal agreement/contract, they both set out the intention for the school to utilise Burnt Oak Leisure Centre for the entire period the school MUGA would be unavailable due to the temporary classroom units. Since this addresses the basis of Sport England's objection, albeit not as formal as Sport England would of liked, Sport England remove its objections to applications 17/8113/FUL and 18/0633/FUL provided that the MUGA is returned to, at least, its current condition once the temporary units are removed in January 2020."

Sports England have recommended a condition which will be attached to this recommendation.

Notwithstanding the above, in line with national guidance, the application has not been accompanied by an assessment which shows that open space, playing field and sporting facilities on the land are surplus to requirements. Although the loss resulting from the proposed development would be mitigated by certain measures (as explained above) it cannot be said that that these are equivalent or better provision in terms of quantity or quality. Furthermore, the development is not for alternative sports and recreational provision.

In light of these factors it is found that the proposal is contrary to national guidance and development plan policies on the protection, and loss of, open space, playing fields and sporting facilities.

Having acknowledged this position it needs to be evaluated whether there are material planning considerations which would outweigh the harm caused by this conflict to policy.

The temporary buildings will be built on the MUGA in order facilitate the redevelopment of part of the school which is in urgent need of refurbishment, as part of the Government's Priority School Building Programme (PSBP). As identified earlier in this report, it is clear that national, London and local policy is strongly in favour of improving school facilities. This is a material consideration that Officers attach significant weight to.

Furthermore, the applicant has only sought consent for a temporary period of up to two years. Following the expiration of this period the MUGA would be re-instated and returned to being used as a playing field. As such, this application does not preclude the future use of the site as open space with playing fields and sporting facilities. Furthermore, as discussed above, temporary measures will be put in place by the School for sports facilities during the time the MUGA is unusable.

Having evaluated the relevant development plan policies and material planning considerations, in this particular instance Planning Officers conclude that, on balance, the

temporary school buildings which will facilitate the redevelopment of part of the school in urgent need of refurbishment and will revert the land back to its original state after a period of two years, outweighs the harm of the temporary loss of this open space and playing field.

Design, appearance and character matters

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

Core Strategy CS5 states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design.

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

The teaching buildings would be single and two storey flat roofed structures sited in an existing open space. The units will have insulated metal PPC external wall surfaces, with a single ply membrane roofs and white u-PVC windows and doors.

It is acknowledged that, in this sense, the modular structures would be fairly functional in form and design. The mass and height of the buildings are considered acceptable and proportionate to the need and nature for temporary teaching accommodation and the scale of the surrounding buildings.

Although the units would encroach on the openness that the MUGA currently provides, the buildings are not planned as permanent installations and will be removed after a period of two years. After this time, the MUGA will be reinstated and the area will return to open space. The temporary buildings would also be located to the north of the site, and therefore would not be visible from Nether Street.

Officers consider the above to be an acceptable and policy compliant approach to design and layout, given the planning constraints of the site and need for teaching accommodation whilst the school is being redeveloped.

On balance, it is not considered the temporary school buildings would significantly harm the character and appearance of the street scene or surrounding area, in accordance with Local Plan Policies CS5 and DM01; and the principles of the NPPF.

The building's impact on the visual amenity of neighbouring residential occupiers is discussed below.

Impact on the amenities of neighbours

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

The design and layout of the proposals takes into consideration the residential and visual amenities of the neighbouring occupiers, which are located to the northern and eastern boundaries of the MUGA.

The two single storey modular buildings (B1 and B2) will be sited on the northern half of the MUGA, adjacent to the rear of the properties facing Grange Avenue.

B1 and B2 will both be 24.1 metres in width, 10.06 metres in depth and 3.4 metres in height with a flat roof.

B1 and B2 will be sited, at their closest points, 2.4 metres from the boundary adjacent to the rear of the properties facing Grange Avenue, to the north.

It was observed on site there is close board fencing of the permitted height along the boundary adjacent to the properties of Grange Avenue. The single storey units would therefore be 1.4 metres greater in height than this boundary fence and would be sited over 2 metres away from the boundary fence. Mature trees are also planted at regular intervals along this boundary, which would provide a degree of screening in the summer months. As such, it is not considered the single storey units would detrimentally impact the visual or residential amenities of neighbouring occupiers along Grange Avenue.

B1 will be sited, at its closest point, 5.3 metres from the boundary adjacent to Chand House to the east. B3 will be sited, at its closest point, 5.47 metres from the boundary adjacent to Chand House to the east. The eastern elevation of Chand House has habitable windows facing the school's MUGA.

Although the temporary units would be visible from these windows, the building at Chand House is set in excess of 7.2 metres from the boundary adjacent to the MUGA. By reason of the separation distance, it is not considered the temporary buildings would detrimentally impact the residential or visual amenities enjoyed by occupiers at Chand House.

As existing, there is mutual overlooking between Chand House and the School playing fields. This would not alter under this proposal.

B3 would be two storeys in height and would have classroom windows facing the rear windows of the properties along Grange Avenue.

Barnet's Sustainable Design and Construction SPD (2016) states in Table 2.4 that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden. Although this guidance is in reference to residential uses, it is a useful benchmark to establish suitable overlooking distances.

B3 will be sited in excess of 24.5 metres from the rear windows of the properties facing Grange Avenue and will be sited 17.5 metres from their garden areas. B3 would therefore exceed the distances set out in Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016), and, for this reason, is not considered to cause harmful overlooking or loss of privacy.

As an educational use, classrooms would be vacated in the evenings. Therefore no nuisance will arise from lighting during night time hours. A condition will be attached to secure hours of use. No external lighting is proposed.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

Noise Impacts and Environmental Health matters

Policy DM04 of Barnet's Development Management Policies Document (2012) states that proposals to locate noise sensitive developments (such as schools) in areas with existing high levels of noise will not normally be permitted.

Officers in the Council's Environmental Health Department have assessed the submission. Officers acknowledge that the proposal brings a noise source closer to residential buildings. There will be general breakout noise from pupils within the classrooms and comings and goings to the classrooms.

However the site is already in use as a school and the portion of the site in question is a playing field where noise of this nature already exists. A condition has been recommended limiting the hours of use of the temporary buildings. This would ensure that their use is kept within reasonable hours.

Environmental Health Officers note that art and science blocks may require extra ventilation/fume cupboards/refrigeration plants. A condition has therefore been included to ensure that any noise from plants installed on the site is kept within acceptable parameters, in accordance with Table 2.14.3 of Barnet's Sustainable Design and Construction SPD (2016). Subject to the imposition of the conditions recommended, Environmental Health officers have confirmed that they do not object to the proposal.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to noise and impact on the amenities of neighbouring and surrounding occupiers.

Highways and Parking

Highways matters have been assessed under application reference 17/8113/FUL. A Highways Officer has reviewed the application and has raised no objection to the development.

Impact on heritage asset

St Michael's Convent High School, which is within the Schools ownership on adjacent land, is a locally listed building.

The proposed temporary buildings are sited some distance away from the locally listed building. Furthermore, the buildings will be removed after a period of two years.

Therefore, no harm to the heritage arises.

Trees and Landscaping

Policy DM01 of the Adopted Barnet Development Management Policies (2012) advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area.

The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

There is a Tree Preservation Order on the site- TPO/CA/137 made in 1982.

The following trees are shown to be in proximity to the development: G1 x2 wellingtonia x1 cedar; G2 x 2 chilean pine x 1 cedar x 1 yew x1 holly; G3 x3 lime and T4 weeping ash.

The Tree Officer has reviewed the information submitted for both this application and 17/8113/FUL and commented:

"This application requires the demolition of existing buildings and re-construction in a new format.

To facilitate this proposal temporary buildings are required to accommodate pupils until complete. These temporary buildings will be sited on the existing MUGA which is close to a row of lime trees and trees protected by a TPO. The existing hard surface will protect tree roots no impact is foreseen.

Some activities will take place within the RPA of protected trees and the submitted arboricultural method statement must be fully implemented to avoid harm to trees.

The front entrance is being altered which will impact on G12 (applicant's plan) a small group of trees valued as category C. As these trees are located at the front of the school they have prominence, high amenity value and must be replaced with large nursery stock trees. For example 35cm girth trees which will replace the visual amenity within a few years.

The landscape strategy plan 414-ALA-00-XX-DR-L-0011 show the general strategy for landscaping. The broad approach is acceptable with the addition of trees to be planted between buildings and new plantings at the front gates.

The planting palette should generally favour native trees and shrubs."

The Officer has therefore recommended approval subject to conditions.

Drainage

A Sustainable Drainage Review has been undertaken by a relevant qualified expert at the Local Authority. They have raised no objection on the basis that there will be no increase in hard-standing/impermeable areas as a result of the temporary accommodation and surface water flows will discharge at the same location prior to the construction of the temporary accommodation.

The agent has confirmed in writing that this is the case,

Thames Water have also been consulted and raised no objection.

5.4 Response to Public Consultation

- Regarding the management of the traffic on-site during construction work, in addition to ensuring that traffic uses only Nether Street and Ballards Lane when entering or leaving the site, it should also be made a condition of approval that all personnel working on the site should park any private vehicles on site, and should not be given resident parking permits or visitor vouchers.

The requirement to submit a Demolition and Construction Management Statement and Logistics Plan to the Council before work begins on site has been attached as condition to the recommendation for the permanent school building. This would confirm matters regarding the management of traffic and parking during construction work.

Paragraph 206 of the NPPF states that planning conditions should only be imposed where they are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects

To explicitly condition that vehicles cannot access or use Birkbeck Road and Dale Grove would not meet the 6 tests stated above. A Demolition and Construction Management Statement and Logistics Plan is considered suffice by Planners.

- Concerns regarding disruption construction will cause, particularly to traffic and parking in the area and surrounding streets. Will only worsen congestion.

A condition requiring the submission of a Construction Management Plan has been included in the recommendation for the permanent school building. This would ensure that the construction of the development did not have an unacceptable impact on the amenities neighbouring properties in terms of highways and parking, as well as noise.

6. Equality and Diversity Issues

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

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

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

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;

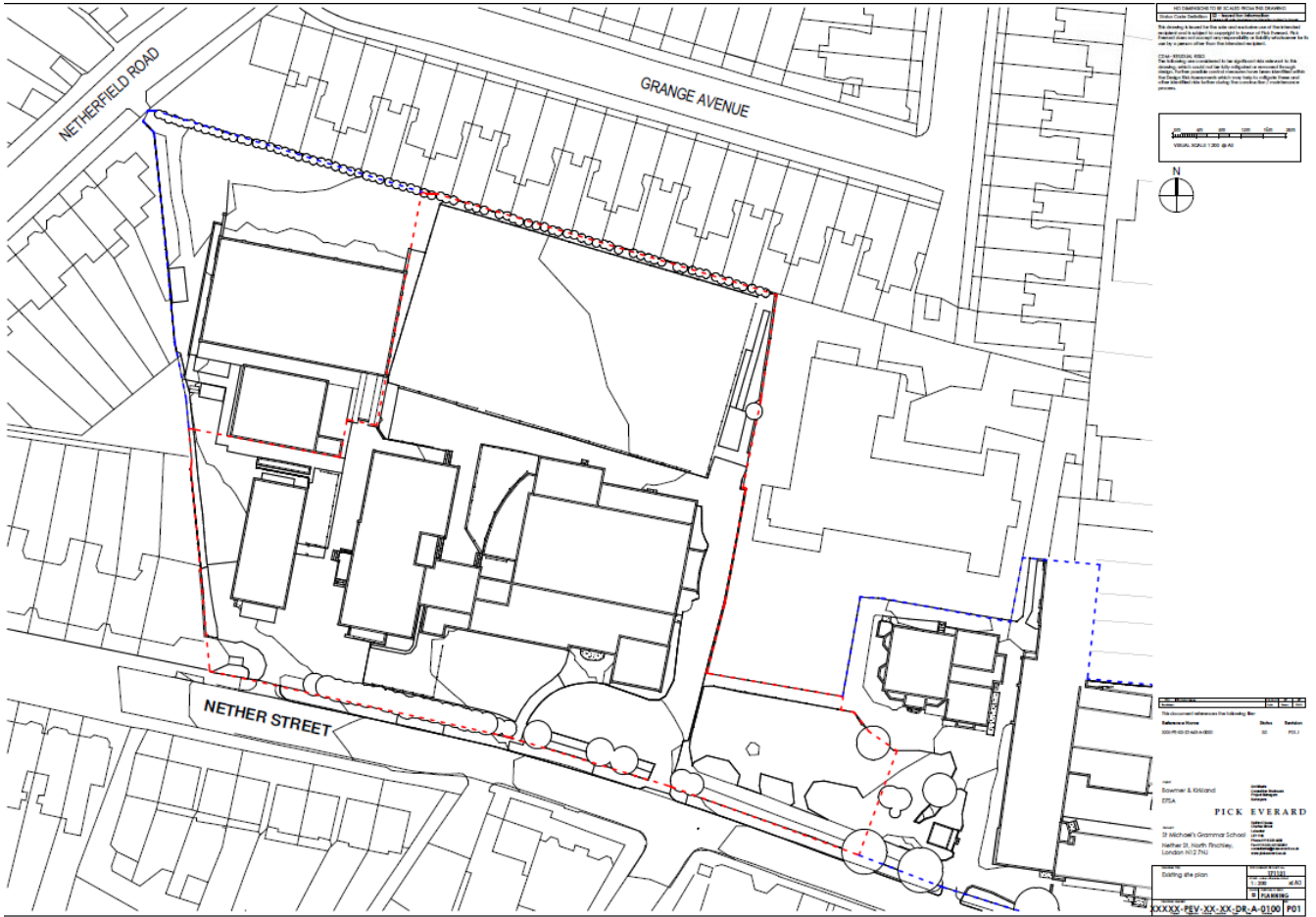
- sex;
- sexual orientation.

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

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

7. Conclusion

In conclusion, although the proposal is not considered to accord with the requirements of the Development Plan and National Planning Policy Framework, for the reasons set out in the main body of the report, the temporary loss of open space and sports facilities is considered, on balance, acceptable. The application is therefore recommended for approval.



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LOCATION: Land At The Royal Air Force Museum, Grahame Park Way
NW9 5LL

REFERENCE: 18/0199/FUL

WARD: Colindale

Received: 08 January 2018
Accepted: 12 January 2018
Expiry: 09 March 2018

APPLICANT: London Borough of Barnet

PROPOSAL: Provision of a 100 space car park

APPLICATION SUMMARY

The application site is situated southwest of the Borough, within the Council Ward of Colindale. The site covers an area of 0.38 hectares in size and benefits from a number of existing standalone buildings. The application site itself is not listed and not within a conservation area.

Planning permission is sought for the creation of a new 100 space car parking area to be used in association with the new Barnet Council offices at Colindale, approved under application 15/04039/FUL. The application has been brought to Committee as required by Article 7 of the Constitution due to the fact that it is on behalf of the Council and is considered significant development by Officers.

The application aims to relieve some of the likely parking pressures as a result of the new Council offices. The new parking area has been brought to fruition through a joint partnership between Barnet Council and the Royal Air Force Museum. The land the subject of the application is owned by the museum but would be leased to the Council. The development has been assessed against any impact on equality and diversity. There are no significantly harmful impacts on the existing amenity arrangements, highways safety or infrastructure and character of the area.

All relevant policies contained within the Local 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 accords with the relevant Development Plan policies. It is therefore resolved that there are material planning considerations which justify the grant of planning permission. Accordingly, the proposal is recommended for approval subject to conditions governing any areas that require further details.

RECOMMENDATION

Recommendation 1

APPROVE development subject to conditions.

**Please see end of report for a list of conditions*

Recommendation 2

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.

OFFICER'S REPORT

1. SITE AND SURROUNDINGS

The application site is situated southwest of the Borough within Barnet Council's ward area of Colindale. The site is 0.38 hectares in size and currently benefits from a number of outbuildings, trees, a water tank and an onsite electric substation.

The subject site is located within the grounds of the Royal Air Force (RAF) Museum in Colindale. The museum was officially opened in Colindale on 15th November 1972 by Queen Elizabeth II. The museum originally housed 36 aircraft at opening with a number of aircrafts being added over the coming years. At present the count is over 100 aircrafts. The museum has been awarded financial assistance via the Heritage Lottery Fund and will undergo redevelopment and upgrading of its facilities. This is in keeping with the regeneration works around site. The area is experiencing significant development with investments from Barratts, Redrow and the London Borough of Barnet who are all developing mixed residential lead schemes and office uses.

The sites immediately adjoining the application site are currently occupied by the Metropolitan Police Service and the Jehovah's Witnesses' church Kingdom Hall. To the rear, the application site borders Colindale Station Underground rail track and to the front the application site faces onto Graham Park Way.

The application site has a PTAL rating of between 1a (Very Poor) and 2 (Poor) because there is no comprehensive transport network at the site. However Colindale Underground Station is only ten minutes' walk away and there are a number of bus routes (303, 632 and 642) that run along Graham Park Way.

The site does not fall within a conservation area and is not listed. It also does not form part of any town centre.

2. PROPOSAL

Planning permission is sought for the creation of a new car parking area with 100 car parking spaces and 3 motorcycle parking spaces to be used in association with the proposed Barnet Council offices at Lanacre Avenue.

3. RELEVANT SITE HISTORY

Application site

There is no planning history for the site.

Plot 8 Lanacre Avenue Colindale NW9

15/04039/FUL: Construction of a new council office building between 4 and 9 storeys in height providing 11,146sqm of floorspace comprising 10,646sqm 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 subject to conditions by Committee on the 31/03/2016.**

Land At Corner Of Lanacre Avenue And Hazel Close Colindale NW9

17/8060/FUL: Creation a new car parking facility for 20 vehicles, with secure cycle storage for 28 bicycles. Associated access and works. – **Pending consideration.**

4. PUBLIC CONSULTATIONS AND VIEWS EXPRESSED

The application was advertised via a Site Notice displayed at the site for a period of 21 days from the 18th January 2018 to 8th February 2018.

The application was also publicised via direct neighbour letters to 4 neighbouring properties. No neighbour comments have been received.

5. STATUTORY AND INTERNAL BODIES

- **Arboricultural Officer:-** No objection subject to conditions.
- **Drainage Officer:-** No objection subject to conditions.
- **Environmental Health Officer:-** No comment
- **Transport Officer:-** The Highways Officer has commented that there is no objections to the development, however there are a number of issues that need to be resolved post permission. These will be secured via condition.

6. KEY PLANNING POLICY

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 is the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

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

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

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

6.1 National Planning Policy Framework

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 relevant Policies are as follows:

- 4. Promoting Sustainable Transport
- 7. Requiring good design

6.2 The Mayor's London Plan 2017

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

- Policy 5.2 - Minimising Carbon Dioxide Emissions
- Policy 5.3 - Sustainable Design and Construction
- Policy 5.7 - Renewable Energy
- Policy 5.13 - Sustainable Drainage
- Policy 5.18 Construction, excavation and demolition waste
- Policy 6.3 - Assessing Effects of Development on Transport Capacity
- Policy 6.4 Enhancing London's transport connectivity
- Policy 6.9 - Cycling
- Policy 6.11 - Smoothing Traffic Flow and Tackling Congestion
- Policy 6.13 - Parking
- Policy 7.4 - Local Character

**Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.*

6.3 Barnet London Borough 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 policies are most relevance to the determination of this application are set out below.

6.3.1 *Core Strategy (Adopted 2012):*

- Policy CS NPPF - (National Planning Policy Framework–Presumption in favour of sustainable development)
- Policy CS1 - (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)
- Policy CS5 - (Protecting and enhancing Barnet's character to create high quality places)
- Policy CS15 - (Delivering the Core Strategy)

6.3.2 *Development Management Policies (Adopted 2012):*

- Policy DM01 - (Protecting Barnet's character and amenity)
- Policy DM02 - (Development standards)
- Policy DM03 - (Accessibility and Inclusive Design)
- Policy DM04 - (Environmental considerations for development)
- Policy DM17 - (Travel impact and parking standards)

6.4 *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 developments within Barnet meets sufficiently high environmental and design standards.

There is also a number of Regional guidance that is also relevant.

- *Sustainable Design and Construction (May 2016)*
The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development. In terms of waste, the preferred standard seeks to provide facilities to recycle or compost at 60% of waste by 2015. The SPG also states that the siting of recycling facilities should follow consideration of vehicular access to the site and potential (noise) impacts on amenity.
- *The Mayor's Climate Change Mitigation and Energy Strategy (October 2011)*
The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.
- *Accessible London: Achieving an Inclusive Environment (April 2004)*
The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.
- *Planning for Equality and Diversity in London (October 2007)*
This guidance sets out sets out some of the overarching principles that should guide planning for equality in the London context

7. PLANNING CONSIDERATIONS

The main areas for consideration are:

- Principle of Development
- Design
- Impact on Neighbouring Amenity
- Highways
- Trees
- Refuse and Recycling Storage

7.1 Principle of Development

The application is for the creation of a new car parking area and therefore the most relevant policies are CS9 and DM17 of the Barnet Council Policy Framework, and Policy 6.3 of the London Plan.

Currently, the application site is not fully utilised overall. There are a number of dilapidated outbuildings and substation equipment. As part of the proposal a number of the outbuildings would be removed. However there would be no impact on the formal use of the site as a museum. In addition, none of the proposed outbuildings to be demolished are of any significant value. As such, there are no specific policies that safeguards the loss of these. The site is also currently used for parking in an adhoc way.

Under policy CS9, the Council will ensure that regeneration areas are matched in terms of the likely transport capacity generated by any development. The Council will also continue to manage the parking regime which recognises that many Barnet residents will continue to own and travel by car. Therefore policy CS9 supports the provision of the proposed car parking spaces because they are required.

Furthermore policy DM17 states that a flexible approach will be applied to the consideration of further parking areas based on:

- The level of public transport accessibility (PTAL);
- Parking stress including the level of on-street parking control;
- The population density and parking ownership of surrounding areas;
- The location (i.e. is it in a town centre);
- Ease of access by cycling and walking; and
- Other relevant planning or highways considerations, such as to whether the proposal is a conversion of an existing use.

Policy 6.3 of the London Plan states that a balance must be struck between promoting good development and preventing excessive parking provision that can undermine cycling, walking and public transport use.

In addition to the above, developments in all parts of London must:

a ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles

- b** provide parking for disabled people in line with Table 6.2
- c** meet the minimum cycle parking standards set out in Table 6.3
- d** provide for the needs of businesses for delivery and servicing.

These requirements are discussed further in the section of the report entitled *Highways*.

The need for the proposed development is to assist in easing any parking demand brought about by the relocation of the new London Borough Barnet Council Offices at 8 Lanacre Avenue (Bristol Avenue). Under the original application no staff parking arrangements were formally agreed as part of this development. Yet it is clear that, given the PTAL rating and location of the site, the majority of journeys would be via car. The proposed car parking is then in direct response to the likely shortfall. Without it, a number of staff members would park in nearby areas which may lead to a significant increase in the parking pressures within the immediate and surrounding areas. While the exact number of demand is unknown, estimates suggest that the proposed 100 spaces is unlikely to fully address the required level of parking. However it would go some way in helping address the projected level of demand. As a result, the development would not lead to an excessive level of parking and would therefore be in keeping with the above stated policies.

In light of the above, the proposed car parking is acceptable in principle and would be in keeping with the above policies.

7.2 Design

The National Planning Policy Framework (published 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Whereas Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, contributing to a positive relationship between the urban structure and natural landscape features. Including the underlying landform and topography of an area; ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment. Architectural design criteria are also set out under Policies 7.4 and 7.6. These state that new developments should be complementary to the established local character and that architecture should make a positive contribution and have a design which is appropriate to its context.

The NPPF further attaches great importance to the design of the built environment. Paragraph 17 gives 17 core planning principles. Paragraph 56 states 'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. Paragraph 58, 59 and 61 all further highlight the importance of the visual appearance and architecture but also addresses the importance of connections between people and places and the natural, built and historic environment.

At the local level, policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

At present the site appears dilapidated, is populated with a number of ancillary outbuildings, has some tree planting and greenery and is used for the parking of some vehicles. There are also some paved areas. The application proposes no additional physical construction aside of the creation of the car parking spaces and motorbike spaces. No buildings are proposed and the use would effectively make efficient use of the current site. Each car parking space has been designed to the required minimum standard of 4.5 metres by 2.5 metres and 6 metres would be provided between each row of spaces. There is also turning spaces within the parking area and security measures via the use of CCTV. The design of the CCTV stands would be secured via condition.

The location of the proposed car parking area is not within an area of a clear distinctive pattern of design. In fact, the site's location being within the RAF would allow for some degree of design deviation where required. The scale and design of the proposal would be appropriate for its setting and would not have a harmful impact on the character of the area. As well as being in keeping with the existing use on site, it would also be in keeping with the general use of the urban and built landscape surrounding it. Additionally, the proposal makes better use of the site by allowing it to be formally utilised for parking rather than in its current state where it is being under used.

In light of the above, the proposal to create car parking spaces at the site is considered acceptable in principle given the location of the site and the design and size of the proposed parking area. As such, the proposed development complies with policies governing design.

7.3 Impact on Neighbouring Amenity

At a national level, Chapter 11 of the NPPF has an approach based on the central principle of sustainability through the pursuit of amenity improvements, developments driven by context, long term improvements to the environment and high quality design. Amenity is also

an important consideration of The London Plan (2017) Chapter 7 and Chapter 13 states that when determining planning applications, local planning authorities should ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source.

Under the Local Plan, the protection of existing amenity arrangements in any area is considered to be an important aspect of determining whether a proposal is acceptable or otherwise. The protection of existing residential amenity is required through good design in new developments which intern promotes quality environments. More specifically Policy DM01 states that proposals should seek to manage the impact of new developments to ensure that there is not an excessive loss of amenity in terms of daylight/sunlight, outlook and privacy for existing occupiers. While Policy DM04 under point 'd', states that proposals that are likely to generate an excessive level of noise close to noise sensitive uses, such as residential dwellings, will not normally be permitted.

This is further supported by Barnet's Adopted Residential Design Guidance SPD (adopted April 2013) which provides further guidance on safeguarding the amenities of neighbouring and surrounding residential occupiers.

Privacy, overlooking and outlook

There are no neighbouring properties bordering the application site. The application site is positioned between other commercial units with the nearest residential unit being over 100 metres away (Lacy Court, 1 Runway Close). It does not directly face the site. Across from the site is the St James' Catholic High School for 11-18 year olds. As no physical structure is being erected at the site there would be no new windows that would be likely to create additional overlooking or impact on outlook. Therefore the development would give rise no additional loss of light, outlook, overshadowing, privacy or overlooking.

Noise and general disturbances

With any new development officers would look to ensure that any additional noise created is at least 10Db below the existing background noise levels. The proposed use of the site for car parking would result in some degree of the intensification of the site and is likely to give rise to greater noise pollution. However this is unlikely to be significantly measurable given that the area is already used for parking and the RAF has its own parking at the front entrance. Noise form these actives have already been established. In addition, this would have no impact on any residential units nearby and the proposed hours of operation are limited to times during the day. Therefore no land use conflicts would occur and the proposed use would be consistent with the existing use of the site. As a result, there are no environmental health objections to the proposal. Furthermore, no objections have been raised by nearby neighbouring properties pertaining to harmful noise.

In light of the above the development is acceptable on amenity grounds.

7.4 Highways

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) states that the Council will promote the delivery of appropriate transport measures to relieve pressure on the existing infrastructure and support growth, whilst maintaining the level of freedom in terms of public access to these facilities. The Council is also driven by the

objective to ensure that any proposed use or development would match the current transport capacity and capabilities at the local. If necessary these will be undertaken via the use of the Community Infrastructure Levy or S106 Legal Agreements. In doing so, the following measures will be prioritised:

- The reduction congestion
- Continued investment in the highways network
- Working with TFL
- The management of parking
- Maintaining road safety
- Encouraging sustainable modes of transport

Policy DM17 states that the Council will ensure that there is safety for all road users and will refuse applications that may lead to safety concerns on the highway or increase risk to vulnerable users. In considering new developments the Council will require the submission of a Transport Assessment where the proposed development is anticipated to have significant transport implications. Developments should be located close to existing public transport links and should encourage their use and if necessary, new routes and services should be created. Cycle and parking provisions should be proposed in line with the London Plan standards.

As discussed previously, the application site has a PTAL rating of between 1-2. The applicant has supported a Transport Technical Note by Capita Real Estate and Infrastructure. This has been assessed by the Transport Officer.

A breakdown of proposed parking provisions is set out under table 1.1 below. It should be noted that the current application is part of a number of applications aimed at proposing parking for the approved LBB Colindale offices. Specifically relevant is application 17/8060/FUL which provides the accompanying cycle parking, disabled parking and electrical charging points. The layout of the proposal under application 17/8060/FUL is provided below:



Figure 1.1 Layout of proposed parking provisions under application 17/8060/FUL (which is currently pending, awaiting formal determination).

Table 1.1

Requirement type	Note	London Plan req.	Total Proposed	Fail/Comply
Electric vehicles	<p><i>London Plan:</i> 20% of all spaces must be for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future.</p> <p><i>Barnet SPD:</i> Proposed development to ensure that every 1 car parking space in 5 has provision or is future proofed to provide a suitable electrical charging point or as agreed in a Travel Plan.</p>	20	0	Fails, however 22 EVCPs are being provide at the corner of Lanacre Avenue (see app. 17/8060/FUL).
Disabled parking	Disabled parking spaces as per London Plan.	1	0	Fails, however 2 disabled spaces are being provide under app. 17/8060/FUL.
Cycle Parking	Table 6.3 Cycle Parking minimum standards.	0	0	Fails, however 28 cycle parking spaces are being provide under app 17/8060/FUL.

Access

There is existing car access off Grahame Park Way. This would remain in place, however would be widened under the application and a formal access point created. This access works will involve junction improvements and off site highway works that would be subject to a Section 278 agreement. Turning into the site can be done in both directions. Therefore, in

general, the principle of creating an access point at this location off Grahame Park Way is acceptable subject to road safety audits and detailed design being secured by condition.

In addition, the access is a revision on previous designs submitted and now introduces two-way access. This would help reduce any waiting that may affect the highway. Therefore it is considered that the proposed access represents the most favourable option for limiting the effects of traffic movements.

Car Parking Operation

The proposed car parking would be owned and managed by the RAF, however leased to the LBB. The existing RAF car park has recently been refurbished and will continue to be used for visitors to the museum. It would not be affected by the application.

Further details regarding the “new access barrier” are required specifically in relation to the proposed barrier and the new “Vehicle Gate”. It appears from the details submitted that this gate would create queuing. This needs to be clarified through the submission of a management plan to be secured via condition.

Pedestrian Safety

No Road Safety Audit has been submitted by the applicant. However the submitted Transport Assessment indicates that there is a low level of waiting cars at the proposed access junction. The Highways Officer has commented that this can be secured via condition. In particular, pedestrian crossing points at uncontrolled junctions should be reviewed and details of the route from the car park to the LBB offices should be provided. In addition, details pertaining to the interaction between the proposed formal access way and its relationship with the junction at Avion Crescent should also be submitted. Subject to these details being submitted and being satisfactory, the development would have no detrimental impact upon pedestrian safety.

The application also proposes CCTV however there is limited information provided. Further information would be secured via condition. A lighting scheme is also required for the proposed car park to ensure that images picked up by the CCTV is clear as well as allowing clear views during darker months.

In light of the above, details of pedestrian routes would be secured via condition to ensure that there are no adverse impacts on pedestrian safety.

Disabled parking

No disabled parking is provided under the current application owing to the distance of the current application site and the proposed offices. Instead two disabled parking bays are to be provided under application 17/8060/FUL.

Cycle Parking

The application proposes no cycle parking at the site. However the proposal is part of a series of applications aimed at addressing the transport demands likely to result from the development of the Council offices at Colindale. As such although there are no cycle parking provisions proposed under the current application, 28 cycle parking would be provided via a separate application (17/8060/FUL) to meet the required needs. The

Highways Officer has commented that this is in accordance with the London Plan parking standards.

Electric Vehicle Charging Point (EVCP)

The proposed development fails to provide 20% active and passive electrical vehicle charging points contrary to Barnet policies CS9 and DM17, as well as Policy 6.13 of the London Plan. However as detailed above, the application forms part of a number of applications aimed at addressing parking demands created by the new LBB office. The required EVCP is proposed off site and would be provided under application (17/8060/FUL). Under that application 11 charging points are proposed. However each EVCP uses a double headed charging unit, allowing each EVCP to charge 2 vehicles simultaneously. Therefore 22 electrical cars could be charged at the same time.

Impact on existing road infrastructure

Subject to the above detailed conditions, it is not considered that the additional traffic resulting from the proposed parking area

Drainage

Policy DM04 states that developments should demonstrate compliance with the London Plan water hierarchy for run off especially in areas identified as prone to flooding from surface water runoff. All new development in areas at risk from fluvial flooding must demonstrate application of the sequential approach set out in the NPPF (paras 100 to 104) and provide information on the known flood risk potential of the application site.

The applicant has not submitted a Drainage Strategy. Therefore the Council's Drainage Officer has not been able to formally consider the impact of drainage as a result of the works and how this would be mitigated during the use of the site. This would be secured via condition.

7.5 Trees

Policy DM01 requires that proposals should include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

DM01 further states that trees should be safeguarded and when protected trees are to be felled the Council will, where appropriate, require replanting with trees of an appropriate size and species. This is also supported by the Barnet Local Plan Policy DM16, which elaborates that when considering development proposals, the Council will seek the retention, enhancement or creation of biodiversity.

The application site is not within a conservation area and there are no TPO trees on site. In addition, no Arboricultural Impact Assessment or Tree Protection Plan has been submitted. However there are a number of trees on site and it is not clear how many will be removed or retained. The Council's Arboricultural Officer has reviewed the proposal and has stated that a number of the trees to be removed are "significant". In particular, concerns have been raised regarding the loss of the Oak Tree.

Nevertheless there is a need to recognise the proposed parking is necessary and to note the low arboricultural status of the trees on site in that they are not formally protected (TPO). Therefore a balanced approach must be taken with regards to the loss of the visual tree amenity.

The majority of the trees are not identified as 'significant' trees. However planting that provides visual screening for the church next door should be encouraged. There is also space to accommodate future planting without any loss of any car parking spaces. Therefore officers consider that a formal tree planting condition be attached to ensure that further thought is given to any loss of trees and encourage their replacement. In the event that Members are minded to approve the scheme, a condition will be attached to ensure further tree details are provided.

7.6 Refuse and Recycling Storage

Under Policy CS14 of the Local Plan Core Strategy, the Council has taken a proactive approach to dealing with waste production and disposal. It notes that a key component of dealing with waste in a more sustainable way is to find better ways of reducing the amount of waste and taking more responsibility for its disposal, instead of relying on landfill sites such as that in Bedfordshire. The London Borough of Barnet has one of the largest carbon footprints per head of population in London. However it was the first local authority to introduce compulsory recycling in March 2005. As such, it is clear that the Council employs a sustainable approach to refuse and recycling. This approach also forms part of The Mayor of London's objectives. The London Plan (see Policy 5.16 and 5.17) sets a target of working towards managing the equivalent of 100 per cent of London's waste within London by 2031. Meeting this target will require the use of new facilities and technologies.

In keeping with the above, Policy CS14 encourages sustainable waste management practices for all developments by way of waste prevention, re-use, recycling, composting and resource efficiency over landfill. All developments should seek to present waste disposal techniques which are able to meet future needs. The Sustainable Design and Construction SPD provides a detailed minimum requirement for waste provisions stating that "*All non-residential developments should provide a minimum of 10m² designated waste storage space for materials for recycling, such as paper, glass bottles and jars, cans, cardboard, and plastic bottles*" (p.30). The application makes provisions for two central waste storage areas, one for the club use and the second for the café use.

The existing refuse collection provisions at the RAF museum will remain as per the existing arrangement and will not be altered by the development. No objection is therefore raised to the proposed arrangements.

8. EQUALITY AND DIVERSITY ISSUES

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

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

For the purposes of this report the term “protected characteristic” includes:- age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

In recommending the application for approval, 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 legislation.

It should also be considered that the decision has taken into account issues arising from the Human Rights Act 1998.

9. CONCLUSION

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 Mayor’s London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

For the reasons set out in the previous sections of this report it is concluded that the proposed development would be in accordance with the relevant development plan policies governing the development of car parking. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, APPROVAL subject to conditions is recommended, as set out in the recommendations section at the beginning of this report.

RECOMMENDATION: GRANT SUBJECT TO THE FOLLOWING CONDITIONS -

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

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

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

CO-CAP-00-00-DR-C-101 (Rev P01), CO-CAP-00-00-DR-C-004(Rev 04) and the Technical Note (Dec 2017).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the use of the site a detailed comprehensive Parking Management Plan which covers all car parking areas related to the Colindale Office development shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:
 - i. Location, number (in accordance with the previous permission) and layout of car parking spaces
 - ii. Allocation of car parking spaces (staff and visitors)
 - iii. On-site parking controls and charges (if any)
 - iv. Any Blue badge space quantities in accordance with London Plan (2017) guidance

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Parking Management Plan and the abovementioned provisions shall be implemented in accordance with the approved details before the buildings (LBB Colindale Office) 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 (2017) 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.

4. Private parking provision for LBB Council Offices shall be used for the purpose of office/Council parking and as a servicing access route into the RAF only, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.8 and 7.2 of the London Plan (2017).

5. Before the development construction commences a plan showing entry and egress arrangements for pedestrian walkways and standing areas are to be submitted to and approved in writing by the Local Planning Authority. The submission shall include the following:
 - i. Vehicular access details into the site connecting this Car Park and Grahame Park Way showing engineering design enhancements.

- ii. Details of the pedestrian accesses if any into the site from Grahame Park Way. This should include a clearly defined plan of existing and proposed pedestrian networks at the site.
- iii. Servicing uses proposed via this access if any, into the RAF site, including the details of the strategy in relation to delivery and transportation of large items such as aircraft parts, servicing vehicles and refuse/waste vehicles and their impact if any, on the use of the Council 100-space Car Park must be explained.
- iv. Any proposed kerb modifications and areas adjacent the highway and materials should be submitted for approval.
- v. Full swept path analysis showing all movements at the junction including HGV's, Service/Delivery vehicles, Vans, Abnormal Loads Movements through this access (if any) and for vehicles such 11m 2-axle vehicles should be provided.
- vi. Details of any planting including the type of grids used will require highway approval.
- vii. Highway drainage details and proposals for the site and its relation to the Grahame Park Way.
- viii. Accident analysis relating to personal injury should be undertaken within the vicinity in accordance with approved criteria and submitted to the Council for examination and approval.
- ix. Road Safety Audits required for approval by the Council supporting all new highway features proposed, and specifically to ensure that the use of this access will be safe in relation to the existing access at Avion Crescent.
- x. Access details to be submitted showing how the Vehicle Gate operate, CCTV and ANPR and other security measures proposed for the car park must be submitted for approval by the Council.
- xi. Additional details including proposed levels, impact on statutory utility apparatuses and equipment, and Construction methodology and site remediation.

The development shall thereafter be implemented fully in accordance with the approved details and maintained as such for the duration of the use.

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.

- 6. The car park shall not be put into full use until the access and any highways works associated with the development specifically at the junction with Grahame Park Way and Avion Crescent have been available for use, unless alternative means of access

can be provided, which demonstrates safe use by vehicles and pedestrians travelling to and from the car park site to the new Council Offices.

Reason: To ensure there is adequate access available to and from the Council Offices for staff to use prior to opening of the Car Park 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.

7. Prior to the occupation or use of the site, details for the car park lighting scheme shall be submitted and approved in writing by the local planning authority. The approved scheme shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority and shall remain in operation for so long as the development is occupied.

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

8. The development hereby approved shall not commence until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development - must use Sustainable Drainage Systems (SUDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

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

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

9. All soakaways must be located so as to discharge away from the railway infrastructure.

Reason: To protect the public railway and visual amenity of the local area in accordance with Policy DM01 of Barnet London Borough's Local Plan Development Management Policies DPD (2012).

10. Prior to the use of the site a drainage strategy must be provided detailing the following:

- a. drainage proposal schematic or sketch;
- b. A description of key drainage features within the drainage scheme (e.g. attenuation volumes, types of SuDS practices proposed, flow control devices etc.); and
- c. Information to support any key assumptions (e.g. discharge rate(s), impermeable areas, infiltration rates etc.)

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

11. Prior to the commencement of the development hereby approved, an Arboricultural Report detailing any trees to be retained or to be lost and replacement shall be submitted and approved by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

INFORMATIVES

NPPF

1. In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

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

2. 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.

3. 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.

CONSTRUCTION ADJACENT TO PUBLIC HIGHWAY

4. 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.

HIGHWAYS REPAIR

5. 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.

RAMP GRADIENT

6. 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.

S38 WORKS

7. 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.

Background Documents

None.

LOCATION: Phase 4c, Millbrook Park (former Inglis Barracks), Mill Hill East
 London, NW7 1PZ

REFERENCE: 18/0635/RMA

WARD(S): Mill Hill

Received: 30 January 2018
Accepted: 30 January 2018
Expiry: 1 May 2018

APPLICANT: Taylor Wimpey (North Thames)

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4c of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 89 units consisting of 12 x 1 bedroom apartments, 24 x 2 bedroom apartments, 16 x 3 bedroom houses, 24 x 4 bedroom houses, 13 x 5 bedroom houses together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Homes standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs)

RECOMMENDATION 1

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 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).

RECOMMENDATION 2: Approve Subject to Conditions

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

Reason:

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

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

- D102 – Proposed Site Layout in Context of Masterplan
- D103 – Proposed Site Layout – Entry Level
- D104 – Proposed Site Layout – Roof Plan
- D105 – Proposed Site Layout – Refuse Strategy
- D106 – Proposed Cycle and Car Park
- D107 – Proposed Site Layout – Boundary Treatment
- D108 – Proposed Site Layout – Scale Diagram

D109 – Proposed Site Layout – Tenure Diagram
 D110 – Proposed Site Layout – Material Diagram
 D111 – Proposed Site Layout – Hard Landscape
 D113 – Proposed Site Layout – Roof PV Plan
 D115 – Proposed Site Layout – Charging Points
 D116 – Proposed Site Layout – Character
 D117 – Proposed Site Layout – Cycle
 D200 - House Type D - 3 Bed
 D201 - House Type E - 3 Bed
 D202 - House Type F - 3 Bed
 D203 - House Type G - 3 Bed
 D204 - House Type H - 3 Bed
 D205 - House Type M - 4 Bed
 D206 - House Type K - 3 Bed
 D207 - House Type L - 4 Bed
 D209 - House Type N - 4 Bed
 D210 - House Type P - 4 Bed
 D211 - House Type Q - 5 Bed
 D221 – Apartment Block A Lower Ground Floor – Block B Ground Floor
 D222 – Apartment Block A Ground Floor – Block B First Floor
 D223 – Apartment Block A First Floor – Block B Second Floor
 D224 – Apartment Block A Second Floor – Block B Third Floor
 D225 – Apartment Block A Third Floor – Block B Roof
 D226 – Block A and B Elevations North and South
 D227 – Block A and B Elevations East and West
 D230 – Block C Floor Plan
 D235 – Block C Elevations
 D300 – Street Scene 1
 D301 – Street Scene 2
 D302 – Street Scene 3
 D303 – Street Scene 4
 D304 – Street Scene 5
 D305 – Street Scene 6
 D306 – Street Scene 7
 D307 – Street Scene 8
 D308 – Street Scene 9
 D309 – Street Scene 10
 D310 – Street Scene 11
 D311 – 3D Street Visuals
 D500 – 3D Aerial Site View 1
 D501 – 3D Aerial Site View 2
 D600 – Site Location Plan
 D601 –Existing Site
 6201/2061 P4 – Proposed Drainage Layout
 6201/2062 P4 – Proposed Drainage Layout
 6201/2063 P4 – Proposed Drainage Layout
 6201/2081 P5 – External Works and Levels Layout
 6201/2082 P5 – External Works and Levels Layout
 6201/2083 P5 – External Works and Levels Layout
 Schedule of Accommodation;
 Affordable Housing Scheme (Appendix C of this Statement);

Drainage Strategy Drawings;
Construction Management Plan;
Landscape Management Plan;
Energy Strategy and Code for Sustainable Homes Pre-assessment;
Noise Assessment; and
Design and Access Statement

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

3. Before the relevant plot of the development hereby permitted is occupied the associated car parking space(s) shown on the plans hereby approved shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

4. Before the relevant plot of the development hereby permitted is occupied Electric Vehicle Charging Points (ECVP) as shown on the submitted Drawing No. AA5387-2006 shall be provided including a minimum of 28(20% of approved parking spaces) as Active ECVP and a minimum of 28(20% of parking spaces) as passive EVCP in accordance with the London Plan Parking Standards. 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.

5. Before the relevant plot of the development hereby permitted is occupied the associated cycle parking and cycle storage facilities shall be installed in accordance with the approved plans and 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.

6. No above ground construction shall be undertaken until details of materials to be used for the external surfaces of the buildings and hard surfaced areas, including samples of these materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason: To safeguard the visual amenities of the locality in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

7. All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of each phase of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of the development, dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason: To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

8.
 - a) No site works (including any temporary enabling works, site clearance and demolition) or development associated with Plots 2-6 shall take place until details of temporary tree protection 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 associated with Plots 2-6 shall take place until the scheme of temporary tree protection as approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

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

9. The development shall accord with the provisions contained within the submitted Construction Management Plan by Taylor Wimpey dated January 2018, except as otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard residential amenity in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

10. Privacy panels shall be provided to all balconies and roof terraces in accordance with the agreed details and shall thereafter be maintained for the Life of the Development.

Reason: In the interest of residential amenity in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

11. The development shall be carried out in accordance with the approved Landscape Management and Maintenance Plan and the management and maintenance regimes shall be reviewed on an annual basis for a minimum period of 5 years as set out in the approved document.

Reason: To secure opportunities for the enhancement of nature conservation value of the site in accordance with policy CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

12. Details of proposed bat and bird boxes shall be submitted and approved by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the agreed details prior to the occupation of the development and thereafter maintained.

Reason: In the interest of nature conservation and in accordance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

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

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

14. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing a detailed external lighting scheme including siting of lighting columns and a site plan with lux lines shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason: To safeguard the visual amenities of the locality and prevent disturbance to existing and future occupants thereof and to ensure the free flow of vehicular and pedestrian traffic and security of the site in accordance with Policies CS9 of the Core Strategy (2012) and DM01, DM04 and DM17 of the Development

Management Policies (2012).

15. Notwithstanding, the content of the plans hereby approved. A detailed landscaping plan shall be provided showing details of the proposed landscaping to the car park serving plots 80-89 along with details of proposed pedestrian connections through to the Ridgemont development to the north to the satisfaction of the Local Planning Authority. The development shall be implemented in accordance with the agreed details prior to the occupation of these units and shall be retained as such thereafter.

Reason: To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

INFORMATIVE(S):

- 1 The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
- 2 The costs of any associated works to the public highway, including temporary traffic order making and related implementation works and reinstatement works will be borne by the applicants and carried out either under rechargeable works Agreement or may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Section – Environment, Planning and Regeneration Directorate.

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy

National Planning Policy Guidance / Statements: The National Planning Policy Framework (NPPF)

On March 27th 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF replaces 44 planning documents, primarily Planning Policy Statements (PPS's) and Planning Policy Guidance (PPG's), which previously formed Government policy towards planning.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan: March 2016 2.13 (Opportunity Areas and Intensification Areas), 3.3 (Increasing Housing Supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.11 (Green roofs and development site environs), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).

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

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing Need), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE2 (Housing), MHE7 (Parks and Public Open Space), MHE8 (Children's Play Space), MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE12 (Sustainable Transport), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE17 (Conserving Built Heritage), MHE18 (Delivering the AAP).

Approved Design Code

The approved Design Code pursuant to Condition 4 of the outline consent (ref H/04565/11, 21st Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.

2.2 Relevant Planning History

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Proposal:	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	Outline Application
Decision	Granted
Decision Date	22/09/2011

Application Reference:	H/04655/11
Case Officer:	Colin Leadbeatter
Proposal:	Demolition of existing buildings within the curtilage of the Millbrook Park development (formerly Inglis Barracks) as approved under outline application reference H/04017/09 (Approved September 2011)
Stat Start Date	12/11/2011
Application Type	Prior Notification (Demolition)
Decision	Granted
Decision Date	20/12/2011

Application Reference:	H/03548/12
Case Officer:	Thomas Wyld
Proposal:	Reserved matters application seeking approval of Appearance, Landscaping, Layout and Scale in relation to Phase 1a for the erection of 58 houses comprising 39 x 3 bed houses and 19 x 4 bed houses at 'Millbrook Park' (Inglis Barracks) submitted to meet the requirements of Condition 5 of outline planning application H/04017/09 dated 22 September 2011.
Stat Start Date	17/09/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	31/01/2013

Application Reference:	H/03904/12
Case Officer:	Wing Lau
Proposal:	<p>Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 2 of Mill Hill East development pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 103 dwellings comprising 3 x one bed flats, 20 x two bed flats, 45 x 3 bed houses, 25 x four bed houses and 10 x five bed houses. Approval of layout and landscaping works to Phase 2 public open space (OS2), together with details to discharge the requirements of:</p> <p>Conditions 12 (relating to Plot L only); 57 (relating to plots within Phase 2 only); and 8,26, 27, 29, 48, 52, 70, 80, 83, 85 and 91 all in relation to Phase 2 only.</p>
Stat Start Date	08/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	28/03/2013

Application Reference:	H/04080/12
Case Officer:	Wing Lau
Proposal:	<p>Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 1 of Mill Hill East development (Millbrook Park) pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 133 residential dwellings comprising 31 x one bed flats, 61 x two bed flats, 14 x three bed houses and 27 x four bed houses, including associated infrastructure, access roads, car parking, landscaping and approval of layout and landscaping works to Phase 1 public open space OS5, together with details to discharge the requirements of conditions 8, 13, 26, 27, 29, 32, 48, 52, 70, 80 and 85.</p>
Stat Start Date	29/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	29/04/2013

Application Reference:	H/04386/12
Case Officer:	Kevin Waters
Proposal:	Construction of a three-storey primary school (3 forms of entry) with nursery, community facilities and associated works and landscaping, including staff parking, hard play and sports games area, retaining walls, drainage attenuation measures and provision of a temporary drop off car park
Stat Start Date	10/12/2012
Application Type	Full Planning Application
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/03860/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3 of Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 138 units 7 x 5 bedroom houses, 41 x 4 bedroom houses, 47 x 3 bedroom houses, 26 x 2 bedroom apartments and 17 x 1 bedroom apartments together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 12 (Noise Survey along Boundary with IBSA House), 26(Access points), 27 (Details of Estate Roads), 29(Internal access roads), 35 (Petrol/oil interceptors), 48(Open space), 52 (Children's playing space), 57 (Boundary treatment/buffer), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling),85 (Green/brown roofs).
Stat Start Date	28/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	12/11/2013

Application Reference:	H/00065/14
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3a of Mill Hill East development involving the erection of 92 dwellings comprising 27 x 1 bed flats, 42 x 2 bed flats, 13 x 3 bed houses and 10 x 4 bed houses to meet the requirements of Condition 5 of outline planning application H/04017/09 dated 22 September 2011.
Stat Start Date	23/01/2014
Application Type	Reserved Matters
Decision	Granted
Decision Date	20/03/2014

Application Reference:	15/01546/RMA
Case Officer:	Andrew Dillon
Proposal:	<p>Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4a of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 114 units 6 x 5 bedroom houses, 37 x 4 bedroom houses, 12 x 3 bedroom houses, 50 x 2 bedroom apartments and 9 x 1 bedroom apartments together with details to discharge the requirements of:</p> <p>Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).</p>
Stat Start Date	20/03/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	25/06/2015

Application Reference:	15/03305/RMA
Case Officer:	Andrew Dillon
Proposal:	<p>Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 6a of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated 22/9/11, involving the erection of a three storey B1 light industrial building providing 2,935m2 of gross internal floor area together with associated access, car parking and landscaping together with details to discharge the requirements of: Condition 5 (Reserved matter details), 5b (Advanced infrastructure works), 26 (Access points), 27 (Details of estate roads), 30 (Existing adopted highway), 35 (Petrol/oil interceptors), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs)</p>
Stat Start Date	29/05/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	24/09/2015

Application Reference:	15/06898/RMA
Case Officer:	Andrew Dillon
Proposal:	<p>Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4c of the Mill Hill East development pursuant to Outline planning</p>

	permission reference H/04017/09 dated: 22/9/2011, involving the erection of 89 units consisting of 12 x 1 bedroom apartments, 24 x 2 bedroom apartments, 16 x 3 bedroom houses, 24 x 4 bedroom houses, 13 x 5 bedroom houses together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Homes standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).
Stat Start Date	11/11/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	10/03/2016

Application Reference:	15/06417/OUT
Case Officer:	Andrew Dillon
Proposal:	Outline planning application for up to 66 residential units, 700 sqm of B1 floorspace, 630 sqm energy centre (CHP) and associated car parking and landscaping.
Stat Start Date	19/10/2015
Application Type	Reserved Matters
Decision	Granted
Decision Date	13/05/2016

Application Reference:	16/3111/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4b of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 188 units in the form of 80 x 1 bedroom flats, 89 x 2 bedroom flats, 12 x 3 bedroom flats, 3 x 3 bedroom houses and 4 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58,63, 69, 70, 80, 83 and 85
Stat Start Date	3/05/2016
Application Type	Reserved Matters
Decision	Granted
Decision Date	03/08/2016

Application Reference:	17/3304/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 5 of the

	Millbrook Park development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 144 units in the form of 38 x 1 bedroom flats, 17 x 3 bedroom flats, x 17 x 3 bedroom houses and 16 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58, 63, 69, 70, 80, 83 and 85.
Stat Start Date	25/05/2017
Application Type	Reserved Matters
Decision	Granted
Decision Date	25/09/2017

Application Reference:	17/7662/RMA
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phases 9a and 9b of the Millbrook Park development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 355 units in the form of 145 x 1 bedroom flats, 191 x 2 bedroom flats, 9 x 3 bedroom flats, 6 x 3 bedroom houses and 4 x 4 bedroom houses, the provision of 400 sq.m of A1 retail space, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 49, 52, 69, 70, 76, 80, 81, 83 and 85
Stat Start Date	4/12/2017
Application Type	Reserved Matters
Decision	Granted
Decision Date	23/02/2018

2.3 Consultations and Views Expressed

Public Consultation

Neighbours Consulted: 450 Replies: 9
Neighbours Wishing To Speak 2

At the time of writing eighteen letters have been received all in objection to the scheme from neighbouring residents on the following grounds (in summary):

- Inadequate parking for Mill hill development
- Local of local community infrastructure such as doctors (in wider area)
- Lack of capacity in public transport to accommodate additional numbers
- Traffic and safety around school (greater number of children due to development)
- I am writing to object to the planning application on the following grounds:
- Level difference between development site and Ridgemont properties will impact retaining walls to gardens (in Ridgemont properties)
- Saturday morning working should not be allowed

- Northern part of development parallel to Thirleby Road too dense
- Proposal would affect long distance views to the detriment of residential amenity
- Proposal should include more trees and open space
- Properties to rear of Thirleby Road should be 3 bed homes, not 4/5 bed homes, which are 4 storeys high and will block sunlight /
- Separate fences should be put on proposed properties and should not use Thirleby Road rear fences.
- Insufficient drainage information, been advised by TW that this would be discussed with residents Thirleby Road, but not happened
- Need confirmation that not one works vehicle or any traffic will ever enter Thirleby Road.
- Previous flooding damage, as a result of contractor car park, resulted in damage which owners had to pay to fix.
- Taylor Wimpey failed to consult regarding drainage prior to submission which they failed to do before submitting the current application.
- Proposal would result in permanent damage to water table due to topography and absence of mitigation measures.
- Buildings will tower over existing properties and result in loss of sunlight.
- Loss of privacy due to close location of properties.
- Development should provide own back fences not use existing fences of properties in Thirleby Road..

Officer's response:

The density of the development of this plot along with the position and height of proposed properties is already established under the outline planning permission, as well as the previous reserved matters approval. The current application actually positions the proposed houses further back away from properties in Thirleby Road than the extant reserved matters approval and are also of a lower overall height.

In relation to the proposed car parking, the application proposes more car parking spaces for the same number of residential properties and as such would lower rather than increase the need for parking overspill into adjoining roads.

In relation to the comments in relation to the proposed affordable units, these are in the same position shown in the approved reserved matters approval and in any event this is not considered a justified objection to the scheme as there is no planning reason why affordable housing units cannot be located adjacent to existing private units.

In relation to the comments made in relation to drainage issues, the Council's planning department is directly aware of some flooding to adjoining properties occurring shortly after the initial reserved matters application was approved in 2015. This was following torrential rain over a period of time. The applicant Taylor Wimpey acknowledged responsibility and instigated mitigation measures to prevent future flooding as well as offering to help clear up affected gardens. In any event there are no alterations in the current reserved matters application which would increase any risk of flooding over and above previous approvals.

In relation to construction hours, the applicant is currently operating 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays. These are the standard Barnet operating hours and

there are no extenuating circumstances to restrict them further. It is noted that the previously approved RMA for 4c as well as the under construction development at 4a are operating under these hour restrictions and as such it would not be practical or reasonable to restrict operating hours further in relation to Phase 4c.

Residents Associations and Amenity Groups.

1 Letter received from the Mill Hill Preservation Society making the following comments:

'The Committee of the MHPS met representatives of Taylor Wimpey, their architects, and GVA planning consultants to discuss the preliminary proposals for Phase 4c of the Millbrook Park project on Monday evening 5th March 2018. This scheme is a redesign of the existing planning approval granted for the phase.

Generally the Committee felt the fresh approach to the site was more sympathetic towards the existing buildings adjacent on the Annington Homes Estate, Ridgmont. The design of the roofs with an asymmetric pitch does not echo any other roofs on the development and whilst there was debate on this, generally we feel they will look out of keeping.

The southern end of the site did not seem to be well worked out at all.

The line of flat roofed dwellings alongside Panoramic Park seemed squat and out of keeping with the other housing in the phase and did not relate well to the 4-storey block. The drawings did not show how these houses would look stepping up the slope. The car parking area behind these units is vast, and showed an uncompromisingly large area of hard finish that needs to be re-designed to be smaller. The Committee were not convinced about the arbitrary use of flat and pitched roofs in this area, and felt that all pitched roof would be more appropriate - as long as they were not of the asymmetric type!

The Committee also thought that the front building line of the new 4-storey block was not set back to be in line with the large block adjacent (on a previous phase). This proximity to the park is uncomfortable and tends to dominate it, additionally allowing for no street planting in front of the building.

This concludes the observations we made. On balance the proposals seem reasonable given that there is an existing permission for the site. However our objections relate to a few of the prominent details. We hope consideration will be given to these matters before permission is granted. If anything is unclear please be in touch and of course we can be contacted to discuss the proposals further if needed.

Officer Response:

The Comments from the Mill Hill Preservation Society are noted in regards to being generally supportive of the scheme amendments. In relation to the proposed roof forms, it is noted that the apartment buildings in both Phase 4a and 4c have flat roofs facing the park, and the provision of flat roofs on the row of houses in the south eastern portion of the site maintains a consistency of appearance. It is also noted that the previously approved scheme included flat roofs on the properties in this part of the site. In relation to the comments relating to the asymmetric roof form, such roof forms have been provided on other schemes within the borough and are not in the opinion of officers out of keeping with the locality which

contains a wide variety of architectural styles and roof forms. In relation to the comments in relation to the building line, it is not considered that the proposed building line is significantly out of position due to the natural curvature of the road around the park. It is also noted that a repositioning of the apartment building would worsen the relation to properties in Thirleby Road. The comments raised in relation to the proposed car parking to the affordable properties are noted and a condition is attached requiring additional details of landscaping in this location.

Internal /external and Other Consultations:

Highways

The Council's Highway Officer has confirmed no objection to the proposal subject to the attachment of appropriate conditions. Detailed comments are incorporated into officer report below.

Environmental Health

The Council's Environmental Health Team have not raised any objections to the proposal subject to appropriate conditions.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

Site in relation to the outline consent:

This application site submitted for assessment falls within Phase 4c of the outline consent, which is in the northern eastern part of the Mill Hill East regeneration area (also known as Millbrook Park) and covers an irregular shaped area approximately 1.75 hectares (Ha) in size. The site is bounded by Partingdale Lane to the north, the approved Phase 4a Site to the west also built out by Taylor Wimpey, the existing residential housing within the completed Countryside Annington Homes Scheme to the east and the consented Panoramic Park to the South west and the Phase 1 development to the south being built out by Countryside.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scheme falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height. Development within the central slopes east character zone allows a higher density of development although predominately limited to 3 storeys with some 4 storey elements.

Physical features:

The site contains significant changes in levels north to south and west to east with the transition in gradients particularly steep adjacent to the eastern boundary of the site with the Ridgemont Development.

The site will be accessible via the future internal road network to Bittacy Hill and Frith Lane to the west, south and east. The site has a public transport accessibility level (PTAL) of 2.

Mill Hill East underground station is approximately 800m to the south of the site. The 221 and 240 bus routes run along Bittacy Hill with stops located between 320 and 340 metres from the application site

3.2 Description of Proposal

The proposal is to seek approval of matters reserved under outline planning consent ref H/04017/09 (layout, scale, appearance and landscaping) to redevelop the site for residential purposes. The proposal does not alter the proposed housing mix from the extant approval under reserved matters approval 15/06898/RMA and is as follows:

Housing:

The proposals would be for a mix of 1, 2, 3, 4 and 5 bedroom units) providing a total of 89 dwellings as follows:

12 x one bed flats
24 x two bed flats
16 x three bed houses
24 x four bed houses
13 x five bed houses

The above includes 12 affordable housing units with the following mix:

Affordable Rented

4 x two bed flats
1 x three bed houses
4 x four bed houses

Intermediate

2 x two bed flats
1 x three bed houses

The proposed apartments are located along the southern eastern edge of the plot, with two four storey Apartment Buildings being located on the northern southern edge facing the Panoramic park. The application makes a slight change from the previously approved scheme, in that the proposed apartment to the bottom of the scheme has been moved to the top of the park, resulting in a continuous set of apartment blocks through from the Apartment Block in the adjacent Phase 4a scheme through along the northern park frontage. The line of three storey houses provided along the eastern frontage of the park stepping down with the topography to the far south of the plot. A three storey affordable housing (Block C) is located slightly to the east adjoining the Annington Properties. The rest of the development consists a mixture of short terraces, semi-detached and detached houses which are three storeys in height. The housing density is greatest on the southern portion of the site and lowest along the northern boundary with Partingdale Lane similarly to the adjoining phase in 4A. Internal access roads and footpaths to the properties are proposed.

Landscaping:

Parameter Plan 2 (Landscape) of the outline consent, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space.

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space to be provided across the whole Millbrook Park site. It stipulates that not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in a number of areas across the development site. In relation to Phase 4a the outline planning approval it was envisaged that this would be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares including both phases 3 and 4. This was subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. Phase 3 has already delivered 0.28ha, and the approved Phase 4a development provided 0.1825ha of public open space. As a result of which there is no requirement for Public Open Space within this Phase.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting along the rear of the proposed houses to plug the existing gap and to reinforce the Green Edge.

Discharging of conditions

This application also involves the partial discharging of a number of planning conditions attached to the outline consent that require information to be submitted for each phase of the development. Those conditions that are to be approved in relation to Phase 4c are as follows:

- 5 – Reserved Matters Details

Sets out the submission requirements for submission accompanying each reserved matters application.

- 8 – Housing Mix and Location of Affordable Housing Units

This requires prior to commencement of the development details of the proposed amount and mix of relevant residential development within that Phase and the proposed Affordable Housing Scheme to be submitted and approved.

- Condition 26 – Pedestrian and Vehicular Access Points

This requires details of access points, estate roads and footways to be submitted and approved.

- Condition 27 – Details of Estate Roads

This requires details of lighting, pedestrian facilities, crossing points, cycle facilities, signing, bus stops/shelters, bus standing/layover facility, bus driver facilities, highway improvements and estate road layout and gradient.

- Condition 29 – Internal Access Roads

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 32 – Shared Footways/ Cycleways

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 35 – Petrol/ oil interceptors

This requires details of petrol/ oil interceptors or justification concerning why this is not required.

- Condition 48 – Design of Open Space

This requires details on the construction of any communal open space and should be in accordance with the principles and parameters contained within Parameter Plan 2, Landscape (A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1).

- Condition 52 – Children’s Play Space

This requires details of children’s play areas to be submitted and approved and shall be provided within 12 months of the first occupation of any dwelling located within that phase.

- Condition 69 – Noise from Plant

This condition requires details of any plant and machinery proposed as part of this development.

- Condition 70 – Design to Lifetime Homes Standards & Wheelchair Standards

This condition requires all residential units to be built in accordance with Lifetime Homes Standards. Furthermore 10% of the units shall be designed to be fully wheelchair accessible.

- Condition 80 – Code for Sustainable Homes

A statement to be submitted to demonstrate measures incorporated to achieve a minimum standard of Code for Sustainable Homes Level 4 (with a minimum level of Code Level 6) by 2016.

- Condition 83 – Greywater/Rainwater Recycling Provision

This requires details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings to be submitted and approved.

- Condition 85 – Green/Brown Roofs Provision

This requires details to demonstrate the provision of Green or Brown roofs into each of the buildings to be submitted. Details shall also include a reconciliation plan or table showing how the proposed provision complies with the 10% target fixed by condition 84.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of constructing 89 residential dwellings and provision of public open space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

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

Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

Appearance – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

Landscaping – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Access – The internal road layout within this phase was established at outline stage. This current application shows the internal estate roads in the same location in compliance with the outline parameters for access. The internal access points, circulation and routes for pedestrians and vehicles are still considered as part of the overall scheme and for the discharge of conditions 26, 27 and 29.

The outline planning permission consists of a series of parameter plans which establish a series of parameters and principles to create a clear framework of planning control and fix the quantum of development, land uses, levels and access arrangements.

The key parameter plans of relevance to the consideration of this application are:

- **Parameter Plan 1: Access and Movement**
Establishes the main vehicular and pedestrian access points and vehicular movement hierarchy.
- **Parameter Plan 2: Landscape**
Establishes the location and extent of areas of public open space.
- **Parameter Plan 3: Land use**
Establishes the location and distribution of land uses and open spaces.
- **Parameter Plan 4: Scale**
Establishes the maximum height permissible across the whole Millbrook Park site.
- **Parameter Plan 5: Character Areas**
Establishes the extent and disposition of the strategic character areas.
- **Parameter Plan 6: Levels Strategy**
Establishes the proposed spot levels at street junctions and maximum permissible gradients along each of the streets.

In order to support the detail contained within the parameter plans the outline consent has a number of additional documents that form a 'strategic development framework' in accordance with the requirements of Policy MHE18 of the AAP. The 'framework' establishes a series of development principles that will be used to guide detailed elements and the preparation of reserved matter applications. Of relevance to the consideration of this application are the following documents:

- Design Principles Document;
- Phasing and Delivery Strategy

- Technical/Infrastructure Strategy
- Revised Public Realm and Open Space Strategy
- Technical and Infrastructure Strategy
- Revised Phasing and Delivery Strategy

Design Code

In addition to the above a site wide design code was approved in 2011 pursuant to the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application for Phase 4c is therefore considered within the framework of established broad development principles, Parameter Plans, and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates compliance with the outline planning permission in relation to the heights and building dimensions with the exception of a minor width deviation on one of the apartment buildings to the south, which follows detailed design discussions to ensure an appropriate relationship to the corner.

Application as Submitted

Each phase within the Millbrook Park site is made up of smaller plots as identified in Parameter Plan 4 (Scale) and in the approved Development Schedule (DS) at outline stage. This schedule provides a plot by plot breakdown of the accommodation and in this instance Plots F2, K1, K2 and R falls within Phase 4c.

As submitted the number and mix of units for the Phase 4c reserved matters application is as per the s.106 accommodation schedule attached to the Outline permission. The proposed total number (89) and mix of units is as per the approved DS when plots F2, K1, K2 and R are added together. However, the application deviates from the schedule at a plot-by-plot level as a response to detailed design work. It is the distribution of the units across Phase 4c that is different to the approved schedule and is also different from the approved reserved matters application. The applicant has submitted a separate s.96a application to amend the DS under ref 18/0637/NMA and the details are summarised in the following table contained within the Planning Statement submitted in support of the application.

Table 3.1 Approved Development Schedule

Plot	One Bed Flat	Two Bed Flat	Three Bed House	Four Bed House	Five Bed house	Total Units
F2	0	0	9	7	2	18
K1	5	14	3	7	7	36
K2	0	0	4	6	0	10
R	7	10	0	4	4	25
Total	12	24	16	24	13	89

Table 3.2 Proposed Amended Development Schedule

Plot	One Bed Flat	Two Bed Flat	Three Bed House	Four Bed House	Five Bed house	Total Units
F2	0	0	11	7	0	18
K1	12	18	2	1	10	43
K2	0	0	3	3	3	9
R	0	6	0	13	0	19
Total	12	24	16	24	13	89

As seen above, it is the location of the dwelling types within Phase 4c that is changed and does not alter the number, the mix of apartment and house types or size of the units. 12 units are to be affordable dwellings (both rented and intermediate) in accordance with the S106 Agreement and the rest to be private sale properties. Due to the detailed design work, the distribution of units has altered as illustrated in the amended plot schedule above.

One of the rationales for the DS is to ensure that units are not squeezed into certain plots as the scale of the building are already set under Parameter Plan 4. Any deviation from the DS would be acceptable provided all other matters such as the size, scale and layout of the development would not cause adverse harm and the standard of accommodation for residents are not compromised.

4.2 Amount of Development

Housing

The amount and mix of development for 89 dwellings in Phase 4c is in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 12 units are to be affordable dwellings (both rented and intermediate) and the rest to be private sale properties. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of affordable housing, and the proposed submission is considered to accord with this requirement.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established,

with the development as a whole providing 89 units within this phase. This is also unchanged from the previous reserved matters approval.

Public Open Space

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space to be provided across the whole Millbrook Park site. It stipulates that not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in a number of areas across the development site. In relation to Phase 4a the outline planning approval it was envisaged that this would be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares including both phases 3 and 4. This was subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. The Phase 3 permission delivered 0.28ha and the approved Phase 4a development provided 0.1825ha of public open space. As a result of which there is no requirement for Public Open Space within this Phase.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting along the rear of the proposed houses to plug the existing gap and to reinforce the Green Edge in a similar way to the previous reserved matters approval. The proposal is therefore considered in accordance with Condition 15.

4.3 Scale



Parameter Plan 4 (Scale) indicates a 3 storey maximum permissible height for the northern section of the phase 4c area with a 4 storey maximum covering the southern section of the site. All of the properties are in accordance with the above heights parameters. In contrast the previously approved reserved matters approval and some minor departures from the approved parameters in relation to the proposed apartment buildings.

The ridge heights throughout Phase 4c are within the maximum heights as set out in the scale parameter plan. The proposal also complies within the required length parameters (minimum and maximum) stipulated within Parameter Plan 4. There is a minor variation in relation to the required width parameter (minimum and maximum) in so far as the apartment block exceeds the maximum width by 2-5metres at the corner locations. However this variation is justified in design and does not result in any impact upon neighbouring amenity.

As highlighted above, Millbrook Park outline planning consent is split into 4 character areas (as shown on Parameter Plan 5) as follows:

Green Belt Edge – low density houses, green character

Central Slopes - medium density, mix of houses and apartments up to 4 storeys in height

Southern Hub – highest density, predominantly apartments up to 6 storeys in height.

Mixed Use/retail/community – mixed uses around public square and new primary school.

The approved Design Code for the scheme further splits the Central Slopes Character Zone into East (CZE) and West (CZW) character zones.

The site falls partly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height of a 'garden housing layout' comprising of smaller blocks composed of detached, semi-detached and terraced houses and the occasional small apartment buildings. Development within the central slopes east character zone can accommodate a mixture of 'garden housing' and higher density 'garden court' style housing involving medium density development providing a block perimeter layout including the use of communal parking courts.

The design and layout of the scheme predominately follows the above parameters with lower density suburban houses located on the northern portion of the site, backing onto the rear of properties in Thirleby Road within the Annington Scheme to the east and Partingdale Lane to the north. The higher density form of development comprising the apartment buildings are located in the southern section of the site, in positions where they do not directly face any of the existing houses in the Annington Development. The position of these properties have to some extent been cut back beyond what is allowed within the approved parameters in circumstances where concerns existed in respect of the relationship of the new development and existing properties.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established, with the development as a whole providing 89 units within this phase.

4.4 Layout

Policies CS5 and DM01 require development to be of a high quality design and should ensure attractive, safe and vibrant streets which provide visual interest. Proposals should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime. The proposals demonstrate an internal road and building layout in broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan 1.

The primary distributor road named 'secondary general' on the approved parameter plans runs along the southern perimeter of the phase which roads branch off giving access to both the adjoining Phase 4a Development and the northern portion of the development plot. These roads will link through to the wider Millbrook Park Estate Road network connecting through to Bittacy Hill to the south and west and Frith Lane to the East. The proposed layout is in compliance with the parameter plans and the Illustrative Masterplan.

Site Boundaries

Within Phase 4c there are two key primary site boundaries, these being the relationship with Partingdale Lane to the North and the relationship to the Annington Homes site to the east.

Partingdale Lane

The relationship with Partingdale Lane is crucial in marking the transition from the development to the rural green belt edge to the north. The proposed houses along the northern boundary are predominately low density detached properties set back from the edge of the site. There is limited planting along the existing boundary with Partingdale Lane, with the boundary currently being marked by the site hoardings of the site. The application proposes the provision of a landscaped buffer strip beyond the rear fence line of the houses, where new hedgerow and planting is proposed. The space will be managed by the Management Company rather than individual property owners which provides for a greater degree of protection from future pressure to remove these trees in the future. This element of the proposal is unchanged from the previous reserved matters approval.

Annington Homes Development

Phase 4c directly adjoins existing houses located outside of the boundaries of the Outline Planning Permission in this case the Annington Housing Scheme, for which reserved matters approval was granted in 2004.

The Outline Planning Approval included an indicative masterplan which shows a line of houses backing onto the existing house and flats in Thirleby Road, with apartment blocks located at right angles beyond this, with development plots continuing further to the south and south east. The current Reserved Matters Application predominately follows this layout, with some minor changes to plot position. The layout of the scheme results in a predominate development layout by which the backs of proposed houses back onto the backs of existing houses, which is the same as the earlier reserved matters approval. The design of the properties has also been designed to limit as far as is possible the impact of the development on existing house, by setting the proposed properties further back and lowering the height of the properties facing Thirleby Road in comparison with the extant reserved matters approval

Overall it is considered that the interface with the existing housing has been appropriately and successfully achieved. Detailed consideration of the design of the properties and issues of neighbouring amenity are discussed in detail later in this report.

Parking

Parking throughout the development is either on plot for the proposed houses or in surface level communal parking courtyards for the proposed apartments. This represents a slight change from the extant approval which included the use of shared parking courts for some of the proposed houses and basement car parking for the apartment blocks.

The level of parking is discussed in the highways section of this report.

Access

The Design Code has been approved to enable the delivery of a permeable and legible new neighbourhood. The approved parameter plan includes new roads and the footpaths. The proposed layout follows the layout indicated on the approved parameter drawings. And is considered to provide for a legible and permeable development. The scheme also allows for the potential of a future pedestrian linkage to be formed to the Annington Scheme, however as this development is not under the same ownership it is not possible to form an actual connection. This was similarly provided for in the extant reserved matters scheme.

Crime

The proposed layout predominately follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages.

Levels

Phase 4c has relatively gentle changes of levels at the top of the site, with significant changes of levels along the eastern and southern edge of the site dropping down to the Annington Properties. Level Changes range from a drop of 4 metres on the top portion of the site to a 9.8m drop on the southern portion.

The previous strategy utilised within the approved reserved matters, used split level houses to overcome the sloping site. Although this provided a solution to the issue of levels, this approach was expensive, complex in build-ability terms and also created homes where the main family garden was located a floor below the entrance level.

The current scheme has removed the split level dwellings and dealt with the change in levels by lowering the height of the road that runs on the south-west, north east axis through the site. This lowers the total height of the buildings and also allows direct access on a single level from street to garden. The gardens of the proposed properties are proposed to be terraced with retaining structures resulting in a simplified arrangement which would also mitigate the impact of the proposal in relation to adjoining properties.

Appearance

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

As discussed, Phase 4c is located within both the GBE and CSE character zones and as such it is necessary for the scheme to provide for a subtle transition between the more dense form of housing development in the southern part of the development and the lower density form of development on the northern part of the site.

Green Belt Edge

The houses towards the Green Belt Edge are of a looser form to development in the southern portion of the site, to some extent following the form established in the adjoining Phase 4a. The design of these houses has changed from the previously approved reserved matters approval to present a more contemporary appearance in line with the changes

proposed elsewhere within this phase, with pitched asymmetrical roofs and large floor to ceiling fenestration. The design of the buildings is fairly simple in design and complements the adjoining development in Phase 4a which also prov.

Central Slopes East

The central slopes character area includes the two apartment buildings proposed in Blocks A and B fronting the Panoramic Park. These apartment blocks are 3 and 4 storeys in height with flat roofs providing an active frontage fronting the Park. The design of the apartment blocks is contemporary in appearance including projecting steel frames, projecting balconies and is considered to present a strong visual presence in keeping with its location. A line of link detached houses with front facing roof gardens are located beyond these blocks stepping down the hill. Behind these units a three storey apartment block is proposed beyond this (Block C) which will house some of the affordable housing units along with two pairs of semidetached houses with asymmetrical roofs. Car Parking to the apartments and the houses will be in the form of a shared surface courtyard

Central Street

The central street is the main road running northwards from the Panoramic Park to the South the north of the site fronting Partingdale Lane. The housing proposed is included in the Central Slopes Character area for the purposes of the submission but differ in some regards from the houses to the south. The properties are set out in the form of a three storey terrace with asymmetrical gabled roofs and lower height two storey links, helping to break up the massing of the proposal and to allow view through. As discussed in greater detail below under neighbouring amenity, the properties have been designed to improve the relationship to the Ridgemont properties to the east being set further back and with lower roof forms than the extant scheme.

Conclusion for External Appearance

The mixture of the traditional form of the properties located within the green belt edge, and central streets with the more contemporary form of the apartment blocks and houses in the southern portion of the site is considered appropriate to this location and also provides for variety and legibility. It is considered that the architectural approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

Material Specification

The Design Code stipulates that a warm red brick GBE character area while either warm red or buff coloured bricks may be used in the CSE character area. The Design code also specifies that the material palette along the Partingdale Lane frontage should include clay plain tile or natural slate roofs, high performance timber windows and black coated aluminium rainwater goods.

The submitted scheme predominately follows this, with warm red bricks and clay roofs being proposed in the northern edge of the development with lighter buff bricks and flat roofs or blue tiles being proposed in the central slopes character area

The scheme proposes two different material patterns for the development.

While no specific details concerning issues such as the make of brick and the colour finish of the windows has been provided, the broad material approach outlined in the submission is considered acceptable according with the principles of the design code. Conditions are attached requiring physical samples to be provided prior to the commencement of the development.

4.5 Landscaping

The 'Revised Public Realm and Open Space Strategy' approved at outline stage sets out the principles for a landscape and open space strategy for Millbrook Park and provides detailed design guidance for reserved matters applications. The approved Design Code adds another layer of detail and requires a number of landscaping features in Phase 3.

Partingdale Lane frontage

The Design Code advises that the existing boundary vegetation should be reinforced to maintain and strengthen the positive vegetated edge and that additional boundary treatment such as metal railings should be installed ensuring no disturbance to trees and hedgerows.

The proposal advises that a new hedgerow and planting will be provided along a dedicated landscaped strip along Partingdale Lane. This is unchanged from the previously approved reserved matters approval and is considered to accord with the principles outlined in the Design Code and is considered acceptable.

Green Spaces

As discussed above, Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space for Phases 3 and 4a. Parameter Plan 2, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase. No open space is required within this phase.

Trees

This Phase contains a group of trees in the north east corner of the site fronting Partingdale Lane. These trees consist of an Oak, 4 false Acacia trees and a Cherry Tree. In addition to this a Norwegian Maple which was previously indicated as being present in this location is no longer in situ on the site. With the exception of one of the false Acacia, the remainder of the trees have been marked as to be removed 'subject to Reserved Matters Approval' and as such are not required to be removed.

All of the trees with the exception of the false Acacia are proposed to be removed.

In mitigation for the removal of the existing trees 40 new trees, and significant shrub and hedge planting are proposed to be planted throughout this phase. This is considered acceptable and is considered to adequately compensate for the trees which are proposed to be lost;

Maintenance

Areas of public open space, estate roads and parking court areas are to be transferred to the Millbrook Park Residents Management Company (RMC1) for ongoing maintenance, in

accordance with the approved Estate Management Framework approved pursuant to Condition 10 of the outline consent (ref H/01219/12).

Hard areas

A simple, robust palette of materials is provided in accordance with the requirements of the Design Code and the contrast for different street types and areas help to distinguish between the private and public realm. The materials have also been chosen to respond to the proposed sustainable drainage strategy (SUDs).

Positions of street lights along the southernmost street have been approved under application ref. H/00668/13 (the advance infrastructure works application). In accordance with condition 9 of this consent, the approved positioning of street lights will be revisited following approval of this application.

A condition is also suggested requiring the provision of a detailed lighting plan prior to the commencement of development for this phase similar to the previous reserved matters approval.

Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set in the Design Code and parameter plans. It will enhance the Partingdale Lane frontage and will frame and complement the architectural approach whilst increasing the overall biodiversity of the site's environment. It complies with Policies CS5 and DM16.

4.7 Amenities of Future Occupants

Dwelling outlook and daylighting

Development plan policy requires that new dwellings are provided with adequate outlook. The layout proposed for Phase 4a maximizes the outlook of occupiers of the new dwellings, with all houses being located on a north south or east west axis. All of the proposed apartment buildings are either dual aspect or southern facing and it is considered that all units will receive adequate levels of daylight and sunlight.

Privacy

Across the majority of the site privacy distances are considered to be in keeping with policy requirements with rear to rear distances meet or exceed the minimum policy requirement of 21m and the window to flank wall of 12.5m. Front to front distances are in some cases lower, however this reflects the relationship of houses facing one another across a street which accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas and similar separation distance have been accepted on earlier phases and is considered acceptable. In these circumstances the relationship achieved is considered to be acceptable without compromising privacy levels.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor's Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon the same standards.

All of the units proposed would have a gross internal floor area which exceeds the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Amenity space

The approved Design Code requires the provision of 10 sq.m of amenity space for a 1 bed flat, 15 sq.m for a 2 bed flat, 40-55 sq.m for a 3 bed house, 55-85 sq.m for a 4 bed house and 85 sq.m for a 5 bed house.

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens and the proposed flats will all have access to a private amenity area, in the form of a balcony, roof terrace or patio along with access to shared amenity areas. The following reconciliation table has been submitted in support of the application which demonstrates that the proposal comfortably exceeds the relevant minimum requirement.

Table 6.5 - Design Code Amenity Space Standards

Unit Details		Amenity Space Requirement		Amenity Space Provision
Unit Type/Size	No. of Units	Design Code Standard (sqm)	Design Code total Requirement	
1BF (3 habitable rooms)	12	15sqm	660sqm	2,030 sqm (of which 540qm is private amenity space)
2BF (4 habitable rooms)	24	20sqm		
3BH (5+ habitable rooms)	16	55-85sqm	955sqm	1,265sqm private amenity space
4BH (6+ habitable rooms)	24	70-85sqm	1,965sqm	2,340sqm private amenity space
5BH (7+ habitable rooms)	13	85sqm	1,105sqm	1,074sqm private amenity space
Total	89	-	4,685sqm	6,709sqm

4.8 Impacts on amenities of neighbouring and surrounding occupiers and users

Properties within the Annington Homes (Ridgemont) Development

The development directly adjoins the rear of residential properties within the Annington Homes (Ridgmont) development to the east of this phase. This development is located outside of the part of the Millbrook Park Site covered by the Outline Planning Permission, in this case the completed Annington Homes development authorised under an earlier reserved matters permission in 2004.

The previously approved reserved matters approval for this phase attracted a significant level of objections from residents in this development. However approval of the Reserved Matters application was granted at Planning Committee and as such can be lawfully implemented.

The current application has made a number of amendments to further mitigate the impact of the proposal on the adjoining development. Key changes of relevance include:

- 1) The setting back of the proposed buildings an extra metre from the rear boundary resulting in distance separation distance of between 22.4m and 23.9m between first floor window elevations and 10.5m to the adjoining gardens. In comparison the approved scheme was sited 21.1m (19m at ground floor) from adjoining properties.
- 2) The deletion of the proposed split level apartments resulting in a lower overall height.
- 3) The replacement of two houses to the south with a car park, and setting the two proposed apartment blocks further towards the road and away from the boundary with the adjoining development.

As a result of the changes the proposed scheme would result in an improved relationship to the extant approval. It is also noted that the extant scheme was also considered acceptable in its relationship, resulting in no significant impact on daylight/ sunlight or privacy. Similarly the current application would also not result in significant loss of daylight, sunlight or privacy to these properties due to the form of development and distance between properties.

Phase 4a Development

The development adjoins the Phase 4a development of Millbrook Park to the east, across existing and proposed estate roads. There are no back to back relationships between the phases. The front to front separation distances when they do occur are at distances of between 12 and 15m, however this reflects the relationship of houses facing one another across a street which accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas. These figures are also comparable to distance separations between properties on the earlier Phase 4a development and are considered acceptable. In these circumstances the relationship achieved is considered to be acceptable without compromising privacy levels.

4.9 Transport, parking and highways matters:

Access

The access points have already been established and the main internal estate roads have been laid out in accordance with the Illustrative Masterplan. The use of the permeable block paving for secondary streets and private driveways is in compliance with the Design Code. The 'movement hierarchy' anticipated in the Design Code will be achieved.

Parking

Parking Standards set out in the Local Plan Policy DM17 is as follows:
Maximum Standards will be:

- (i) 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms)
- (ii) 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms) and
- (iii) 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

Condition 23 of the outline consent limits the number of residential parking spaces to 2,522 (plus limited visitor parking) across the whole site.

The table below shows the typical parking requirement as set out in the Design Code and that set out in the outline planning permission for the proposed development.

No. of units	Parking Ratio Permission	Parking Ratio Design Code	Parking Req.
12	1	1.1	12
24	1	1.1	24
16	1.2	1.5/2	19-32
37	2	2.0	74
Total			129-142

The previously approved reserved matters application proposed a total of 141 parking spaces comprising 133 allocated parking spaces and 8 unallocated parking spaces for visitors.

The level of car parking has been marginally increased in the current application proposing 146 allocated car parking spaces and 4 visitor parking spaces. While this is slightly above the levels indicated in the matrix above, they are not significantly so and are justified due to the location of the plot in the least accessible part of the site.

It is noted that the total number of spaces for the entire Millbrook Park development cannot exceed 2,522 and as such the marginal change in car parking levels would not materially affect the operation or capacity of neighbouring highways.

20% of spaces will be provided with Active Electrical Vehicle Charging Points (ECVP) and a further 20% of spaces will be provided for the future installation with ECVP which is in accordance with TfL Parking Standards.

Accessibility and Inclusivity

The submitted planning documents advise that 10% of units will be built to wheelchair standards which is in compliance with Condition 70 (Design to Lifetime Homes Standards and Wheelchair Standards) of the outline consent. The allocated car parking spaces to these properties are in close proximity to their entrance points.

Cycle Parking

Cycle Parking and Storage Facilities

The Outline Planning Approval envisaged that each phase of the development is to include the provision of cycle parking facilities in accordance with the following standards:

- One/Two bed units: 1 space per unit
- Three/Four/Five bed units: 2 spaces per unit

142 cycle parking spaces have been identified on the submitted drawings. Cycle parking is proposed in dedicated cycling sheds in relation to the houses and shared secured cycle storage in relation to the apartments. This is considered acceptable in accordance with Policy Requirements.

Waste Management

Household recycling and refuse waste collection facilities have been designed in accordance with the requirements set out in London Borough of Barnet's guidance note; 'Information for developers and architects, Provision of household recycling and refuse waste collection services.'

The submitted plans show the proposed location for refuse bins and the direction they will be taken on collection day. In principle, the majority of houses and the affordable flats will have a dedicated location for refuse storage and residents will bring these forward to the front boundary on collection day and empty bins will be retrieved by residents and stored in their original location.

For the Apartment Buildings in Blocks A and B the refuse storage will be provided integrally to each block, with a management company responsible for moving refuse to designated collection points. Block C will have an externally secure bin store which is located within 10m of the property boundary. This is considered acceptable.

Street lighting

The provision of adequate and well designed lighting will influence potential criminal behaviour and should help to reduce the risk of crime and fear of crime for those people living and visiting within this latest phase of the Mill Hill East development.

Positions of street lights along the southernmost street have been approved under application ref. H/00668/13 (the advance infrastructure works application). In accordance with condition 9 of this consent, the approved positioning of street lights will be revisited following approval of this application. A condition is also suggested requiring the provision of a detailed lighting plan including lux lines prior to the commencement of development for this phase. Similar Conditions were attached to the earlier phases of development.

Conclusion for Transport, Parking and Highways

In summary, the application provides for adequate parking without harming the local highway network and promotes sustainable modes of travel and complies with Policies CS9 and DM17.

4.10 Environmental issues

Construction management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matters application. A Construction Management Plan has been submitted in support of this reserved matters application sets out the approved construction routes to and from the site and arrangements that will be implemented to ensure the environmental issues are managed and the impact on the surrounding environment by this development is kept to a minimum with regards to noise disturbances, vibration, dust, smoke, plant emissions and traffic.

Contamination

A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy on a phase by phase basis and part iv) requires a verification to be submitted for each phase.

Details of remediation of the phases have already been submitted and approved under advanced infrastructure consent H/00668/13.

4.11 Energy, climate change, biodiversity and sustainable construction matters:

Sustainable design and construction

The application is accompanied by a Sustainability Statement, Energy Strategy and Code for Sustainable Homes Pre-Assessment. The applicant is committed to achieving Code for Sustainable Homes Level 4 (35% improvement over the Part L 2013 Target Emission Rate), as is required by London Plan policies and Condition 80 (Code for Sustainable Homes) of the outline consent. This is mainly achieved by implementing high building fabric specifications and energy efficient measures. The submitted information is considered sufficient to meet the requirements of Condition 80 which can be discharged in relation to Phase 4c.

An overarching energy strategy for the whole of Millbrook Park was submitted and approved pursuant to Condition 79 of the outline consent (ref H/00560/12). The approved strategy outlines how a centralised energy supply to the south of the site will be delivered, and a decentralised supply to the north. The south of the site will be served by a District Heating Network provided by a single Energy Centre while the north of the site is expected to adhere to the Mayor's Energy Hierarchy by utilising an energy efficient building fabric and where applicable photovoltaic panels (PV).

The Mayor's Energy Hierarchy sets out three methods for achieving a minimum 35% reduction in carbon emissions:

- 1 Be lean: use less energy (fabric efficiency standards)
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

The submitted energy strategy proposes a combination of fabric first, in which the insulation of the buildings is improved, along with PV panels and on site CHP which will achieve a greater than 35.42% improvement over the Part L 2013 Target Emission Rate which accords with the Mayor's Energy Hierarchy. It is therefore considered to that Condition 79 can be satisfactorily discharged in relation to Phase 4c.

Water resource

The drainage strategy for Phase 4c is developed from the principles identified in the approved site wide drainage strategy produced by Halcrow pursuant to Condition 43 (Drainage Strategy, H/04340/11, April 2012) of the outline consent.

The surface water drainage system to serve Phase 4c will follow best practice using Sustainable Urban Drainage Systems (SUDS) to attenuate and treat runoff from roofs, roads, car parks and other permeable areas. Waterbutts, pervious pavements and geocellular storage structures are proposed to reduce the impact of surface water runoff from the new development.

Condition 82 (Greywater/Rainwater Recycling Target) of the outline consent identifies that subject to feasibility, a minimum of 10% of rainwater to be collected on site and used to provide for irrigation needs of the development. Condition 83 (Greywater/Rainwater Recycling Provision) requires the submission and approval of details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings of the phase and this should include a reconciliation plan or table showing how the provision complies with the 10% target fixed by Condition 82 where feasible.

The applicant advises that waterbutts will be installed on all properties with garden areas as a result of the amendments to the scheme. Kitchens and bathrooms will also be fitted with restricted flow taps and dual flush toilets to achieve a target consumption of 105 Litres/ per person. This is considered broadly satisfactory and it is considered that Condition 83 can therefore be discharged insofar as the information relates to Phase 4c only.

Biodiversity and Ecology

The AAP encourages the planting of native species to encourage biodiversity. The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place.

A site wide Ecological Mitigation and Management Plan (EMMP) was submitted and approved (H/04184/11, November 2011) pursuant to Condition 60 of the outline consent. It was considered that the document as approved demonstrated a comprehensive overall management plan for ecological assets on the application site.

No specific survey has been submitted with the current application, although the proposed new hedgerows and tree would enhance the biodiversity potential of the scheme.. The advanced Infrastructure Planning Consent for this phase (Ref: H/00668/13), includes a requirement for details to be provided concerning the provision of bat and bird boxes, however as the proposal involves the removal of the existing trees in this Phase it is considered appropriate to attach a similar condition to this reserved matters application. The proposed landscaping proposals which are discussed in more detail along with the proposed mitigation matters are considered acceptable.

Green roofs

Condition 84 (Green/Brown Roofs Target) of the outline consent requires a minimum of 10% of green or brown roofs across the whole of Millbrook Park site. Condition 85 (Green/Brown Roofs Provision) requires details to be submitted and approved demonstrating this provision across the whole site including a reconciliation plan or table showing how it meets the 10% target fixed by Condition 84. No green/brown roofs are proposed in this phase due to the style of architecture proposed and it is envisaged that this would be provided in other phases.

5. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

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

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code.

The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties, resulting in an improved relationship to the previously approved reserved matters approval. It would provide for much needed quality family housing that would have a good standard of accommodation including outlook, privacy and access to daylight.

The mixture of the traditional form of the properties located within the green belt edge and the more contemporary form of the apartment blocks and houses facing the Panoramic Park is considered appropriate to this location and also provides for variety and legibility. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

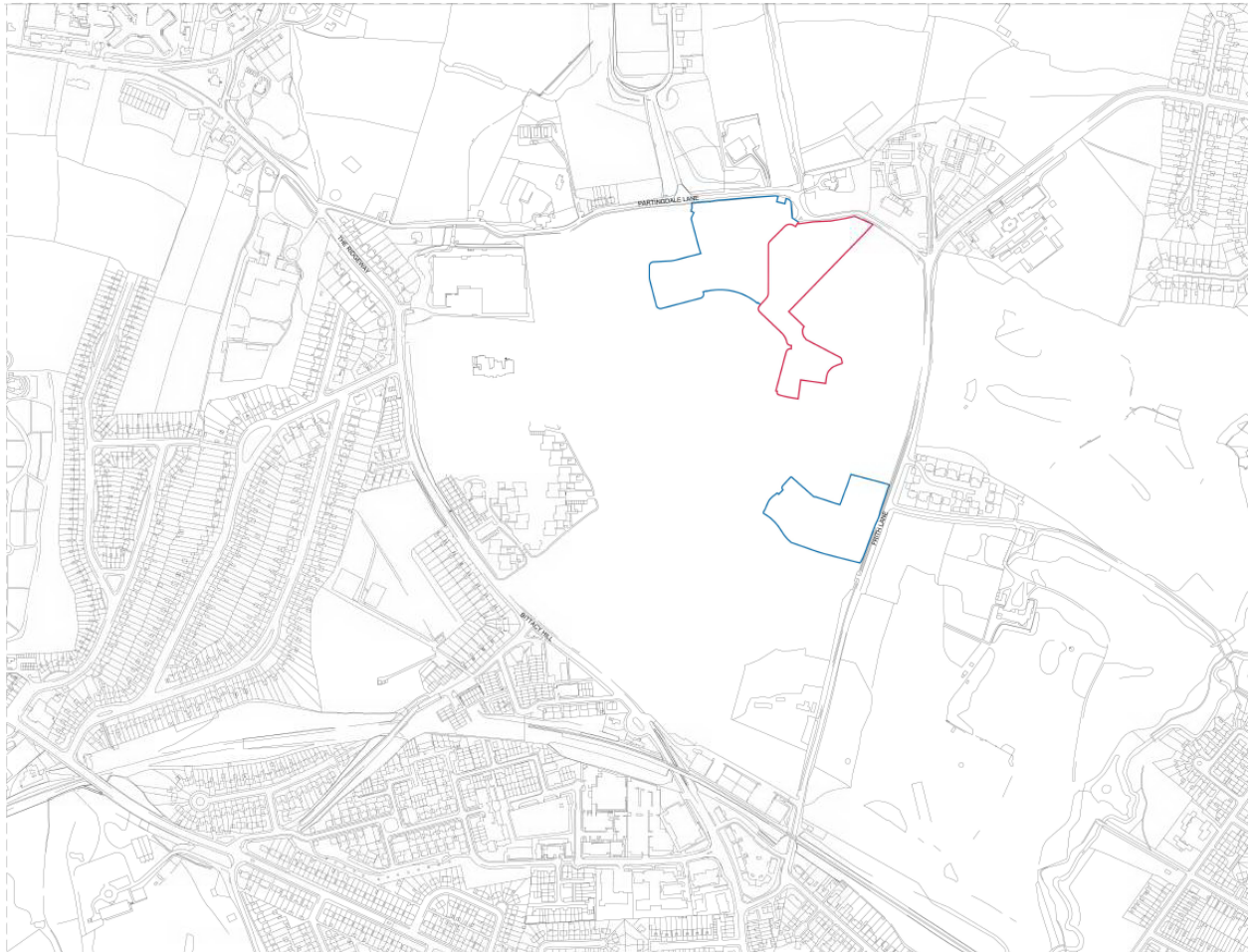
A large number of new trees and the landscaping scheme would mitigate the loss of the existing trees in the north east corner of the site, contributing to the 'green edge' in this part of Millbrook Park site.

The application also satisfies the requirements of Conditions 5, 8, 12, 26, 27, 29, 32, 35, 48, 52, 57, 69, 70, 80, 83 and 85 of the outline consent.

It is recommended that the application be **approved** subject to the attached conditions.

SITE LOCATION PLAN: Phase 4c, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: 18/0635/RMA



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